

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 23 May 2012

### PRESENT

Cllr A Shadbolt (Chairman)  
Cllr K C Matthews (Vice-Chairman)

Cllrs	P N Aldis	Cllrs	Mrs R B Gammons
	M C Blair		D Jones
	D Bowater		Ms C Maudlin
	Mrs C F Chapman MBE		P F Vickers
	Mrs R J Drinkwater		J N Young

Apologies for Absence: Cllrs A R Bastable  
R D Berry  
Mrs S Clark  
I Dalgarno  
T Nicols  
I Shingler

Substitutes: Cllrs A D Brown (In place of Mrs S Clark)  
Mrs D B Gurney (In place of I Dalgarno)  
J Murray (In place of I Shingler)  
B J Spurr (In place of R D Berry)  
N Warren (In place of A R Bastable)

Members in Attendance: Cllr R C Stay

Officers in Attendance:	Mr D Ager	Highways Officer
	Miss H Bell	Committee Services Officer
	Mr A Bunu	Senior Planning Officer
	Mr A Davie	Head of Development Management
	Mrs V Davies	Principal Planning Officer
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Mr D Hale	Planning Manager South
	Mr D Lamb	Planning Manager East
	Miss N McPhee	Planning Officer
	Mr R Murdock	Principal Planning Officer

DM/12/184 **Chairman's Announcements**

The Chairman reminded Members to silence their mobile phones for the duration of the meeting.

The Committee were advised that the description relating to Item 11 on the front sheets of the agenda were incorrect and should read as follows:

**Address:** Land rear of White Horse PH, Park Lane Eaton Bray, Dunstable

Development with 4 houses and all ancillary works and changes to existing pub car park.

**Applicant:** Taylor French Developments Ltd.

The Chairman advised the Committee that it was his intention to vary the order of business and consider Item 18 after consideration of Item 13.

DM/12/185 **Minutes**

**RESOLVED**

*that the Minutes of the meeting of the Development Management Committee held on 25 April 2012 be confirmed and signed by the Chairman as a correct record.*

DM/12/186 **Members' Interests**

(a) **Personal Interests:-**

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr M Blair	7	Know Architect	Present
Cllr N Young	7	In capacity as Executive Member and Ward representative had discussions with applicant	Present

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

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr C Maudlin	14 & 15	Member of family is applicant	Absent
Cllr K C Matthews	21	Member of family is applicant	Absent

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

<b>Member</b>	<b>Item</b>	<b>Parish/Town Council</b>	<b>Vote Cast</b>
Cllr P N Aldis	19	Sandy Town Council	Did not vote
Cllr Mrs D B Gurney	16	Everton Parish Council	Did not vote

DM/12/187 **Petitions**

The Chairman advised that no petitions had been received.

DM/12/188 **Planning Enforcement Cases Where Formal Action Has Been Taken**

**RESOLVED**

**that the update on Planning Enforcement Cases where formal action has been undertaken be noted.**

DM/12/189 **Late Sheet**

In advance of the consideration of the consideration of the Planning Applications the Committee received a Late Sheet advising of additional consultation/publicity responses, comments and proposed additional/amended conditions. A copy of the Late Sheet is attached as an Appendix to these Minutes.

DM/12/190 **Planning Application No. CB/11/04497/OUT**

**RESOLVED**

**that Planning Application No CB/11/04497/OUT relating to Dukeminster Estate, Church Street, Dunstable be approved, subject to the prior completion of a Section 106 agreement, as set out in the schedule appended to these Minutes.**

DM/12/191 **Planning Application No. CB/12/00744/RM**

**RESOLVED**

**that Planning Application No CB/12/00744/RM relating to Site 15c, Pratts Quarry, Billington Road, Leighton Buzzard be delegated to the Head of Development Management, in consultation with the Chairman and Vice Chairman of the Committee, Executive Member for Sustainable Communities, Strategic Planning & Economic Development and Ward Representative(s) to determine.**

DM/12/192 **Planning Application No. CB/12/00751/RM**

**RESOLVED**

**that Planning Application No CB/12/00751/RM relating to Site 15c, Pratts Quarry, Billington Road, Leighton Buzzard be delegated to the Head of Development Management, in consultation with the Chairman and Vice Chairman of the Committee and Executive Member for Sustainable Communities, Strategic Planning & Economic Development be delegated authority to determine the application.**

DM/12/193 **Planning Application No. CB/12/00825/RM**

**RESOLVED**

**that Planning Application No. CB/12/00825/RM relating to Site 15cf, Pratts Quarry, Billington Road, Leighton Buzzard be delegated to the Head of Development Management, in consultation with the Chairman and Vice Chairman of the Committee and Executive Member for Sustainable Communities, Strategic Planning & Economic Development and Ward Representative(s) be delegated authority to determine the application.**

DM/12/194 **Planning Application No. CB/11/04496/FULL**

**RESOLVED**

**that Planning Application No CB/11/04496 relating to Land at rear of White Horse PH, Park Lane, Eaton Bray, Dunstable be delegated to the Head of Development Management to refuse as set out in the schedule appended to these Minutes.**

DM/12/195 **Planning Application No. CB/12/01160/FULL**

**RESOLVED**

**that Planning Application No CB/12/01160/FULL relating to Hambleton, Dunstable Road, Studham be delegated to the Head of Development Management to approve the application as set out in the schedule appended to these Minutes.**

DM/12/196 **Planning Application No. CB/12/00726/FULL**

**RESOLVED**

**that Planning Application No CB/12/00726/FULL relating to Land South of Stotfold, Norton Road, Stotfold be delegated to the Head of Development Management to refuse the application as set out in the schedule appended to these Minutes.**

DM/12/197 **Planning Application No. CB/12/01266/FULL**

**RESOLVED**

**that Planning Application No CB/12/01266/FULL relating to Watercote Lane Farm, Biggleswade Road, Upper Caldecote be approved as set out in the schedule appended to these Minutes.**

DM/12/198 **Planning Application No. CB/12/00914/FULL**

**RESOLVED**

**that Planning Application CB/12/00914/FULL relating to Hatch Farm, Hatch Common, Hatch be approved as set out in the schedule appended to these minutes.**

DM/12/199 **Planning Application No. CB/12/00756/FULL**

**RESOLVED**

**that Planning Application No CB/12/00756/FULL relating to 35 Potton Road, Everton be approved as set out in the schedule appended to these minutes.**

DM/12/200 **Planning Application No. CB/12/00466/FULL**

**RESOLVED**

**that Planning Application No CB/12/0466/FULL relating to Land at 2 High Street, Stotfold, had an appeal not have been lodged, would have refused the application as set out in the schedule appended to these minutes.**

DM/12/201 **Planning Application No. CB/12/01007/FULL**

**RESOLVED**

**that Planning Application No CB/12/01007/FULL relating to Land at 3 Olivers lane, Stotfold be deferred for a site inspection.**

DM/12/202 **Planning Application No. CB/12/00796**

**RESOLVED**

**that Planning Application No CB/12/00796 relating to Budgens Stores Ltd, Market Square, Sandy be approved as set out in the schedule appended to these minutes.**

DM/12/203 **Site Inspection Appointment(s)**

**RESOLVED**

**That the following Members be appointed to conduct Site Inspections to be undertaken in advance of the next meeting of this Committee to be held on Thursday 14 June 2012;**

**Chairman (or his Nominee)  
Vice Chairman (or his Nominee)**

**CIIs: P N Aldis  
M Blair  
A Bastable  
P Vickers**

DM/12/204 **Planning Application No. CB/12/01144/FULL**

**RESOLVED**

**The Chairman agreed to consider this application as an urgent item of business. That planning Application No CB/12/01144/FULL relating to 142B High Street, Cranfield be approved as set out in the schedule appended to these minutes.**

(Note: The meeting commenced at 10.00 a.m. and concluded at 2.58 p.m.)

Chairman .....

Dated .....

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**LATE SHEET****DEVELOPMENT MANAGEMENT COMMITTEE**

***Item 7 (Page 13-46) – CB/11/04497/OUT – Dukeminster Estate, Church Street, Dunstable***

***Demolition of all buildings on the site and redevelopment for a mixed use scheme for up to: 203 residential dwellings together with a 75 bed care home; 568 sqm (GFA) of class A1 retail space; 505 sqm (GFA) of class A2 financial and professional services or class A3 restaurants and cafes space; 555 sqm (GFA) of class D1 non residential institutions space; 783 sqm (GFA) of B1 business space together with associated vehicular parking and landscaped areas.***

**Additional Consultation/Publicity Responses**

Anglian Water - There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that an informative be attached to any permission granted.

The foul drainage from this development is in the catchment of Dunstable STW that at present has available capacity for these flows. Development will lead to an unacceptable risk of flooding downstream. An appraisal has been carried out in respect of disposal of foul discharge from this site however it has not been reflected in this planning application. We request a condition requiring the drainage strategy covering the issues to be agreed.

The preferred method of surface water disposal would be to a sustainable drainage system (SUDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency.

The Flood Risk Assessment (FRA) makes reference to existing surface water flows discharging to the public system in storm events up to 1 in 100 years, the public surface water system is designed not to surcharge in events up to 1 in 30 years, therefore this aspect will need to be considered within the FRA and in the on-site sewer design should infiltration prove unsuitable We request a condition requiring a drainage strategy covering the issues to be agreed.

The planning application includes employment/commercial use. To discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires our consent. It is an offence under section 118 of the Water Industry Act 1991 to discharge trade effluent to sewer without consent. Anglian Water would ask that an informative be added to any planning permission granted.

Overall Anglian Water are satisfied that the outstanding matters can be adequately dealt with by conditions, as set out below.

### **Additional Conditions**

40. No development shall commence until a foul water strategy submitted has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

41. No development shall commence until a surface water strategy/flood risk assessment has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the surface water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

### **Additional Informatives**

13. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

14. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

### **Amended Conditions**

#### **Condition 36 as existing**

36. Development shall not begin until a scheme to include details of Traffic Regulation Orders and parking restrictions on the proposed roads have been approved by the Local Planning Authority and no building shall be occupied until that scheme has been implemented in accordance with the approved details.

Reason: To manage on-street parking and thereby safeguarding the interest of the safety and convenience of road users.

**Condition 36 as proposed**

36. Development shall not begin until a scheme to include details of Traffic Regulation Orders and parking restrictions on the proposed roads has been approved by the Local Planning Authority and no building shall be occupied in any one phase until the scheme has been implemented for the phase in question in accordance with the approved details.

Reason: To manage on-street parking and thereby safeguarding the interest of the safety and convenience of road users.

**Condition 23 as existing**

23. Development shall not begin until details of the improvements to the junction between the proposed estate roads and the highway have been approved by the Local Planning Authority and no building shall be occupied until those junctions have been constructed in accordance with the approved details.

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

**Condition 23 as proposed**

Development shall not begin until details of *any improvements required* to the junction between the proposed estate roads and the highway have been approved by the Local Planning Authority and no building shall be occupied until those junctions have been constructed in accordance with the approved details.

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

**Condition 39 as existing**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2429/222A and 224A. This permission does not extend to the details shown on drawing 2429/100C.

Reason: For the avoidance of doubt.

**Condition 39 as proposed**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2429/315E, 2429/318A & 2429/319B.

Reason: For the avoidance of doubt.

**Delete condition 18** which duplicates the requirements of other conditions. Surface water drainage is dealt with by condition 13 and foul water drainage is dealt with by condition 21.

**Points of clarification**

Page 29 – Section 7 – 3<sup>rd</sup> paragraph

The land available for the potential alternative badger sett was subject to a CPO in relation to the busway, this land is likely to be returned to the applicant but has not yet been agreed.

Page 26 – Section 4 – final paragraph

The 1073m<sup>2</sup> proposed includes both A1 uses (shops) and A2 uses (financial and professional services).

Page 30 – Section 8 – 2<sup>nd</sup> paragraph

The viability assessment clause would be applied to all contributions within the s106 not only affordable housing.

***Item 8 (Page 5-64 of Supplement to Public Reports Pack) – CB/12/00744/RM – Site 15c, Pratts Quarry, Billington Road, Leighton Buzzard (Persimmon)*****Additional Comments**

An additional plan has been submitted which shows the whole scheme for the 15C site, incorporating landscaping proposals across the “pylon land” traversing the site. Additional plans showing street scene elevations from Kestrel Way on the northern edge of the development and from across the NEAP on the southern edge of the development.

Revised plans showing a number of design changes have been submitted in response to comments from the Urban Design Consultant, Leisure Services and Highways. The main changes to the Persimmon part of the scheme are as follows:

- The layout of plots 43 and 44 has been revised to create a focal point/landmark building at the southern corner of the site with Billington Road.
- The vehicle manoeuvring area/turning head between plots 22-26 and 30 has been revised to relate more satisfactorily to the adjacent dwellings.
- The dwelling for plot 30 has been resited so as to avoid a blank elevation facing south onto Billington Road.
- Additional turning space has been provided between plots 3 and 4 and between plots 42 and 43.
- A footpath zone is now shown between the highway and the southern LAP. The LAP would have a low fence or railings around the perimeter. The corner has also been modified so that a vision line is created in both directions by introducing an area of granite sets, or similar, beyond the highway limit.
- A number of changes to the fenestration, elevational treatment and roof form of the proposed dwellings in response to the comments of the Urban Design Consultant.

**Additional Consultation/Publicity Responses****Urban Design Consultant**

The proposed changes are acceptable. No further comments on the revisions made.

### Leisure Services - Recreation Open Space

Noted that the footpaths to the NEAP have been revised such that the central footpath is replaced by two, close to the eastern and southern boundaries of the NEAP. This is considered fine.

Noted that there is now a footpath zone between the highway and the southern LAP (on the Persimmon site). The LAP would have a low fence or railings around the perimeter. The corner has also been modified so that a vision line is created in both directions by introducing an area of granite sets, or similar, beyond the highway limit. This is considered fine, except low fencing needs to be replaced by 1.0m Bow Top metal fence.

The developers should be made aware of the actual play equipment required in the LAP (3 pieces of equipment for 3-6yr olds).

### Highways

#### Leighton Buzzard Allotment Association

With reference to items 8, 9 and 10 of the agenda of the Development Management Committee meeting of 23 May 2012, the allotment association asks for consideration to be given to our concerns about the 'pylon land'.

This land has been identified by the developer (who owns the land) for use as allotments. Our allotment association is concerned that it is not a suitable location for anything more than some allotment provision for the people who buy or rent the homes to be built as detailed in the Pratts Quarry C applications.

We point out that current allotment holders have experienced significant problems with burglaries from sheds and pilfering of produce to the extent that we have all paid towards security fences and a gate provided by the Town Council.

Drawing on this lesson, we suggest that the new residents overlooking the pylon land will not want similar fencing as the outlook from their properties. We further suggest that, without such fencing, only local residents will have the commitment and reason to 'police' the area and report any signs of criminal activity.

Finally, we note that a proportion of the allotment holders not on the Pratts C estate will need vehicle access that may impinge on the amenity of the new residents.

As it stands, the reports on these three agenda items simply recommend a note to be added to planning permission referring to the provisions of the S106 agreement. We are concerned that this may not be enough due to new Government rules to allow renegotiation of S106 agreements.

On the basis of understanding, we ask that the note on the pylon land is actually made into a condition as part of the planning approval. We also ask that we are consulted on this or any other scheme in Leighton Linlade that includes the provision for allotment land.

### Note

*As part of the proposals for housing developments on the neighbouring sites at Pulford Corner, Stanbridge Road and Pages Field, developers proposed the use of this land as allotments. However the provision of allotments on the "pylon land"*

*traversing the site does not form part of this application. As the recommended Informatives for the current applications note, the 15C development is subject to a Section 106 Agreement which includes obligations in respect of the parameter plans and “pylon” land and requires the submission, approval and implementation of a scheme for landscaping, laying out, access and maintenance of the “pylon” land, prior to the implementation of the planning permission. Given the requirements of the Section 106 Agreement in relation to the “pylon land”, any planning condition requiring the submission of details for this land would duplicate the existing control over the “pylon land” and is not therefore considered necessary.*

### **Additional/Amended Conditions**

### **Item 9 (Pages 25-45 of Supplement to Public Reports Pack) – CB/12/00751/RM – Site 15c, Pratts Quarry, Billington Road, Leighton Buzzard (Charles Church)**

#### **Additional Comments**

An additional plan has been submitted which shows the whole scheme for the 15C site, incorporating landscaping proposals across the “pylon land” traversing the site. Additional plans showing street scene elevations from Kestrel Way on the northern edge of the development and from across the NEAP on the southern edge of the development.

Revised plans showing a number of design changes have been submitted in response to comments from the Urban Design Consultant, Leisure Services and Highways. The main changes to the Charles Church part of the scheme are as follows:

- The width of the main access road from Kestrel Way has been increased to 5.5 metres.
- The dwelling for plot 4 has been resited so as to avoid a blank side elevation onto Kestrel Way
- A number of changes to the fenestration, elevational treatment and roof form of the proposed dwellings in response to the comments of the Urban Design Consultant.

#### **Additional Consultation/Publicity Responses**

##### Urban Design Consultant

The proposed changes are acceptable. No further comments on the revisions made.

##### Leisure Services - Recreation Open Space

Noted that the footpaths to the NEAP have been revised such that the central footpath is replaced by two, close to the eastern and southern boundaries of the NEAP. This is considered fine.

Noted that there is now a footpath zone between the highway and the southern LAP (on the Persimmon site). The LAP would have a low fence or railings around the perimeter. The corner has also been modified so that a vision line is created in both directions by introducing an area of granite sets, or similar, beyond the highway limit. This is considered fine, except low fencing needs to be replaced by 1.0m Bow Top metal fence.

The developers should be made aware of the actual play equipment required in the LAP (3 pieces of equipment for 3-6yr olds).

### Highways

#### Leighton Buzzard Allotment Association

With reference to items 8, 9 and 10 of the agenda of the Development Management Committee meeting of 23 May 2012, the allotment association asks for consideration to be given to our concerns about the 'pylon land'.

This land has been identified by the developer (who owns the land) for use as allotments. Our allotment association is concerned that it is not a suitable location for anything more than some allotment provision for the people who buy or rent the homes to be built as detailed in the Pratts Quarry C applications.

We point out that current allotment holders have experienced significant problems with burglaries from sheds and pilfering of produce to the extent that we have all paid towards security fences and a gate provided by the Town Council.

Drawing on this lesson, we suggest that the new residents overlooking the pylon land will not want similar fencing as the outlook from their properties. We further suggest that, without such fencing, only local residents will have the commitment and reason to 'police' the area and report any signs of criminal activity.

Finally, we note that a proportion of the allotment holders not on the Pratts C estate will need vehicle access that may impinge on the amenity of the new residents.

As it stands, the reports on these three agenda items simply recommend a note to be added to planning permission referring to the provisions of the S106 agreement. We are concerned that this may not be enough due to new Government rules to allow renegotiation of S106 agreements.

On the basis of understanding, we ask that the note on the pylon land is actually made into a condition as part of the planning approval. We also ask that we are consulted on this or any other scheme in Leighton Linlade that includes the provision for allotment land.

### Note

*As part of the proposals for housing developments on the neighbouring sites at Pulford Corner, Stanbridge Road and Pages Field, developers proposed the use of this land as allotments. However the provision of allotments on the "pylon land" traversing the site does not form part of this application. As the recommended Informatives for the current applications note, the 15C development is subject to a Section 106 Agreement which includes obligations in respect of the parameter plans and "pylon" land and requires the submission, approval and implementation of a scheme for landscaping, laying out, access and maintenance of the "pylon" land, prior to the implementation of the planning permission. Given the requirements of the Section 106 Agreement in relation to the "pylon land", any planning condition requiring the submission of details for this land would duplicate the existing control over the "pylon land" and is not therefore considered necessary.*

**Additional/Amended Conditions****Additional Consultation/Publicity Responses*****Item 10 (Pages 47-64 of Supplement to Public Reports Pack) – CB/12/00825/RM – Site 15c, Pratts Quarry, Billington Road, Leighton Buzzard (Taylor Wimpey)*****Additional Comments**

An additional plan has been submitted which shows the whole scheme for the 15C site, incorporating landscaping proposals across the “pylon land” traversing the site. Additional plans showing street scene elevations from Kestrel Way on the northern edge of the development and from across the NEAP on the southern edge of the development.

Revised plans showing a number of design changes have been submitted in response to comments from the Urban Design Consultant, Leisure Services and Highways. The main changes to the Taylor Wimpey part of the scheme are as follows:

- Additional turning space has been provided between plots 105 and 106.
- The footpaths to the NEAP have been revised such that the central footpath is replaced by two, close to the eastern and southern boundaries of the NEAP.
- A number of changes to the fenestration, elevational treatment and roof form of the proposed dwellings in response to the comments of the Urban Design Consultant.

**Additional Consultation/Publicity Responses****Urban Design Consultant**

The proposed changes are acceptable. No further comments on the revisions made.

**Leisure Services - Recreation Open Space**

Noted that the footpaths to the NEAP have been revised such that the central footpath is replaced by two, close to the eastern and southern boundaries of the NEAP. This is considered fine.

Noted that there is now a footpath zone between the highway and the southern LAP (on the Persimmon site). The LAP would have a low fence or railings around the perimeter. The corner has also been modified so that a vision line is created in both directions by introducing an area of granite sets, or similar, beyond the highway limit. This is considered fine, except low fencing needs to be replaced by 1.0m Bow Top metal fence.

The developers should be made aware of the actual play equipment required in the LAP (3 pieces of equipment for 3-6yr olds).

**Highways**



Leighton Buzzard Allotment Association

With reference to items 8, 9 and 10 of the agenda of the Development Management Committee meeting of 23 May 2012, the allotment association asks for consideration to be given to our concerns about the 'pylon land'.

This land has been identified by the developer (who owns the land) for use as allotments. Our allotment association is concerned that it is not a suitable location for anything more than some allotment provision for the people who buy or rent the homes to be built as detailed in the Pratts Quarry C applications.

We point out that current allotment holders have experienced significant problems with burglaries from sheds and pilfering of produce to the extent that we have all paid towards security fences and a gate provided by the Town Council.

Drawing on this lesson, we suggest that the new residents overlooking the pylon land will not want similar fencing as the outlook from their properties. We further suggest that, without such fencing, only local residents will have the commitment and reason to 'police' the area and report any signs of criminal activity.

Finally, we note that a proportion of the allotment holders not on the Pratts C estate will need vehicle access that may impinge on the amenity of the new residents.

As it stands, the reports on these three agenda items simply recommend a note to be added to planning permission referring to the provisions of the S106 agreement. We are concerned that this may not be enough due to new Government rules to allow renegotiation of S106 agreements.

On the basis of understanding, we ask that the note on the pylon land is actually made into a condition as part of the planning approval. We also ask that we are consulted on this or any other scheme in Leighton Linlade that includes the provision for allotment land.

Note

*As part of the proposals for housing developments on the neighbouring sites at Pulford Corner, Stanbridge Road and Pages Field, developers proposed the use of this land as allotments. However the provision of allotments on the "pylon land" traversing the site does not form part of this application. As the recommended Informatives for the current applications note, the 15C development is subject to a Section 106 Agreement which includes obligations in respect of the parameter plans and "pylon" land and requires the submission, approval and implementation of a scheme for landscaping, laying out, access and maintenance of the "pylon" land, prior to the implementation of the planning permission. Given the requirements of the Section 106 Agreement in relation to the "pylon land", any planning condition requiring the submission of details for this land would duplicate the existing control over the "pylon land" and is not therefore considered necessary.*

**Additional/Amended Conditions****Item 11 (Page 47-62) – CB/11/04496/FULL – Land rear of White Horse PH, Park Lane, Eaton Bray****Additional Consultation/Publicity Responses**

Anglian Water has no objections to the proposed development.

**Additional Comments**

The Conservation Officer accepts the Tree and Landscape Officer's view that the existing hedgerow is of a poor quality and hence its removal to allow adequate visibility when existing the site would not be detrimental to the character and appearance of the area.

**Amended Conditions/Reasons/Informatives**

1. Delete Highways Condition 13. Park Lane is not a through road and hence the need for a footpath cannot be justified. Furthermore, a footpath would further urbanise this rural location.
2. Delete Informative 6. The turning space to be provided off Park Lane should, in fact be constructed to an adoptable standard.
3. Condition 9 is amended by the addition of the word 'of' so as to read, 'Development shall not begin until details of parking ---- '

***Item 12 (Page 63-68) – CB/12/01160/FULL – Hambleton, Dunstable Road, Studham*****Additional Consultation/Publicity Responses**

None

**Additional Comments**Hambleton Green Belt Calculation 2012

Original dwelling	81.5
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Existing additions

Single storey side/rear	28.5
Conservatory	15

Approved Extension

Ground Floor	32.5
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<u>Proposed front gable extension</u>	4.5
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**RESULTANT FOOTPRINT INCREASE 98%**

ALL MEASUREMENTS IN SQUARE METRES

**Additional/Amended Conditions/Reasons**

None

***Item 13 (Page 69-78) – CB/12/00726/FULL – Land South of Stotfold, Norton Road, Stotfold***

**Additional Consultation/Publicity Responses**

**Additional Comments**

Since the completion of the committee report, additional information on bin storage has been provided and is acceptable to the Highways Officer and Waste Officer.

**Additional/Amended Conditions/Reasons**

In light of the submission of bin storage facilities for the retail unit, condition 5 can be deleted.

***Item 14 (Page 79-86) – CB/12/01266/FULL – Watercote Lane Farm, Biggleswade Road, Upper Caldecote***

**Additional Consultation/Publicity Responses**

No updates to report

**Additional Comments**

**Additional/Amended Conditions/Reasons**

***Item 15 (Page 87-94) – CB/12/00914/FULL – Hatch farm, Hatch Common, Hatch***

**Additional Consultation/Publicity Responses**

No updates to report

**Additional Comments**

**Additional/Amended Conditions/Reasons**

***Item 16 (Page 95-104) – CB/12/00756/FULL– 35 Potton Road, Everton***

**Additional Consultation/Publicity Responses**

None

**Additional Comments**

None

**Additional/Amended Conditions/Reasons**

***Item 17 (Page 105-118) – CB/12/00466/FULL – 2 High Street, Stotfold***

**Additional Consultation/Publicity Responses**

No updates to report

**Additional Comments**

**Additional/Amended Conditions/Reasons**

***Item 18 (Page 119-134) – CB/12/01007/FULL – Land at 3 Olivers Lane, Stotfold***

**Additional Consultation/Publicity Responses**

One further letter of objection received, raising no new issues.

**Additional Comments**

Whilst concerns have been raised that the newly erected site boundary encroaches on the public footpath the applicants have confirmed that it is entirely within the ownership of the applicant.

**Additional/Amended Conditions/Reasons**

None

***Item 19 (Page 135-140) – CB/12/00796/FULL – Budgens Stores Ltd, Market Square, Sandy***

**Additional Consultation/Publicity Responses**

None

**Additional Comments**

None

**Additional/Amended Conditions/Reasons**

None

***Item 20 (Page TBA) – CB/12/01144/FULL – 142B High Street, Cranfield***

**Additional Consultation/Publicity Responses**

No comments

**Additional Comments**

No comments

**Additional/Amended Conditions/Reasons**

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<b>Item No. 7</b>
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<b>APPLICATION NUMBER</b>	<b>CB/11/04497/OUT</b>
<b>LOCATION</b>	<b>Dukeminster Estate, Church Street, Dunstable, LU5 4HU</b>
<b>PROPOSAL</b>	<b>Demolition of all buildings on the site and redevelopment for a mixed use scheme for up to: 203 residential dwellings together with a 75 bed care home; 568 sqm (GFA) of class A1 retail space; 505 sqm (GFA) of class A2 financial and professional services or class A3 restaurants and cafes space; 555 sqm (GFA) of class D1 non residential institutions space; 783 sqm (GFA) of B1 business space together with associated vehicular parking and landscaped areas.</b>
<b>PARISH</b>	<b>Dunstable</b>
<b>WARD</b>	<b>Dunstable Icknield</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs McVicar &amp; Young</b>
<b>CASE OFFICER</b>	<b>Vicki Davies</b>
<b>DATE REGISTERED</b>	<b>22 December 2011</b>
<b>EXPIRY DATE</b>	<b>22 March 2012</b>
<b>APPLICANT</b>	<b>Lionsgate Properties</b>
<b>AGENT</b>	<b>Planning Works Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Departure from approved plan</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Granted</b>

### Recommendation

That, subject to the completion of a Section 106 Agreement, as detailed on page 31 of the agenda, Outline Planning Permission be granted subject to the following conditions:

- 1 **Before development begins, the approval of the Local Planning Authority shall be obtained in respect of all the reserved matters, namely the**
  - **appearance**
  - **landscaping**
  - **layout; and**
  - **scale, within the upper and lower limit for the height, width and length of each building stated in the application for planning permission in accordance with Article 4.**

**Reason: To comply with Article 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.**

- 2 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 **Before development begins, a landscaping scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained for a period of five years until fully established.**

Reason: To ensure a satisfactory standard of landscaping.  
(Policies ENV7 RSS; BE8, S.B.L.P.R).

- 4 The plans and particulars to be submitted in accordance with Condition 3 above shall include:

(a) a plan, to a scale and level of accuracy appropriate to the proposal, showing the position of every tree on the site and on land adjacent to the site (including street trees) that could influence or be affected by the development, indicating which trees are to be removed;

(b) and in relation to every tree identified a schedule listing:

- information as specified in Paragraph 4.2.6 of British Standard BS 5837 : 2005 (*Trees in Relation to Construction - Recommendations*);
- any proposed pruning, felling or other work;

(c) and in relation to every existing tree identified to be retained on the plan referred to in (a) above, details of:

- any proposed alterations to existing ground levels, and of the position of any proposed excavation, that might affect the root protection area (see Paragraph 5.2.2 of BS 5837 : 2005);
- all appropriate tree protection measures required before and during the course of development (see Condition 2 below);

(d) areas of existing landscaping to be protected from construction



operations and the method of protection (see Condition 2 below).

**Reason: To safeguard the existing trees on the site in the interests of visual amenity.**

**(Policies ENV7 RSS; BE8, S.B.L.P.R.).**

- 5 **Development shall not commence until a tree protection plan, which clearly shows the position and build specification of tree protection, with the purpose of enclosing an area around the canopy spread of all retained trees, has been submitted to and approved in writing by the Local Planning Authority. The fencing shall form a construction exclusion zone (as specified in Section 9 of BS 5837 : 2005) which shall be demarcated by protective barriers (as specified by Figure 2 of BS 5837 : 2005). These measures shall be for the purpose of avoiding localised compaction of the rooting medium and preventing damage to the natural canopy spread by avoiding branch encroachment by plant and machinery.**

**Reason: To safeguard the rooting medium, natural canopy spread and health of trees marked for retention on the site layout plan and which are considered to be strategically important.**

**(Policies ENV7 RSS; BE8, S.B.L.P.R.).**

- 6 **No works or development shall take place until a scheme of supervision for the tree protection measures required by Conditions 4 and 5 above has been submitted to and approved in writing by the Local Planning Authority. This scheme of supervision shall be appropriate to the scale and duration of the works, shall be administered by a qualified arboricultural consultant instructed by the applicant/developer and approved by the Local Planning Authority and shall include details of:**

- the arrangements for holding a pre-commencement site meeting to be attended by the site manager, the arboricultural consultant instructed by the applicant/developer and the Council's arboricultural officer to agree all aspects of the tree protection measures and aspects of their implementation and sequencing;**
- the identification of individual responsibilities and key personnel;**
- the timing and methods of site visiting and record keeping, including updates; and,**
- procedures for dealing with variations and incidents.**

**The scheme of supervision shall be carried out as agreed.**

**Reason: To establish a system that will ensure that acceptable tree protection measures are implemented and maintained thereafter.**

**(Policies ENV7 RSS; BE8, S.B.L.P.R.).**

- 7 If any underground services are required to be routed through the root protection areas of retained trees, such works shall be carried out in strict accordance with the guidance set out in the National Joint Utilities Group's publication "*Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees*".

Reason: To safeguard the integrity of the rooting medium within the root protection areas of retained trees.

(Policies ENV7 RSS; BE8, S.B.L.P.R.).

- 8 The low brick wall on the north-eastern side of the tree belt adjacent the western boundary of the site shall be retained in its existing position and at its existing height and length. There shall be no reduction in its height or length and no sections of the wall shall be removed without the prior written approval of the Local Planning Authority.

Reason: To safeguard existing trees on the site.

(Policies ENV7 RSS; BE8, S.B.L.P.R.).

- 9 All excavations and trenches, where they pass under the canopy of any tree, be hand dug so as to minimise damage to its root system; a minimum of 10 days notice shall be given in writing to the Local Planning Authority of an intention to commence such excavations or trenching.

Reason: To safeguard trees screening the site.

(Policies ENV7 RSS; BE8 S.B.L.P.R.).

- 10 Prior to the submission of any reserved matters application a scheme of mitigation in relation to badgers, including details of the provision of a replacement artificial sett, shall be submitted and approved in writing by the Local Planning Authority. The scheme shall then be implemented prior to the commencement of the development and thereafter retained in accordance with the approved scheme.

Reason: To ensure the adequate protection of protected species.

- 11 Prior to the submission of any reserved matters a Design Code shall be submitted to and approved in writing by the Local Planning Authority. The Code shall address and codify the following matters:

- (a) Spatial arrangement of dwellings and roads
- (b) Scale
- (c) Building form and height
- (d) Architectural composition
- (e) Private amenity space, arrangements for storage and collection of refuse and recyclables and arrangements for cycle parking
- (f) Public realm including public art
- (g) Privacy
- (h) Phasing of development

Reserved matters applications and the implementation of the development shall thereafter accord with the approved Design Code details.

Reason: To ensure a satisfactory quality of urban design in this significant

site.

- 12 The detailed layout to be submitted shall include the provision of a 'Bring-bank' site.

Reason: To provide a satisfactory scale of recycling opportunities within the development.

- 13 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, to improve habitat and amenity, and to ensure future maintenance of the surface water drainage system. Environment Agency condition.

- 14 **Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by that Authority:**

- 1) **A preliminary risk assessment which has identified:**
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.
- 2) **A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**
- 3) **The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**
- 4) **A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

**Any changes to these components require the express consent of the**

**Local Planning Authority. The scheme shall be implemented as approved.**

**Reason: The preliminary risk assessment report indicates that contamination may be present at the site as a result of historical activities. Site investigation and detailed risk assessment is required to determine if contamination is present at levels that a pose a risk of polluting the groundwater (which is used to provide drinking water to the public).**

- 15 Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to that Authority.

Reason: To confirm that any remediation (if required) is completed to an acceptable standard. This is to ensure that the groundwater below the site (which is used to provide drinking water to the public) is not polluted.

- 16 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To confirm that any contamination identified during the development works is dealt with appropriately. This is to ensure that the groundwater below the site (which is used to provide drinking water to the public) is not polluted.

- 17 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure that the groundwater (which is used to provide drinking water to the public) below the site is not polluted.

- 18 To protect against intrusive externally generated noise, sound insulation and absorbent materials shall be applied to the building envelope of the houses and flats hereby permitted as is necessary to achieve as a minimum standard an internal noise level of 30dB LAeq (23.00 to 07.00) and 45dB LAmax (23.00 to 07.00) for bedrooms and 35dB LAeq (07.00 to 23.00) for habitable rooms. External noise levels from road traffic noise sources shall

not exceed 55dB LAeq, 1hr in outdoor amenity areas. Unless otherwise agreed in writing, the effectiveness of the noise attenuation measures shall be demonstrated through validation noise monitoring with the results submitted to and approved in writing by the Local Planning Authority before any dwelling is occupied. Furthermore, the applicant/developer shall identify any windows that need to remain closed in order for the internal noise environment to meet the required standards. Such windows shall be fixed closed and be non-openable with alternative means of ventilation provided for those rooms affected.

Reason: To protect occupants from externally generated noise.  
(Policies ENV7 RSS; BE8, S.B.L.P.R.).

- 19 Fixed plant associated with the proposed development must be designed to a level which is at least 5dB(A) below the existing LA90 background noise level as measured during the relevant time period. Any tonal, impulsive and/or irregular noise shall be addressed by imposing a further 5dB penalty as per the methodology set out in BS 4142:1997. Noise limits for new plant are to apply at a position 1m from the closest affected window of the relevant noise sensitive property.

Reason: To prevent nuisance from noise and to safeguard the amenities of the area.  
(Policies ENV7 RSS; BE8, S.B.L.P.R.).

- 20 **No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied unless the works have been carried out in accordance with the foul water strategy so approved unless otherwise agreed in writing by that Authority.**

**Reason: To prevent environmental and amenity problems arising from flooding.**

- 21 **Development shall not commence until a detailed waste audit addressing issues in respect of waste generated by the construction phase and subsequent occupation phase of the development has been submitted to and approved in writing by the Local Planning Authority. The waste audit shall include details of:**
- 1. The anticipated nature and volumes of waste that the development will generate;**
  - 2. Measures to maximise the re-use on-site of waste arising from demolition, engineering and landscaping;**
  - 3. Steps to be taken to ensure effective segregation of wastes at source during demolition and subsequent construction of the development including, as appropriate, the provision of waste sorting storage and recovery and recycling facilities;**
  - 4. Any other steps to be taken to minimise the generation of waste throughout any required demolition and during construction of the development;**
  - 5. Provision within the proposed development to encourage occupiers to manage their waste effectively and sustainably. This may include provision for waste and recycling storage areas, road and**

development layouts which allow waste and recyclables to be collected effectively, and provision of community recycling facilities;

6. Provision for monitoring the implementation of steps 1 to 5 above; and,
7. A timetable for implementing steps 1 to 6.

**Reason:** To ensure that waste is managed sustainably during the lifetime of the development in accordance with the objectives of Policy WM6 of the East of England Plan and Policies W5 and W6 of the Bedfordshire and Luton Waste Local Plan 2005.

- 22 Development shall not begin until details of *any improvements required* to the junction between the proposed estate roads and the highway have been approved by the Local Planning Authority and no building shall be occupied until those junctions have been constructed in accordance with the approved details.

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

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

**Reason:** To ensure that the proposed roadworks are constructed to an adequate standard.

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

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

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

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

- 26 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits.

Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

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

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

- 28 **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.**

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

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

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

Reason: In the interest of amenity.

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

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

- 32 **Development shall not begin until the detailed plans of the proposed highway lighting, using light emitting diodes (LED) within the development has been approved by the Local Planning Authority and no building shall be occupied until that lighting has been installed in accordance with the approved details.**

**Reason: To ensure that the proposed highways are adequately lit.**

- 33 **Development shall not begin until a scheme to restrict the speed of traffic on the estate road has been approved by the Local Planning Authority and no building shall be occupied until that scheme has been implemented in accordance with the approved details.**

**Reason: In the interests of road safety.**

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

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

- 35 Development shall not begin until a scheme to include details of Traffic Regulation Orders and parking restrictions on the proposed roads has been approved by the Local Planning Authority and no building shall be occupied in any one phase until the scheme has been implemented for the phase in question in accordance with the approved details.

Reason: To manage on-street parking and thereby safeguarding the interest of the safety and convenience of road users.

- 36 Before any emergency access which may be provided to and from the site is brought into use, details of a scheme incorporating a control mechanism to prevent its unauthorised use shall be submitted to and approved in writing by the Local Planning Authority; the details shall include information on any repositioning of street furniture or statutory undertakers' equipment that might be required to avoid obstructing the access.

Reason: To avoid excessive use of an access which may not be engineered for general use and to safeguard amenities of local residential properties.

- 37 The permission shall authorise the erection of no more than 203 dwellings plus a 75 bed care home.

The gross floor area of each Use Class shall be restricted as follows:

Class A1 shall not exceed 568sqm

Class A2 and/or Class A3 shall not exceed 505sqm

Class D1 shall not exceed 555sqm

Class B1 shall not exceed 783sqm.



Reason: For the avoidance of doubt.

- 38 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2429/318A & 2429/319B.

Reason: For the avoidance of doubt.

- 39 No development shall commence until a foul water strategy submitted has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

40. No development shall commence until a surface water strategy/flood risk assessment has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the surface water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

### **Reasons for Granting**

A similar scheme but with more than double the number of dwellings was approved at appeal in 2007, the Inspector having determined that there was not an overriding need to retain the land in employment use having regard to the benefits of residential development and the availability of existing and proposed employment land elsewhere. This situation has not changed materially in the meantime, the residential potential of the site having now secured it a place in the Council's list of deliverable sites, and there would still be some employment floorspace in the proposal. The policy situation has been reviewed and there appear to be no material changes to make a permission inappropriate. On the other hand, policy changes deliver a more up to date list of infrastructure contributions including towards local recreation projects. Finally, the proposal would enable a timely regeneration of this large site near to Dunstable town centre and deliver affordable housing. The proposal is in accordance with the National Planning Policy Framework, relevant policies of the East of England Plan, South Bedfordshire Local Plan and draft Core Strategy and Design in Central Bedfordshire: A Guide for Development and Planning Obligations SPD.

## Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. Contamination Assessment The Environment Agency recommends that groundwater monitoring wells are installed and sampled as part of the proposed site investigation. They also recommend that developers should:
  1. Follow the risk management framework provided in CLR11, '[Model Procedures for the Management of Land Contamination](#)', when dealing with land potentially affected by contamination;
  2. Refer to their '[Guiding Principles for Land Contamination](#)' documents for the type of information that should be included in a site investigation report;
  3. Refer to their '[Groundwater Protection: policy and practice \(GP3\)](#)' documents.

### Site Drainage

Of the drainage options for a site, infiltration techniques (primarily soakaways) pose the highest risk of polluting the groundwater. Any drainage design must be protective of the groundwater and in line with our '[Groundwater Protection: policy and practice \(GP3\)](#)' for the use of infiltration techniques to be approved. Some general information is provided below in relation to the use of infiltration techniques.

- If contamination is present in areas proposed for infiltration, they will require the removal of all contaminated material and provision of satisfactory evidence of its removal;
  - The point of discharge should be kept as shallow as possible. Deep bored infiltration techniques are not acceptable;
  - The distance between the point of discharge and the groundwater table should be a minimum of five metres;
  - Only clean, uncontaminated water should be discharged into the ground.
4. The Environment Agency has requested that the applicant be made aware that:

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination shall be passed through an oil

separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Subject to the approval of the Local Authority, a percolation test should be undertaken to ensure that soakaways will work adequately in adverse conditions. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals should be submitted.

Any above ground oil storage tank(s) should be sited on an impervious base and surrounded by a suitable liquid tight bunded compound. No drainage outlet should be provided. The bunded area should be capable of containing 110% of the volume of the largest tank and all fill pipes, draw pipes and sight gauges should be enclosed within its curtilage. The vent pipe should be directed downwards into the bund. Guidelines are available from the Environment Agency.

In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty of care. Further information can be found at <http://www.netregs-swmp.co.uk>

If any waste is to be used on site, the applicant will be required to obtain the appropriate exemption or authorisation from us. We are unable to specify what exactly would be required if anything, due to the limited amount of information provided. If the applicant wishes more specific advice they will need to contact the Environment Management Team at our Hatfield office on 03708 506 506 or look at available guidance on our website <http://www.environment-agency.gov.uk/subjects/waste>.

Refer applicant to Pollution Prevention Guidance for working at Construction and Demolition Sites (PPG6).

5. With respect to the construction phase it is recommended that reference be made to the Mayor of London's Best Practice Guidance (BPG) *The control of dust and emissions from construction and demolition*. The impacts upon air quality are likely to be in the "High Risk" category and mitigation measures will be required, which should also include solid barriers to the site boundary.

Normal working hours should be 08:00-18:00 Monday to Friday, 08:00-13:00 Saturday and no working on Sunday, Bank Holidays and Public Holidays.

The Council does not specify permitted noise levels, instead contractors shall employ the "best practicable means" as defined in the Control of Pollution Act 1974 to minimise noise and vibration resulting from their operations and shall have regard to British Standard BS 5228:2009 Code of Practice for Noise Control on Construction and Open Sites.

Measures would include contractors taking all reasonable steps to minimise noise and be reasonable in the timing of any high noise level activities.

These steps would include noise mitigation measures such as temporary screening or at source insulation may have to be utilised, all vehicles, plant and machinery used during the operations are fitted with effective exhaust silencers and that all parts of such vehicles, plant or machinery are maintained in good repair and in accordance with the manufacturer's instructions and are so operated and orientated so as to minimise noise emissions. Where possible the use of generators should be avoided and mains electricity used. All compressors used shall be "noise reduced" models fitted with properly lined and sealed acoustic covers which shall be kept closed when the machines are in use. Where other alternatives are proposed these should be approved by the Local Authority. All ancillary pneumatic percussive tools should be fitted with approved mufflers or silencers of the type recommended by the manufacturers. All of these items must be kept in good repair and any machinery used intermittently should be shut down when not in use or, where this is impracticable, should be throttled back to a minimum.

6. The reserved matters application should include further details (a) exploring the use of heating systems which have lower carbon emissions than electricity, (b) how photo-voltaic and solar energy panels would be used to supplement heating systems, and (c) to show that BRREAM excellent would be achieved in the non-residential element.
7. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developer's expense under S185 of the Water Industry Act 1991, or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
8. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN.
9. The applicant is advised that if it is the intention to request the Central Bedfordshire County Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Planning and Control Group, Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
10. The applicant is advised that in order to comply with Condition 24 of this permission it will be necessary for the developer of the site to enter into an

agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Planning and Control Group, P.O.Box 1395, Bedford, MK42 5AN.

11. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in central Bedfordshire (Design Supplement 7 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Streets", or any amendment thereto.
12. This decision is subject to a Section 106 Unilateral Undertaking by the applicant.
13. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
14. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

## NOTES

(1) In advance of the consideration of the application the Committee were advised of consultation received from Anglian Water suggesting additional and amended conditions and informatives

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

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<b>Item No. 8</b>
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<b>APPLICATION NUMBER</b>	<b>CB/12/00744/RM</b>
<b>LOCATION</b>	<b>Site 15C, Pratts Quarry, Billington Road, Leighton Buzzard</b>
<b>PROPOSAL</b>	<b>Reserved Matters: Access, appearance, landscaping, layout and scale relating to the erection of 50 dwellings, creation of a new vehicular access and public open space on part of Site 15C - pursuant to outline planning permission SB/OUT/06/00869.</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Leighton Buzzard South</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Berry, Bowater &amp; Dodwell</b>
<b>CASE OFFICER</b>	<b>Gill Claxton</b>
<b>DATE REGISTERED</b>	<b>07 March 2012</b>
<b>EXPIRY DATE</b>	<b>06 June 2012</b>
<b>APPLICANT</b>	<b>Persimmon Homes (Midlands) Ltd</b>
<b>AGENT</b>	<b>Woods Hardwick Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Town Council objection to major application</b>
<b>RECOMMENDED DECISION</b>	<b>Reserved Matters - Granted</b>

### Recommendation

That the application be delegated to the Head of Development Management, in consultation with the Chairman and Vice Chairman of the Committee, Executive Member for Sustainable Communities Strategic Planning & Economic Development and Ward Representative(s) to determine the application.

- No part of the development hereby approved shall be commenced until a scheme for footpaths/cycleways directly connecting the site to Billington Road is submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be provided in accordance with the approved details prior to the commencement of the construction of the adjoining dwelling units, as agreed in the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: In the interest of providing suitable pedestrian/cycle links and permeability for pedestrians and cyclists.**

- Before development begins, a landscaping masterplan and scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate**

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

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

- 3 All windows at first level and above on the flank elevations of plots 6, 9, 25, 26, 49 and 50 and the south elevation of plot 12 shall be permanently glazed with obscured glass and fixed shut to a height of 1.7m above floor level.

Reason: To protect the privacy of the occupiers of adjoining properties.  
(Policy BE8, S.B.L.P.R).

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

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

- 5 All triangular vision splays shall be provided on each side of all the accesses on to the new roads. The triangular vision splays shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of that plot, and 1.8m measured into the plot at right angles to the same line along the side of the access drive. The vision splays so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway/verge level.

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

- 6 All proposed vehicular accesses shall be surfaced in bituminous or other similar durable material as may be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

- 7 Visibility splays shall be provided at the junctions of the new roads. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the minor road from its junction with the channel of the through road and 25m measured from the centre line of the access along the line of the channel of the carriageways of the through road.



The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

Reason: To provide adequate visibility within the new development to make the new road and accesses safe and convenient for the traffic which is likely to use them.

- 8 **Before development begins, a scheme of Traffic Regulation Orders and parking restrictions on the proposed roads shall be submitted to and approved by the Highway Authority. None of the residential units hereby permitted shall be occupied until that scheme has been implemented in accordance with the approved details.**

**Reason: To manage on-street parking and thereby safeguarding the interest of the safety and convenience of road users.**

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

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

- 10 If the proposed internal estate roads are not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority.

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

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), any car port or parking space hereby permitted shall be kept permanently available for the parking of motor vehicles.

Reason: To ensure that off-street parking is retained in the interests of highway safety.

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

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

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no alterations to any carports hereby permitted, including the insertion of a garage door, roller shutter or gate, shall be carried out without the grant of further specific permission from the

Local Planning Authority.

Reason: To control the external appearance of the building in the interests of the highway safety of the area.

- 14 The footway network within the site shall be constructed in accordance with details of the approved drawing/or scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

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

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

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

- 16 No dwelling shall be occupied until the works and landscaping required under Condition 18 of planning permission SB/OUT/06/0869 have been completed, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenity of the area and ensure a safe and satisfactory form of development.  
(Policy BE8, S.B.L.P.R).

- 17 **Before development begins details of the bin storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and completed in accordance with the approved details.**

Reason: In the interest of amenity.

- 18 **Before development begins details showing how the development will achieve Eco Homes 'Excellent' and 'Very Good' Standard shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out and completed in accordance with the approved details.**

Reason: In the interests of environmental sustainability.

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

**scheme shall be operated throughout the period of construction work.**

**Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.**

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

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

- 21 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 16461/200, 16461/201, 16461/202, 16461/203, 16461/204, 16461/205, 16461/206, 16461/207, 16461/208, 16461/209, 16461/210, 16461/211, 16461/212, 16461/213, 16461/214, 16461/215, 16461/216, 16461/217, 16461/218, 16461/219, 16461/220, 16461/221, 16461/22, 16461/1019, 16461/1028

Reason: For the avoidance of doubt.

### **Reasons for Granting**

The proposed development would provide an appropriate urban design to the locality incorporating adequate landscaping, road, cycle and footpath layout, parking, play areas and residential mix such that the development would conform with the parameter plans of the outline permission and the development plan policies comprising the East of England Plan (May 2008), the Milton Keynes & South Midlands Sub-Regional Strategy, the Bedfordshire Structure Plan 2011, the South Bedfordshire Local Plan Review and the Bedfordshire & Luton Waste Local Plan 2005, and national advice contained in the National Planning Policy Framework.

### **Notes to Applicant**

1. The development is subject to an Agreement, dated 11 July 2007, under Section 106 of the Town and Country Planning Act 1990. The applicant's attention is in particular drawn to the Tenth Schedule of the Agreement which relates to obligations in respect of the parameter plans and "pylon" land. Reference is made to Section 3 of this Schedule and the requirement for the submission, approval and implementation of a scheme for landscaping, laying out, access and maintenance of the "pylon" land, prior to the implementation of the planning permission.
2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Development Plan comprising of the East of England Plan (May 2008),

Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review.

3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4. If potential site contamination is found in connection with Condition 11 on outline planning permission SB/OUT/06/00869, the following should be noted:
  - Where remedial measures are necessary, they should be managed with Part IIA of the Environmental Protection Act 1990 in mind. Encapsulation of any contaminants should be made on the risk-based assessment so that they are unlikely to be subject to future release to the environment.
  - All ground investigations shall be risk based and have regard to BS10175:2001 *Investigation of Potentially Contaminated Sites - Code of Practice* and *Environment Agency/NHBC R&D Publication 66 - Guidance for the Safe Development of Housing on Land Affected by Contamination*.
  - Where analyses are undertaken analytical laboratories should be accredited to MCERTS and where appropriate laboratory methods should also be accredited to MCERTS.
  - The applicants/agent's consulting engineers shall certify that decontamination and remediation of the site has been undertaken in accordance with any measures approved by the Local Planning Authority.
  - The applicant shall advise the Local Planning Authority of commencement of the works.
  - The applicant should also be made aware that the ownership of land shown to be contaminated may accrue legal and financial liabilities under Part IIA of the Environmental Protection Act 1990. Such liabilities are maximised when "pollutant linkages" engender "pathways" for the contaminants to reach "receptors".
  - Central Bedfordshire Council has published its Contaminated Land Inspection Strategy in line with the Environmental Protection Act 1990: Part IIA and its definition thereof. No land has yet been formally designated as being 'contaminated'. However, it should not be taken to imply that the property or adjoining land is free from contamination.
5. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Highways, Central Bedfordshire Council, Priory House,

Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ, quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

6. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford, MK42 5AN.
7. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
8. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide to Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.
9. The applicant is reminded that, should groundwater or surface water courses be at risk of contamination during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately.
10. Contractors shall employ the "best practicable means" as defined in the Control of Pollution Act 1974 to minimise noise and vibration resulting from their operations and shall have regard to British Standard BS 5228:2009 Code of Practice for Noise Control on Construction and Open Sites. Normal working hours are 08:00-18:00 Monday to Friday, 08:00-13:00 Saturday and no working on Sunday, Bank Holidays and Public Holidays.

#### NOTE

(1) In advance of the consideration of the application the Committee were advised of additional comments relating to a revised plan. Comments had been received from the Urban Design Consultant, Leisure Services- Recreation open Space, Leighton Buzzard Allotment Association.

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<b>Item No. 9</b>
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<b>APPLICATION NUMBER</b>	<b>CB/12/00751/RM</b>
<b>LOCATION</b>	<b>Site 15C, Pratts Quarry, Billington Road, Leighton Buzzard</b>
<b>PROPOSAL</b>	<b>Reserved Matters: Access, appearance, landscaping, layout and scale relating to the erection of 55 dwellings, creation of a new vehicular access and public open space on part of Site 15C - pursuant to outline planning permission SB/OUT/06/00869.</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Leighton Buzzard South</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Berry, Bowater &amp; Dodwell</b>
<b>CASE OFFICER</b>	<b>Gill Claxton</b>
<b>DATE REGISTERED</b>	<b>02 March 2012</b>
<b>EXPIRY DATE</b>	<b>01 June 2012</b>
<b>APPLICANT</b>	<b>Charles Church Homes</b>
<b>AGENT</b>	<b>Woods Hardwick Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Town Council objection to major application</b>
<b>RECOMMENDED DECISION</b>	<b>Reserved Matters - Granted</b>

**Recommendation**

That the application be delegated to the Head of Development Management, in consultation with the Chairman and Vice Chairman of the Committee, Executive Member for Sustainable Communities Strategic Planning & Economic Development and Ward Representative(s) to determine the application.

- 1 No part of the development hereby approved shall be commenced until a scheme for footpaths/cycleways directly connecting the site to Billington Road is submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be provided in accordance with the approved details prior to the commencement of the construction of the adjoining dwelling units, as agreed in the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: In the interest of providing suitable pedestrian/cycle links and permeability for pedestrians and cyclists.**

- 2 Before development begins, a landscaping masterplan and scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate**

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

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

- 3 All windows at first level and above on the flank elevations of plots 7, 8, 18, the south west elevation of plot 3, the west elevation of plot 38 and the north elevation of plots 43-48 shall be permanently glazed with obscured glass and fixed shut to a height of 1.7m above floor level.

Reason: To protect the privacy of the occupiers of adjoining properties.  
(Policy BE8, S.B.L.P.R).

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

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

- 5 All triangular vision splays shall be provided on each side of all the accesses on to the new roads. The triangular vision splays shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of that plot, and 1.8m measured into the plot at right angles to the same line along the side of the access drive. The vision splays so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway/verge level.

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

- 6 All proposed vehicular accesses shall be surfaced in bituminous or other similar durable material as may be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

- 7 Visibility splays shall be provided at the junctions of the new roads. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the minor road from its junction with the channel of the through road and 25m measured from the centre line of the



access along the line of the channel of the carriageways of the through road. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

Reason: To provide adequate visibility within the new development to make the new road and accesses safe and convenient for the traffic which is likely to use them.

- 8 **Before development begins, a scheme of Traffic Regulation Orders and parking restrictions on the proposed roads shall be submitted to and approved by the Highway Authority. None of the residential units hereby permitted shall be occupied until that scheme has been implemented in accordance with the approved details.**

**Reason: To manage on-street parking and thereby safeguarding the interest of the safety and convenience of road users.**

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

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

- 10 If the proposed internal estate roads are not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority.

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

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), any car port or parking space hereby permitted shall be kept permanently available for the parking of motor vehicles.

Reason: To ensure that off-street parking is retained in the interests of highway safety.

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

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

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no alterations to any carports hereby permitted, including the insertion of a garage door, roller shutter or gate,

shall be carried out without the grant of further specific permission from the Local Planning Authority.

Reason: To control the external appearance of the building in the interests of the highway safety of the area.

- 14 The footway network within the site shall be constructed in accordance with details of the approved drawing/or scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

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

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

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

- 16 No dwelling shall be occupied until the works and landscaping required under Condition 18 of planning permission SB/OUT/06/0869 have been completed, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenity of the area and ensure a safe and satisfactory form of development.  
(Policy BE8, S.B.L.P.R).

- 17 **Before development begins details of the bin storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and completed in accordance with the approved details.**

Reason: In the interest of amenity.

- 18 **Before development begins details showing how the development will achieve Eco Homes 'Excellent' and 'Very Good' Standard shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out and completed in accordance with the approved details.**

Reason: In the interests of environmental sustainability.

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

**Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.**

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

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

- 21 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 16461/300, 16461/301, 16461/302, 16461/304, 16461/305, 16461/306, 16461/307, 16461/308, 16461/308, 16461/310, 16461/311, 16461/313, 16461/314, 16461/315, 16461/316, 16461/317, 16461/318, 16461/319, 16461/320, 16461/321, 16461/322, 16461/323, 16461/1025, 16461/1026, 16461/1027.

Reason: For the avoidance of doubt.

### **Reasons for Granting**

The proposed development would provide an appropriate urban design to the locality incorporating adequate landscaping, road, cycle and footpath layout, parking, play areas and residential mix such that the development would conform with the parameter plans of the outline permission and the development plan policies comprising the East of England Plan (May 2008), the Milton Keynes & South Midlands Sub-Regional Strategy, the Bedfordshire Structure Plan 2011, the South Bedfordshire Local Plan Review and the Bedfordshire & Luton Waste Local Plan 2005, and national advice contained in the National Planning Policy Framework.

### **Notes to Applicant**

1. The development is subject to an Agreement, dated 11 July 2007, under Section 106 of the Town and Country Planning Act 1990. The applicant's attention is in particular drawn to the Tenth Schedule of the Agreement which relates to obligations in respect of the parameter plans and "pylon" land. Reference is made to Section 3 of this Schedule and the requirement for the submission, approval and implementation of a scheme for landscaping, laying out, access and maintenance of the "pylon" land, prior to the implementation of the planning permission.
2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the

Development Plan comprising of the East of England Plan (May 2008), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review.

3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4. If potential site contamination is found in connection with Condition 11 on outline planning permission SB/OUT/06/00869, the following should be noted:
  - Where remedial measures are necessary, they should be managed with Part IIA of the Environmental Protection Act 1990 in mind. Encapsulation of any contaminants should be made on the risk-based assessment so that they are unlikely to be subject to future release to the environment.
  - All ground investigations shall be risk based and have regard to BS10175:2001 *Investigation of Potentially Contaminated Sites - Code of Practice* and *Environment Agency/NHBC R&D Publication 66 - Guidance for the Safe Development of Housing on Land Affected by Contamination*.
  - Where analyses are undertaken analytical laboratories should be accredited to MCERTS and where appropriate laboratory methods should also be accredited to MCERTS.
  - The applicants/agent's consulting engineers shall certify that decontamination and remediation of the site has been undertaken in accordance with any measures approved by the Local Planning Authority.
  - The applicant shall advise the Local Planning Authority of commencement of the works.
  - The applicant should also be made aware that the ownership of land shown to be contaminated may accrue legal and financial liabilities under Part IIA of the Environmental Protection Act 1990. Such liabilities are maximised when "pollutant linkages" engender "pathways" for the contaminants to reach "receptors".
  - Central Bedfordshire Council has published its Contaminated Land Inspection Strategy in line with the Environmental Protection Act 1990: Part IIA and its definition thereof. No land has yet been formally designated as being 'contaminated'. However, it should not be taken to imply that the property or adjoining land is free from contamination.
5. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire

Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Highways, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ, quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

6. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford, MK42 5AN.
7. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
8. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide to Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.
9. The applicant is reminded that, should groundwater or surface water courses be at risk of contamination during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately.
10. Contractors shall employ the "best practicable means" as defined in the Control of Pollution Act 1974 to minimise noise and vibration resulting from their operations and shall have regard to British Standard BS 5228:2009 Code of Practice for Noise Control on Construction and Open Sites. Normal working hours are 08:00-18:00 Monday to Friday, 08:00-13:00 Saturday and no working on Sunday, Bank Holidays and Public Holidays.

#### NOTE

(1) In advance of the consideration of the application the Committee were advised of additional comments relating to a revised plan. Comments had been received from the Urban Design Consultant, Leisure Services- Recreation open Space, Leighton Buzzard Allotment Association.

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<b>Item No. 10</b>
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<b>APPLICATION NUMBER</b>	<b>CB/12/00825/RM</b>
<b>LOCATION</b>	<b>Site 15C, Pratts Quarry Billington Road, Leighton Buzzard</b>
<b>PROPOSAL</b>	<b>Reserved Matters: Access, appearance, landscaping, layout and scale relating to the erection of 115 dwellings, creation of a new vehicular access and public open space on part of Site 15C - pursuant to outline planning permission SB/OUT/06/00869.</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Leighton Buzzard South</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Berry, Bowater &amp; Dodwell</b>
<b>CASE OFFICER</b>	<b>Gill Claxton</b>
<b>DATE REGISTERED</b>	<b>05 March 2012</b>
<b>EXPIRY DATE</b>	<b>04 June 2012</b>
<b>APPLICANT</b>	<b>Taylor Wimpey South Midlands</b>
<b>AGENT</b>	<b>Woods Hardwick Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Town Council objection to major application</b>
<b>RECOMMENDED DECISION</b>	<b>Reserved Matters - Granted</b>

**Recommendation**

That the application be delegated to the Head of Development Management, in consultation with the Chairman and Vice Chairman of the Committee, Executive Member for Sustainable Communities Strategic Planning & Economic Development and Ward Representative(s) to determine the application.

- 1 Before development begins, a landscaping masterplan and scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**

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

- 2 All windows at first level and above in the following elevations shall be permanently glazed with obscured glass and fixed shut to a height of 1.7m above floor level.**

The south elevation of Plot 16; the west elevation of Plot 20; the south east elevation of Plot 31; the north west and south east elevations of Plot 32; the south east elevation of Plot 50; the south east elevation of Plot 58; the north east and south west elevations of Plot 70; the south west elevation of Plot 72; the north east elevation of Plot 75; the south west elevation of Plot 77; and the north east elevation of Plot 80.

Reason: To protect the privacy of the occupiers of adjoining properties. (Policy BE8, S.B.L.P.R).

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

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

- 4 All triangular vision splays shall be provided on each side of all the accesses on to the new roads. The triangular vision splays shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of that plot, and 1.8m measured into the plot at right angles to the same line along the side of the access drive. The vision splays so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway/verge level.

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

- 5 All proposed vehicular accesses shall be surfaced in bituminous or other similar durable material as may be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

- 6 Visibility splays shall be provided at the junctions of the new roads. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the minor road from its junction with the channel of the through road and 25m measured from the centre line of the access along the line of the channel of the carriageways of the through road. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

Reason: To provide adequate visibility within the new development to make the new road and accesses safe and convenient for the traffic which is likely to use them.



- 7 **Before development begins, a scheme of Traffic Regulation Orders and parking restrictions on the proposed roads shall be submitted to and approved by the Highway Authority. None of the residential units hereby permitted shall be occupied until that scheme has been implemented in accordance with the approved details.**

**Reason: To manage on-street parking and thereby safeguarding the interest of the safety and convenience of road users.**

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

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

- 9 If the proposed internal estate roads are not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority.

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

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), any car port or parking space hereby permitted shall be kept permanently available for the parking of motor vehicles.

Reason: To ensure that off-street parking is retained in the interests of highway safety.

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

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

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no alterations to any carports hereby permitted, including the insertion of a garage door, roller shutter or gate, shall be carried out without the grant of further specific permission from the Local Planning Authority.

Reason: To control the external appearance of the building in the interests of the highway safety of the area.

- 13 The footway network within the site shall be constructed in accordance with details of the approved drawing/or scheme to be submitted to and approved

by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

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

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

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

- 15 No dwelling shall be occupied until the works and landscaping required under Condition 18 of planning permission SB/OUT/06/0869 have been completed, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenity of the area and ensure a safe and satisfactory form of development.  
(Policy BE8, S.B.L.P.R).

- 16 **Before development begins details of the bin storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and completed in accordance with the approved details.**

Reason: In the interest of amenity.

- 17 **Before development begins details showing how the development will achieve Eco Homes 'Excellent' and 'Very Good' Standard shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out and completed in accordance with the approved details.**

Reason: In the interests of environmental sustainability.

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

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.

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

throughout the construction period.

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

- 20 **Development shall not commence until full details of suitable means of enclosure to be erected on the boundaries of the NEAP and the surrounding pathways have been submitted to and approved in writing by the Local Planning Authority. The means of enclosure shall be implemented in accordance with the approved details and maintained on site thereafter.**

**Reason: To ensure that the NEAP is enclosed and users are properly protected from the road.**

- 21 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 16461/100, 16461/101, 16461/102, 16461/103, 16461/104, 16461/106, 16461/108, 16461/109, 16461/110, 16461/112, 16461/113, 16461/114, 16461/115, 16461/116, 16461/117, 16461/118, 16461/119, 16461/120, 16461/121, 16461/122, 16461/123, 16461/124, 16461/125, 16461/126, 16461/127, 16461/128, 16461/129, 16461/130, 16461/131, 16461/132, 16461/133, 16461/134, 16461/135, 16461/136, 16461/137, 16461/138, 16461/139, 16461/140, 16461/141, 16461/142, 16461/143, 16461/144, 16461/1012E, 16461/1021, 16461/1022

Reason: For the avoidance of doubt.

### **Reasons for Granting**

The proposed development would provide an appropriate urban design to the locality incorporating adequate landscaping, road, cycle and footpath layout, parking, play areas and residential mix such that the development would conform with the parameter plans of the outline permission and the development plan policies comprising the East of England Plan (May 2008), the Milton Keynes & South Midlands Sub-Regional Strategy, the Bedfordshire Structure Plan 2011, the South Bedfordshire Local Plan Review and the Bedfordshire & Luton Waste Local Plan 2005, and national advice contained in the National Planning Policy Framework.

### **Notes to Applicant**

1. The development is subject to an Agreement, dated 11 July 2007, under Section 106 of the Town and Country Planning Act 1990. The applicant's attention is in particular drawn to the Tenth Schedule of the Agreement which relates to obligations in respect of the parameter plans and "pylon" land. Reference is made to Section 3 of this Schedule and the requirement for the submission, approval and implementation of a scheme for landscaping, laying out, access and maintenance of the "pylon" land, prior to the implementation of the planning permission.

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Development Plan comprising of the East of England Plan (May 2008), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review.
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4. If potential site contamination is found in connection with Condition 11 on outline planning permission SB/OUT/06/00869, the following should be noted:
  - Where remedial measures are necessary, they should be managed with Part IIA of the Environmental Protection Act 1990 in mind. Encapsulation of any contaminants should be made on the risk-based assessment so that they are unlikely to be subject to future release to the environment.
  - All ground investigations shall be risk based and have regard to BS10175:2001 *Investigation of Potentially Contaminated Sites - Code of Practice* and *Environment Agency/NHBC R&D Publication 66 - Guidance for the Safe Development of Housing on Land Affected by Contamination*.
  - Where analyses are undertaken analytical laboratories should be accredited to MCERTS and where appropriate laboratory methods should also be accredited to MCERTS.
  - The applicants/agent's consulting engineers shall certify that decontamination and remediation of the site has been undertaken in accordance with any measures approved by the Local Planning Authority.
  - The applicant shall advise the Local Planning Authority of commencement of the works.
  - The applicant should also be made aware that the ownership of land shown to be contaminated may accrue legal and financial liabilities under Part IIA of the Environmental Protection Act 1990. Such liabilities are maximised when "pollutant linkages" engender "pathways" for the contaminants to reach "receptors".
  - Central Bedfordshire Council has published its Contaminated Land Inspection Strategy in line with the Environmental Protection Act 1990: Part IIA and its definition thereof. No land has yet been formally designated as being 'contaminated'. However, it should not be taken to imply that the property or adjoining land is free from contamination.

5. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Highways, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ, quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
6. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford, MK42 5AN.
7. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
8. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide to Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.
9. The applicant is reminded that, should groundwater or surface water courses be at risk of contamination during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately.
10. Contractors shall employ the "best practicable means" as defined in the Control of Pollution Act 1974 to minimise noise and vibration resulting from their operations and shall have regard to British Standard BS 5228:2009 Code of Practice for Noise Control on Construction and Open Sites. Normal working hours are 08:00-18:00 Monday to Friday, 08:00-13:00 Saturday and no working on Sunday, Bank Holidays and Public Holidays.

#### NOTE

(1) In advance of the consideration of the application the Committee were advised of additional comments relating to a revised plan. Comments had been received from the Urban Design Consultant, Leisure Services- Recreation open Space, Leighton Buzzard Allotment Association.

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<b>Item No. 11</b>
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<b>APPLICATION NUMBER</b>	<b>CB/11/04496/FULL</b>
<b>LOCATION</b>	<b>Land rear of White Horse PH, Park Lane Eaton Bray, Dunstable, LU6 2DG</b>
<b>PROPOSAL</b>	<b>Development with 4 houses and all ancillary works and changes to existing pub car park</b>
<b>PARISH</b>	<b>Eaton Bray</b>
<b>WARD</b>	<b>Eaton Bray</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Mrs Mustoe</b>
<b>CASE OFFICER</b>	<b>Abel Bunu</b>
<b>DATE REGISTERED</b>	<b>05 January 2012</b>
<b>EXPIRY DATE</b>	<b>01 March 2012</b>
<b>APPLICANT</b>	<b>Taylor French Developments Ltd</b>
<b>AGENT</b>	<b>BHD Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Cllr Marion Mustoe due to objections on the basis of over-development of site which is in a Conservation Area, poor access and loss of car parking spaces</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**Recommendation**

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

1. The proposed development would amount to overdevelopment of the site with inadequate off-street car parking provision for the prospective occupiers of the dwellings thereby potentially leading to on-street parking on the adjoining highway which is a narrow lane with no footways. This situation would lead to highway safety hazards contrary to national advice contained within the National Planning Policy Framework and the supplementary planning guidance, 'Design in Central Bedfordshire, A Guide for Development', 2010.
2. The proposed development would result in the loss of a significant number of parking spaces currently allocated to the White Horse Public House thereby threatening the viability of this local facility and leading to on-street parking on adjoining highways to the detriment of highway safety. The proposal is therefore in conflict with national advice contained within the National Planning Policy Framework which requires that local planning authorities should plan positively for the provision of public houses, among other local services, to enhance the sustainability of communities.

**NOTES**

(1) In advance of the consideration of the application the Committee were advised of consultation received from Anglian Water and the Conservation Officer. The Committee were advised of amendments to conditions and informatives.

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



<b>Item No. 12</b>
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<b>APPLICATION NUMBER</b>	<b>CB/12/01160/FULL</b>
<b>LOCATION</b>	<b>Hambleton, Dunstable Road, Studham, Dunstable, LU6 2QJ</b>
<b>PROPOSAL</b>	<b>Erection of two storey side extension, porch extension and first floor side gable extension.</b>
<b>PARISH</b>	<b>Studham</b>
<b>WARD</b>	<b>Caddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Gammons &amp; Stay</b>
<b>CASE OFFICER</b>	<b>Nicola McPhee</b>
<b>DATE REGISTERED</b>	<b>23 March 2012</b>
<b>EXPIRY DATE</b>	<b>18 May 2012</b>
<b>APPLICANT</b>	<b>Mr &amp; Mrs Hadland</b>
<b>AGENT</b>	<b>A. P Whiteley Consultants Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Cllr Richard Stay, stating that he is of the view that there are very special circumstances pertaining to this application and that the planning authority have inappropriately interpreted the guidelines for extensions.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Refused</b>

### Recommendation

That the application be delegated to the Head of Development Management to approve the application, subject to the following:-

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- New external facing materials shall match those of the existing building as closely as possible.

Reason: To ensure that the development is in keeping with the existing building. (Policies BE8 & H8S.B.L.P.R).
- Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions to the dwelling shall be carried out without the grant of further specific permission from the Local Planning Authority.

Reason: To control the external appearance of the dwelling in the interests of the amenities of the area and the openness of the Green Belt. (Policies BE8 S.B.L.P.R.).

4. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers HAD/21201/SIDEPLANNINGNEWD.

Reason: For the avoidance of doubt.

#### Notes to the Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

#### **Reasons for Granting:**

The Development Management Committee determined that having regard to the existing extant planning permission reference SB/TP/09/05723 and to the small size, siting and design of the additional extension and to the location of the property, the development would not have any further impact upon the openness of the Green Belt and would thereby be in conformity with Policy H13 of the South Bedfordshire Local Plan Review and the National Planning Framework.

#### NOTES

(1) In advance of the consideration of the application the Committee were advised of additional comments.

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

<b>Item No. 13</b>
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<b>APPLICATION NUMBER</b>	<b>CB/12/00726/FULL</b>
<b>LOCATION</b>	<b>Land South Of Stotfold, Norton Road, Stotfold</b>
<b>PROPOSAL</b>	<b>Erection of a new building on 0.04ha site to include 1 No. one bedroom flat, 2 No. two bedroom flats, 151m2 (gross internal) A1 shop and 4 No. car parking spaces together with parking bay on main street</b>
<b>PARISH</b>	<b>Stotfold</b>
<b>WARD</b>	<b>Stotfold &amp; Langford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Clarke, Saunders &amp; Saunders</b>
<b>CASE OFFICER</b>	<b>Richard Murdock</b>
<b>DATE REGISTERED</b>	<b>21 February 2012</b>
<b>EXPIRY DATE</b>	<b>17 April 2012</b>
<b>APPLICANT</b>	<b>Taylor Wimpey (South Midlands)</b>
<b>AGENT</b>	<b>Mark Reeves Architects Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Request by Councillor Brian Saunders in light of the concerns expressed by Stotfold Town Council</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**Recommendation**

That the application be delegated to the Head of Development Management Committee to refuse on the grounds that the proposal fails to provide sufficient dedicated street parking to the detriment of highway safety. The proposal is therefore contrary to Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies Development Plan Document 2009 and the Design Supplement 7 of Design in Central Bedfordshire: A Guide for Development 2010.

**NOTES**

(1) In advance of the consideration of the application the Committee were advised of additional comments.

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

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<b>Item No. 14</b>
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<b>APPLICATION NUMBER</b>	<b>CB/12/01266/FULL</b>
<b>LOCATION</b>	<b>Water Lane Farm, Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BP</b>
<b>PROPOSAL</b>	<b>Proposed Farm Office Building and Car Parking</b>
<b>PARISH</b>	<b>Northill</b>
<b>WARD</b>	<b>Northill</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Mrs Turner</b>
<b>CASE OFFICER</b>	<b>Nikolas Smith</b>
<b>DATE REGISTERED</b>	<b>10 April 2012</b>
<b>EXPIRY DATE</b>	<b>05 June 2012</b>
<b>APPLICANT</b>	<b>GJ Maudlin and Sons</b>
<b>AGENT</b>	<b>Richard Beaty (Building Design) Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Applicant is related to a Councillor.</b>
<b>RECOMMENDED DECISION</b>	<b>Approve subject to conditions</b>

**Recommendation:**

That Planning Permission is granted subject to the following conditions:

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

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

- 2 The materials used in the construction of the external surfaces of the development shall match those shown on drawing 08.201.01 unless otherwise agreed beforehand in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the building is satisfactory.

- 3 The building shall be used solely for commercial purposes ancillary to the use of Water Lane Farm and shall not be used for any other purpose.

Reason: To prevent potentially inappropriate independent commercial uses at the site.

- 4 **Before the development commences, a landscaping scheme to include any hard surfaces and the approved parking area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five**

years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.

**Reason: To ensure a satisfactory standard of landscaping.**

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [08.50.OSmap, 08.201.01].

Reason: For the avoidance of doubt.

**Reason for approval:**

The development would cause no harm to the appearance of the site, would cause no harm to living conditions at neighbouring houses and would help to support the rural economy. It would be in accordance with the National Planning Policy Framework (2012) and policies CS11 (Rural Economy and Tourism), DM3 (High Quality Development) and DM16 (Green Infrastructure) of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

<b>Item No. 15</b>
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<b>APPLICATION NUMBER</b>	<b>CB/12/00914/FULL</b>
<b>LOCATION</b>	<b>Hatch Farm, Hatch Common, Hatch, Sandy, SG19 1PS</b>
<b>PROPOSAL</b>	<b>Single storey side extension</b>
<b>PARISH</b>	<b>Northhill</b>
<b>WARD</b>	<b>Northhill</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Mrs Turner</b>
<b>CASE OFFICER</b>	<b>Nicola Stevens</b>
<b>DATE REGISTERED</b>	<b>19 March 2012</b>
<b>EXPIRY DATE</b>	<b>14 May 2012</b>
<b>APPLICANT</b>	<b>Mr Maudlin</b>
<b>AGENT</b>	<b>Richard Beaty, Building Design Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The applicant is related to a Central Bedfordshire councillor.</b>

<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>
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**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 Development shall be implemented in accordance with the details set out in the Flood Risk Assessment.

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

- 4 The development hereby permitted shall not be carried out except in

Reason: For the avoidance of doubt.

### **Reasons for Granting**

The proposal would not have a negative impact on the character or appearance of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, is in conformity with Policies CS14, DM4 and DM3 of the Core Strategy and Management Policies, November 2009; National Planning Policy Framework (March 2012); Regional policies in the East of England Plan (May 2008) and the Milton Keynes and South Midlands Sub-Regional Strategy (March 2005). It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010.

### **Notes to Applicant**

- . You are advised to note the comments of the Internal Drainage Board as set out in the enclosed letter.



<b>Item No. 16</b>
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<b>APPLICATION NUMBER</b>	<b>CB/12/00756/FULL</b>
<b>LOCATION</b>	<b>35 Potton Road, Everton, Sandy, SG19 2LE</b>
<b>PROPOSAL</b>	<b>Two storey front, side and rear extension, porch to front, plus erection of detached garage to rear of rear garden</b>
<b>PARISH</b>	<b>Everton</b>
<b>WARD</b>	<b>Potton</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Gurney &amp; Zerny</b>
<b>CASE OFFICER</b>	<b>Clare Golden</b>
<b>DATE REGISTERED</b>	<b>01 March 2012</b>
<b>EXPIRY DATE</b>	<b>26 April 2012</b>
<b>APPLICANT</b>	<b>Mr Barua</b>
<b>AGENT</b>	<b>JPT Design Consultants</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr Gurney has called the application to Committee on the grounds of adverse impact on the character and appearance of the area and neighbour amenity, including the adjacent School grounds</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

### Recommendation

That Planning Permission be **Granted subject to the following:**

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

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

- 2 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, as outlined on the application forms. The rear extensions shall be finished in cream or white painted render as outlined on the application drawing.

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 Prior to the first occupation of the building, the first floor and second floor bathroom windows in the north, rear elevation of the development hereby permitted shall be fitted with obscured glass of a type to substantially restrict vision through it at all times where the window height is less than 1.7metres above the floor level in the room where the window is installed. No further

windows or other openings shall be formed in the elevation.

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

- 4 The foundation structure of the two storey side extension hereby approved shall be of a block and groundbeam method of construction along the west foundation, and the existing garage foundations along this boundary shall be retained at just below ground level. Block and groundbeam foundations shall also be used for the west side of the garage hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of the Lime and Birch along the west boundary, and in particular to avoid unnecessary damage to their root systems.

- 5 The garage hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 35 Potton Road, Everton, and it shall not be used for any business purposes or living accommodation.

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 or business unit, and in order to comply with the Council's Planning Obligation Strategy.

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: JPT/DB/0212/001 Rev A; JPT/DB/0212/002 Rev A.

Reason: For the avoidance of doubt.

### **Reasons for Granting**

The proposed two storey side extension, 2.5 storey rear and single storey rear extensions, front porch and outbuilding, would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties. The proposal is acceptable in terms of highway safety therefore by reason of its site, design and location, is in conformity with Policy DM3 of the Core Strategy and Management Policies, November 2009, and the National Planning Policy Framework, Adopted 2012, in particular, paragraph 56 relating to good design. It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010.

### **NOTES**

In advance of the application the Committee received representations made under the Public Participation Scheme.

**Item No. 17**

<b>APPLICATION NUMBER</b>	<b>CB/12/00466/FULL</b>
<b>LOCATION</b>	<b>2 High Street, Stotfold, Hitchin, SG5 4LL</b>
<b>PROPOSAL</b>	<b>Erection of one detached dwelling</b>
<b>PARISH</b>	<b>Stotfold</b>
<b>WARD</b>	<b>Stotfold &amp; Langford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Clarke, Saunders &amp; Saunders</b>
<b>CASE OFFICER</b>	<b>Richard Murdock</b>
<b>DATE REGISTERED</b>	<b>09 February 2012</b>
<b>EXPIRY DATE</b>	<b>05 April 2012</b>
<b>APPLICANT</b>	<b>Mr McNeill</b>
<b>AGENT</b>	<b>Aragon Land &amp; Planning Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Councillor Brian Saunders request based on the form of development and the impact upon the amenities of the adjoining occupier.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Refused</b>

**Recommendation**

That had an appeal for non-determination not been submitted, then Planning Permission would have been refused for the following reason:

- 1 The development by reason of its size and siting and lack of rear amenity space would result in a cramped form of development that would harmful to the character and appearance of the surrounding area. As such, the proposal is contrary to Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

**NOTES**

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

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**Item No. 18**

<b>APPLICATION NUMBER</b>	<b>CB/12/01007/FULL</b>
<b>LOCATION</b>	<b>Land at 3 Olivers Lane, Stotfold, Hitchin, SG5 4DH</b>
<b>PROPOSAL</b>	<b>Erection of 3 bedroom dwelling</b>
<b>PARISH</b>	<b>Stotfold</b>
<b>WARD</b>	<b>Stotfold &amp; Langford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Clarke, Saunders &amp; Saunders</b>
<b>CASE OFFICER</b>	<b>Mark Spragg</b>
<b>DATE REGISTERED</b>	<b>14 March 2012</b>
<b>EXPIRY DATE</b>	<b>09 May 2012</b>
<b>APPLICANT</b>	<b>DPS Prestige Developments Ltd</b>
<b>AGENT</b>	<b>G C Planning Partnership Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Cllr Brian Saunders on the basis of the objection reasons made by the Town Council (overdevelopment, design, footpath safety, overlooking)</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**RECOMMENDATION**

Deferred for Site Inspection.

**NOTES**

(1) In advance of the consideration of the application the Committee were advised of one further letter of objection raising no new issues.

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

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<b>Item No. 19</b>
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<b>APPLICATION NUMBER</b>	<b>CB/12/00796/FULL</b>
<b>LOCATION</b>	<b>Budgens Stores Ltd, Market Square, Sandy, SG19 1JA</b>
<b>PROPOSAL</b>	<b>Proposed sub division of existing Budgens Store and new entrance doors and section of shopfront.</b>
<b>PARISH</b>	<b>Sandy</b>
<b>WARD</b>	<b>Sandy</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Aldis, Maudlin &amp; Sheppard</b>
<b>CASE OFFICER</b>	<b>Mark Spragg</b>
<b>DATE REGISTERED</b>	<b>01 March 2012</b>
<b>EXPIRY DATE</b>	<b>26 April 2012</b>
<b>APPLICANT</b>	<b>Musgrave Retail Partners GB</b>
<b>AGENT</b>	<b>Lynwood Associates Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Cllr Aldis on the grounds of: Public interest, concern at the reduction of food retail provision, impact on the streetscene.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

### Recommendation

That Planning Permission be granted subject to the following:

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

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

- 2 The proposed new doors and window shall match as closely as possible those used in the existing building frontage, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is in keeping with the existing building.

### Reasons for Granting

The proposed sub division of the existing store and alteration to the shop front would preserve the character of the Conservation Area and would not result in the net loss of shopping facilities within Sandy town centre. The proposal therefore complies with the National Planning Policy Framework and policies DM3, DM13, CS12 and CS15 of the Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document (2009).

**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](http://www.centralbedfordshire.gov.uk).