

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 18 July 2012

PRESENT

Cllr A Shadbolt (Chairman)

Cllrs	P N Aldis	Cllrs	Mrs R B Gammons
	A R Bastable		Ms C Maudlin
	D Bowater		T Nicols
	Mrs C F Chapman MBE		I Shingler
	Mrs S Clark		J N Young
	Mrs R J Drinkwater		

Apologies for Absence: Cllrs R D Berry
M C Blair
I Dalgarno
D Jones
K C Matthews
P F Vickers

Substitutes: Cllrs L Birt (In place of K C Matthews)
A D Brown (In place of P F Vickers)
C C Gomm (In place of I Dalgarno)
R W Johnstone (In place of M C Blair)
P Williams (In place of D Jones)

Officers in Attendance:	Miss H Bell	Committee Services Officer
	Mr A Davie	Head of Development Management
	Mrs V Davies	Principal Planning Officer
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Mr D Lamb	Planning Manager East
	Mr N Smith	Senior Planning Officer
	Mr J Spurgeon	Principal Planning Officer

DM/12/232 **Chairman's Announcements**

The Chairman reminded Councillors and Members of the Public to silence their phones for the duration of the meeting.

The Chairman reminded Members that the Ethical Handbook Rule No 13.5.5 states that Members must be present to hear the entire debate including the Officers introduction to the matter in order to take part in the consideration of an item.

The Chairman sought an update on Section 106 Monies regarding Bridge Farm, Shefford, and was advised that information had recently been received from the applicant and was being considered by Officers.

DM/12/233 Minutes

It was agreed that approval and signing of the Minutes of the meeting held on 27 June 2012 be deferred until the next meeting of the Committee.

DM/12/234 Members' Interests

There were no declarations of interest made.

DM/12/235 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/12/236 Planning Application No. CB/10/03478/OUT

RESOLVED

that Planning Application No. CB/10/0347/OUT relating to Land adjoining Dunstable Road and to the rear of My Folly and the Scout Hut, Dunstable Road, Caddington be approved as set out in the Schedule appended to these Minutes.

DM/12/237 Planning Application No. CB/12/01409/RM

RESOLVED

that Planning Application No. CB/12/01409/RM relating to White Lion Retail Park, Dunstable be approved as set out in the schedule appended to these Minutes.

DM/12/238 Planning Application No. CB/12/01317/FULL

RESOLVED

that Planning Application No. CB/12/01317/FULL relating to Henlow Lakes and Riverside, Arlesey Road, Henlow be approved as set out in the schedule appended to these Minutes.

DM/12/239 **Planning Application No. CB/12/01536/FULL**

RESOLVED

that Planning Application No. CB/12/01536/FULL relating to Building adjacent to 22 long Close, Lower Stondon, Henlow be approved as set out in the schedule appended.

DM/12/240 **Planning Application No. CB/12/01152/FULL**

RESOLVED

that Planning Application No. CB/12/01152/FULL relating to Shefford Post Office, 6 Southbridge Street, Shefford be approved as set out in the schedule appended to these Minutes.

DM/12/241 **Planning Application No. CB/12/01391/FULL**

RESOLVED

that Planning Application No. CB/12/01391/FULL relating to Fairfield Park Lower School, Dickens Boulevard, Stotfold be approved as set out in the schedule appended to these Minutes.

DM/12/242 **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 9 August 2012;

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

**Cllrs: D Bowater
A Bastable
R Gammons
N Aldis**

DM/12/243 **Late Sheet**

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

(Note: The meeting commenced at 10.00 a.m. and concluded at 11.52 a.m.)

Chairman

Dated

Item No. 6

APPLICATION NUMBER	CB/10/03478/OUT
LOCATION	Land adjoining Dunstable Road and to the rear of My Folly and the Scout Hut, Dunstable Road, Caddington
PROPOSAL	Outline application for 50 dwellings, with access off Dunstable Road (revised application CB/09/06146/OUT)
PARISH	Caddington
WARD	Caddington
WARD COUNCILLORS	Cllrs Mrs Gammons & Stay
CASE OFFICER	Mr J Spurgeon
DATE REGISTERED	21 September 2010
EXPIRY DATE	21 December 2010
APPLICANT	Woodstock Estates Ltd
AGENT	Barrett Lloyd Davis Associates Ltd
REASON FOR COMMITTEE TO DETERMINE	Ward Member requested referral to Committee and Parish Council representation has not been resolved to date of report (Major Application)
RECOMMENDED DECISION	Outline Application - Granted

Recommendation

That on receipt of a satisfactory agreement under S106 of the Planning Acts, based on the Heads of Agreement (as detailed in the Late Sheet), the Head of Development Management in consultation with the Chairman of Development Management Committee, be authorised to issue the Grant of permission subject to the following points 1-5 below and conditions:

1. Previously notified neighbouring properties be re notified of the submissions for a period of 10 calendar days and provided no new matters are raised which have not previously been considered
2. Consideration be given to raising the proposed zebra crossing and providing a similar raised area on Dunstable Road to the West of the site.
3. Officers negotiate sums to prioritise Sustainable Transport in the Section 106 Agreement.
4. Officers consider specific projects in consultation with the Parish Council with regard to the Section 106 Agreement.
5. No affordable housing element be required when an application is received for the Scout Hut site itself provided 19 affordable housing units are offered in the current permission.

- 1 **Before development begins, the approval of the Local Planning Authority shall be obtained in respect of all the reserved matters, namely the**
- **access (other than the point of access to the external highway)**
 - **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 The indicative layout 5673/201/pF is excluded from this permission save in respect of the access from the external highway to the proposed estate road.

Reason: To accord with the provisions of Article 3(4) of the Town and Country Planning (General Development) Order 1995 as amended and par.134 of 'Guidance on information requirements and validation' March 2010 DCLG.

- 4 A landscaping scheme to include land outside the red line area but within the blue line area as shown on drawing 5673/000/* and to include ground moulding 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.
(Policies ENV7 RSS; BE8 SBLPR).

- 5 The reserved matters shall include details of a scheme of proposed enhancement/improvement of the existing public footpath crossing the site and its delivery and the approved scheme shall be implemented in full in accordance with its terms.

Reason: To minimise the impact of the development on the character of the area. (Policies: ENV7 RSS; BE8 SBLPR)

- 6 **No development shall commence, including ground clearance, unless a revised Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority, which Plan is based on the final site layout to supersede Tree Protection Plan 9192-BT3 as prepared by Barrell Tree Consultancy. The Tree Protection Plan shall be based on the 'Arboricultural Impact Appraisal and Method Statement' (ref 9192-A1A2-CA-05092011) dated 5th September 2011 and ground preparation / development shall only be carried out in accordance therewith**

**Reason: To safeguard trees on the site.
(Policies ENV7 RSS; BE8 SBLPR)**

- 7 Before development commences a Landscape and Ecology Management Strategy shall be submitted to and approved in writing by the Local Planning Authority which shall subsequently be implemented in full.

Reason: To ensure that the main landscape features and ecology of the site are suitable managed and protected.
(Policy NPPF)

- 8 **No development shall commence until surveys have been carried out between March and June inclusive for the presence of Great Crested Newts on the site and adjacent development land within the blue line on submitted plan 5673/000/*. The results of the surveys and any other necessary mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall be implemented as part of the development.**

**Reason: To ensure adequate provision for protected species.
(Policy NPPF)**

- 9 **No development shall take place until an updated bat survey has been carried out by a suitably qualified ecologist. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority and necessary works implemented in accordance therewith.**

**Reason: To ensure adequate provision for protected species.
(Policy NPPF)**

- 10 Prior to the commencement of any phase of development on the red or blue land shown on drawing 5672/000/* the developer shall submit to the Local Planning Authority for its approval:

- (a) a Phase I Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination,
- (b) where shown to be necessary by (a) above, a Phase II Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate

- soils and gas sampling,
- (c) where shown to be necessary by (b) above, a Phase III detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment,
 - (d) On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a Phase IV validation report to incorporate photographs, material transport tickets and sampling.

Any remediation scheme and any variations shall be agreed in writing by the local Planning Authority prior to the commencement of works. This should include responses to any unexpected contamination discovered during works.

The British Standard for Topsoil BS 3882:2007 specifies requirements for top soils that are moved or traded and should be adhered to.

Reason: To protect human health and the environment.
(Policy NPPF)

- 11 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) produced by Royal Haskoning Ref: 9V3743/R00004/303754/Pet and the approved FRA Addendum Ref: 9W4904/Rev.E dated 03 July 2012, and the following mitigation measures detailed within the FRA:

1. Controlling the roof drainage surface water run-off generated by the 100 year critical storm with 30% addition for climate change, using the sustainable drainage methods indicated in Section 2.3, so that it will not increase the risk of flooding off-site.

2. Controlling the road drainage run-off generated by the 100 year critical storm with 30% addition for climate change, using the sustainable drainage methods in accordance with Section 2.4, so that any off-site discharge is restricted to 5 litres/ sec.

3. Controlling surface water overland flows using the sustainable drainage methods detailed in Section 2.6.

4. Developing a plan for the future maintenance of the sustainable surface water drainage system and overland flow routes shall be agreed with the local planning authority and implemented prior to residential occupation of the site.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding by ensuring the satisfactory storage and disposal of surface water from the site and to maintain the approved systems. (Environment Agency condition). (Policy NPPF)

- 12 Prior to the commencement of development approved by this planning permission, 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 the local planning 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 results of the site investigation and detailed risk assessment referred to in (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 the remediation strategy 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 site has been subject to fly tipping. The samples taken in the site investigation should also include organic contaminants of concern (TPH, VOCs and sVOCs) as waste is heterogeneous and may contain other things than heavy metals. (Environment Agency condition).
(Policy NPPF)

- 13 Prior to occupation, 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 the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: If the site investigation and DQRA identify that remediation is required, a verification report should be submitted to verify that remediation was successfully undertaken. (Environment Agency condition).
(Policy NPPF)

- 14 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, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To prevent the mobilisation of contaminants and protect water quality. (Environment Agency condition).
(Policy NPPF)

- 15 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 protect groundwater. A borehole soakaway has been proposed through the clay with flints into the underlying Chalk aquifer for drainage.
(Policy NPPF)

- 16 Piling or any other foundation designs using penetrative methods shall not be 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 groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater as some piling methods may act as preferential pathways.
(Policy NPPF)

- 17 **No development shall commence until a drainage strategy detailing any on and /or offsite drainage works has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul and surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.**

**Reason: To ensure a satisfactory impact on the public drainage system (Thames Water condition).
(Policy NPPF)**

- 18 Details of the specification and precise location of an acoustic fence to be located in the vicinity of the scout building shall be submitted to and approved in writing by the Local Planning Authority and shall be fully installed prior to the first occupation of any dwelling on the site.

Reason: To safeguard the amenity of adjacent new dwellings.
(Policies ENV7 RSS; BE8 SBLPR)

- 19 **No Development shall commence until details of the junction of the proposed vehicular access with the highway have been approved by the Local Planning Authority and no building shall be occupied until the 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 the premises.
(Policy T8 RSS)**

- 20 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 56m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction exceeding a height of 1.05m.

Reason: To provide adequate visibility between the existing highway and the proposed access(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).
(Policy T8 RSS)

- 21 Visibility splays shall be provided at all road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.5m 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.
(Policy T8 RSS)

- 22 A visibility splay shall be provided at the junction of the scout premises access with the public highway before the first dwelling is occupied. The minimum dimensions to provide the required splay line shall be 2.4m measured along the centre line of the access from the junction with the channel of the public highway and 56m measured in a westerly direction from the centre line of the access along the line of the channel of the public highway. The required vision splay shall, on land in the applicant's control, be kept free of any obstruction.

Reason: In the interests of road safety.
(Policy T8 RSS)

- 23 **No development shall 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 thereto has been constructed (apart from final surfacing) in accordance with the approved details.**

**Reason: To ensure that the proposed roadworks are constructed to an adequate standard.
(Policy T8 RSS)**

- 24 No dwelling shall be occupied unless and until a 2.0m wide footway has been constructed on the north-western side of Dunstable Road across the whole length of the site frontage and extending beyond the access to Public Footpath No.9 in a north-easterly direction for a distance of 22m in accordance with details of a scheme to be submitted to and approved in writing by the local planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement.
(Policy T8 RSS)

- 25 A scheme for the parking of cars on the site shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the parking space(s) associated with it have been laid out and constructed in accordance with the approved details and those spaces shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure the provision of adequate off-street parking to meet the needs of occupiers of the proposed development and to minimise the obstruction and inconvenience caused by vehicles parking on-street.
(Policy T8 RSS)

- 26 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 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.
(Policy T8 RSS)

- 27 **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 that Authority.**

Reason: In the interests of amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period. (Policy T8 RSS)

- 28 **No development shall commence, including ground clearance, until a scheme detailing access provision to and from the site (red and blue land as shown on drawing 5673/000*) 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 interest of road safety.

(Policy T8 RSS)

- 29 **No development shall 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.

(Policy T8 RSS)

- 30 **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 5673/011/p*, 5673/000/* and 5673/201/pF.**

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed residential development is mainly on land allocated in the Development Plan (DP) for residential development and this delivery is long overdue. Constraints of trees, drainage and topography make the density limits set out challenging and it is considered that the inclusion of other adjacent land, owned by the applicant, to enable the development is justified. This other land is in the Green Belt and, although allocated for recreational use in the DP, would provide screening and drainage infrastructure - a matter requiring special consideration in the DP policy. The works, where there is an impact on openness, would comprise 'very special circumstances'. Drainage seeks to mimic the existing pattern and, within the standardised maximum flood conditions should not add to present problems on Mancroft Road. Vehicular access to Dunstable Road would be acceptable with the imposition of vision splays and the proposed pedestrian crossing point, thus satisfying Policy T8 of the RSS. However, internal layout has been excluded so that, in accordance with Policies ENV7 of the RSS and BE8 of the SBLP, reserved matters may provide a set of details which reflect the remaining distribution of trees and potential of the site to take into account habitat and ecology. The scout premises would remain but could be developed for housing in due course. The relationship between an active scouting troop and new housing would be acceptable. A full set of infrastructure contribution requirements is accepted by the applicant and the full affordable housing provision for the site is provided at this stage. The proposal as approved would comply with the NPPF.'

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. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Amphill Road, Bedford MK42 9BA 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.
4. 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.
5. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
6. 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.

7. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.
8. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
9. The applicant is advised that all car parking to be provided within the site shall be calculated, designed and laid out in accordance with the Central Bedfordshire Council's SPD Design Supplement 7 'Movement, Streets and Places' - January 2010.
10. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Guidance – July 2010".
11. The developer is advised that, in accordance with the Wildlife and Countryside Act 1981 (as amended), any removal of trees, scrub or hedgerow should take place outside the bird breeding season of March to August inclusive. Should any vegetation have to be removed during or close to this period it should first be thoroughly assessed by a suitable experienced ecologist as to whether it is in use by nesting birds. Should nests be found, a suitable area of vegetation (no less than 5m zone around the nest) should be left intact and undisturbed until it is confirmed that any young have fledged before works in that area proceed.
12. The final layout will be expected to include a 'green corridor' between the pond within the site and open land surrounding the red line site. This would provide a habitat link appropriate to various species as well as providing a visual link between the development and the countryside. In the interests of wildlife it will be appropriate to consider the form and scale of lighting in the vicinity of the protected trees. Bird and bat boxes should be considered in the final design. Further to condition 5 the proposed link between ground water and the pond within the site may necessitate the provision of a duck-board causeway over sections liable to flooding. This should be discussed with the CBC rights-of-way officer.

NOTES

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

(2) In advance of the consideration of the application the Committee were advised of consultation received from

- Caddington Parish Council Planning Committee proposing a scheme to full Parish Council for engineering works, the applicant bearing the cost to be carried out on the allotment land where the ditch surface water crosses the public footpath.
- Caddington Scout Group setting out the origins of the building and expressing concerns regarding the documentation indicating 54 dwellings and implying that the applicant owns the land when in fact this is not the case. Concerns regarding: noise, overlooking, site security and drainage.
- Neighbour letters

Item No. 7

APPLICATION NUMBER	CB/12/01409/RM
LOCATION	White Lion Retail Park, Boscombe Road, Dunstable, LU5 4WL
PROPOSAL	Reserved Matters: Erection of four storey building comprising 24 residential units. Construction of new access (Outline)
PARISH	Dunstable
WARD	Dunstable Icknield
WARD COUNCILLORS	Cllrs McVicar & Young
CASE OFFICER	Vicki Davies
DATE REGISTERED	18 April 2012
EXPIRY DATE	18 July 2012
APPLICANT	White Lion RP Ltd
AGENT	GVA Grimley
REASON FOR COMMITTEE TO DETERMINE	The application is for a major development of more than 10 dwellings to which the Town Council has raised concerns which cannot be overcome by condition.
RECOMMENDED DECISION	Reserved Matters - Granted

Recommendation

That Planning Permission be GRANTED subject to the following:

- The noise attenuation measures implemented in the flats hereby permitted shall be in accordance with the revised Cole Jarman Noise Report dated October 2008 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect residents from unacceptable noise levels within dwellings.
- Prior to the occupation of the development hereby permitted details of a residents only parking scheme shall be submitted to and approved in writing by the Local Planning Authority. The parking will thereafter be managed in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the parking spaces provided for the residents of the development are retained for this use.
- The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 120004 (D)100 rev A, (D)101 rev A, (D)102 rev B, (D)103 rev A, (D)104 rev A, (D)105 rev A, (D)106 rev A, (D)107 rev A, (D)108 rev A, (D)109 rev A, (D)110 rev A, BDA126/01D, BDA126/02D, BDA126/03D, BDA126/04C & BDA126/05B.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed development would not detrimentally impact upon the character and appearance of the area or wider streetscene nor would there be any adverse impact on the amenities of neighbouring residents. The proposal would not result in any highway, parking or other issues. The scheme by reason of its siting and design is in conformity with the National Planning Policy Framework and South Bedfordshire Local Plan First Review policies BE8 and H2. It is further in conformity with the Central Bedfordshire Supplementary Technical Guidance "Design in Central Bedfordshire, A Guide for Development".

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.

NOTES

(1) In Advance of the consideration of the application the Committee were advised of consultation received from the highway Authority who had no comment to make, Highways Development Control acknowledging that the application has provided more parking than that at the outline stage and that there could be some visitor parking on the access road. It is also acknowledged that this area is in a very sustainable location.

The committee were advised that it is understood that development on site has not commenced and that the delay in submitting the reserved matters application relates to the Local Authority's use of the land in relation to the construction of the busway. The use of the land for the construction of the busway was agreed and the applicant accepted a delay in developing the site on the basis that they would be able to do so in accordance with the Section 106 agreement signed at the outline application stage.

The Committee were further advised of contributions if they were to be paid today.

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

Item No. 8

APPLICATION NUMBER	CB/12/01317/FULL
LOCATION	Henlow Lakes and Riverside, Arlesey Road, Henlow
PROPOSAL	Provision of 29 additional pitches, realignment of internal access road, creation of a pitch for managers accommodation & erection of club house, tea room & activity centre (enlarged from previous approval).
PARISH	Henlow
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Mark Spragg
DATE REGISTERED	19 April 2012
EXPIRY DATE	14 June 2012
APPLICANT	Henlow Lakes & Riverside Ltd
AGENT	Sherwood Architects Ltd
REASON FOR COMMITTEE TO DETERMINE	Request by Councillor Wenham on the basis that the proposal is an overdevelopment .

RECOMMENDED DECISION	Full Application - Granted
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Recommendation

That Planning Permission be APPROVED 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 mobile home hereby permitted shall be removed and the site reinstated to its previous condition or to such a condition as may be agreed beforehand in writing by the Local Planning Authority, within a period of 5 years from the date of this permission, unless a further period is otherwise agreed by the Local Planning Authority.

Reason: To enable further consideration of the requirement for a continuation of such on site accommodation based on the future needs of the business or otherwise to ensure that the site is restored to its original condition/use.

- 3 Notwithstanding the detailed drawings submitted, the managers accommodation shall meet the definition of a caravan as set out in the Caravan Sites Act 1968, Part 3, Section 13. This shall include compliance with the size criteria for a mobile home being that it shall not exceed a length of 18.2888m, width of 6.096m and with an internal height of living accommodation not exceeding 3.048m.

Reason: The approval is granted on the basis of it being a mobile home.

- 4 The materials and finish for the tea room/activity centre shall only be carried out in complete accordance with the approved plans and specifications, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance.

- 5 Before the tea room/activity centre is first used, 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.

- 6 **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.

- 7 The club house premises shall not be used except between the hours of 0700 hours to 2300 hours without the prior agreement in writing of the Local Planning Authority.

Reason: To protect the amenities of neighbouring residents.

- 8 **The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul water, surface water and trade effluent has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.**

Reasons: To prevent pollution to surface waters and ground waters and to ensure that the Water Framework Directive status of the River Ivel catchment does not deteriorate from it's current status.

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [401A, 402A, 500A, 501A, 502A, 503A, 504A, 506A].

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed development, including the addition of 29 camping/caravanning pitches, the erection of a tea room/activity centre, and a mobile home for providing managers accommodation, is supported on the basis that it would provide an acceptable expansion of a sustainable rural tourist business which would benefit the local economy, whilst not prejudicing the character of the surrounding area, or unacceptably harming the amenity of neighbouring properties. There would also be no adverse impact on highway safety, environmental, ecological or heritage interests. As such the proposal is in conformity with Policies CS11, CS14, CS16, CS17, CS18, DM3, DM14, DM15 and DM16 of the Core Strategy and Management Policies (2009), The National Planning Policy Framework (2012) and the Supplementary Planning Guidance, A Guide for Development (2010).

Notes to Applicant

Advice for the Applicant

Foul water from a septic must only be discharged to a drainage field and never to a watercourse. This is because a septic tank does not treat foul water, it only allows the settlement of suspended solids, and untreated foul water will cause pollution if it is allowed to enter a watercourse. The applicant may be required to change the current foul water arrangements if they are discharging to a septic tank that leads to a watercourse and/or the current foul water arrangements do not have sufficient capacity to deal with the increased foul water from the proposed 29 new caravan/ tent pitches, accommodation, club house and tea room. The applicant must arrange for a percolation test to be carried out to determine if discharge to a drainage field will be suitable if they wish to utilise this way of foul water disposal. Installing a sewage treatment plant is another alternative to treat foul water. This plant will treat the foul water to a suitable standard that we will allow to be discharged to a watercourse. The applicant can find further advice on sewage treatment methods and the percolation test in the Environment Agency's Pollution Prevention Guideline number 4, which is on our website at www.environment-agency.gov.uk/ppg.

The applicant currently has an 'exemption from the need for an Environmental Permit' registered with the Environment Agency for a discharge of treated sewage effluent to a watercourse. The reference number for this exemption is EPR/XE5607PB. We are concerned because the site layout plan submitted with this planning application shows a septic tank and this exemption only permits a discharge from a sewage treatment plant and not a septic tank. As explained above, the applicant must carry out a full survey of the drainage arrangements on site. The applicant/ site operator will be committing a criminal offence if untreated sewage is entering a watercourse.

The applicant must ensure that they have the correct Environmental Permit issued by the Environment Agency for any current or new discharges of sewage effluent to a watercourse or to ground. There is guidance available on permitting on the Environment Agency's website at www.environment-agency.gov.uk/business/topics/water/32038.aspx.

Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. There is further guidance on the Oil Storage Regulations at www.environment-agency.gov.uk/osr.

The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate permitted facility and all relevant documentation is completed and kept in line with regulations. 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 direction, 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 onsite, the applicant will be required to obtain the appropriate waste exemption or permit from us. We are unable to specify what exactly would be required if anything, due to the limited amount of information provided.

The developer must apply the waste hierarchy in a priority order of prevention, re-use, recycling before considering other recovery or disposal options. Government Guidance on the waste hierarchy in England is at: <http://www.defra.gov.uk/publications/files/pb13530-waste-hierarchy-guidance.pdf>

We ask to be consulted on the details submitted for approval to your Authority to discharge this condition and on any subsequent amendments/alterations.

Please forward a copy of this letter to the applicant.

Should you wish to discuss this matter further please do not hesitate to contact me, or the Environment Officer, Kyle Vivian (Tel: 01480 483254).

NOTE

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

Item No. 9

APPLICATION NUMBER	CB/12/01536/FULL
LOCATION	Building adj. to 22 Long Close, Lower Stondon, Henlow, SG16 6JS
PROPOSAL	Conversion of office building into a one bedroom dwelling.
PARISH	Stondon
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Mark Spragg
DATE REGISTERED	04 May 2012
EXPIRY DATE	29 June 2012
APPLICANT	Burke Enterprises LLP
AGENT	Wastell & Porter Architects
REASON FOR COMMITTEE TO DETERMINE	Requested by Cllr Drinkwater. Not convinced it is suitable for conversion.
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be APPROVED 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 use shall not commence until a scheme for the side boundary treatment of the rear amenity area has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained.**

Reason: To safeguard the amenity of the neighbouring occupiers.

- 3 The external finish of the development shall be carried out in accordance with the submitted details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is in keeping with its surroundings.

- 4 The existing side openings in the building shall be blocked up prior to occupation and thereafter retained as such. Furthermore, 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 windows shall be inserted into the flank elevation of the building.

Reason: To protect the amenity of neighbouring residents and to ensure compliance with fire safety requirements.

- 5 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no works shall be commenced for the extension of the building hereby approved nor any material alteration of their external appearance until detailed plans and elevations have been submitted to and approved in writing by the Local Planning Authority.

Reason: Due to the limited size of the plot and to protect the amenities of occupiers of neighbouring properties.

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [PL01].

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed conversion, albeit small, would nevertheless provide an acceptable level of internal and outdoor amenity for future occupiers and would not have any negative impact on the character of the area, on neighbouring residential amenity or on highway safety. As such the proposal is in conformity with Policies CS1, CS2, CS14, DM3 and DM4 of the Core Strategy and Management Policies (2009), The National Planning Policy Framework (2012) and the Supplementary Planning Guidance, A Guide for Development (2010)

Notes to Applicant

1. 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.

NOTES

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

Item No. 10

APPLICATION NUMBER	CB/12/01152/FULL
LOCATION	Shefford Post Office, 6 Southbridge Street, Shefford, SG17 5DB
PROPOSAL	Change of use on first floor from office to provide 3 one bedroom flats & ancillary commercial floor space & two storey rear extensions.
PARISH	Shefford
WARD	Shefford
WARD COUNCILLORS	Cllrs Birt & Brown
CASE OFFICER	Nikolas Smith
DATE REGISTERED	16 May 2012
EXPIRY DATE	11 July 2012
APPLICANT	Basra Enterprises Ltd
AGENT	Roscoe Milne Partnership
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	A family member of an objector is employed by the Council Full Application - Granted

Recommendation:

That Planning Permission be 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 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 and the approved rooflights shall be of a 'Conservation' style.

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 **No development shall commence before details of waste and recycling storage and collection for the approved residential units at the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that waste storage and collection arrangements are satisfactory.

- 4 **No development shall commence before an acoustic assessment has been submitted to and approved by the Council that sets out what measures would be introduced to prevent harm being caused to living conditions for future residents by the ground floor use of the building and uses at neighbouring sites. The development shall be carried out as approved.**

Reason: To safeguard living conditions for future occupiers.

- 5 The windows serving the first floor staff rest room shall be obscurely glazed and non-openable below a height of 1.7m from finished floor level and shall be permanently retained as such.

Reason: To protect living conditions at neighbouring properties.

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers P01 and P02.

Reason: For the avoidance of doubt.

NOTES

(1) In advance of the consideration of the application the Committee were advised of additional consultation received. An objection from the owner of 4 Southbridge Street had been withdrawn. An objection from a tenant at No 4 raised concerns about construction disturbance and its impact on the operation of the café.

It was advised that uncertainty over the boundary between No's 4 and 6 is located. The applicant had confirmed that they were satisfied that proper notices had been served in respect of this planning application and the Council had accepted this together with evidence from the Land Registry. Future land ownership issues that might impact on the implementation of development would be a civil matter between the two parties.

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

Item No. 11

APPLICATION NUMBER	CB/12/01391/FULL
LOCATION	Fairfield Park Lower School, Dickens Boulevard, Stotfold, Hitchin, SG5 4FD
PROPOSAL	Classroom extension and alterations
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Saunders & Saunders
CASE OFFICER	Nikolas Smith
DATE REGISTERED	18 April 2012
EXPIRY DATE	13 June 2012
APPLICANT	Central Bedfordshire Council
AGENT	QMP
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	The applicant is the Council and an objection has been received
	Full Application - Granted

Recommendation:

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

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

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [M5313/A/277.O, M5313/A/274.A, M5313/A/275.O, M5313/A/332.O, M5313/A/272.O, M5313/A/273.O, M5313/A/276.O and M5313/A/271.O].

Reason: For the avoidance of doubt.

Reason for approval:

The extension would provide valuable additional space for the school, would cause no harm to the appearance of the building, would cause no harm to living conditions at neighbouring houses and would cause no harm to the safe and free flow of traffic. It would be in accordance with the objectives of the NPPF (2012) and Policy DM3 (High Quality Development) of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

Note to Applicant:

1. If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant should notify the Local Planning Authority without delay. Any land contamination identified should be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use. Further information can be obtained from Andre Douglas on 0300 300 4404.

NOTE

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

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 18 JULY 2012

Item 6 (Page 11-42) – CB/10/03478/OUT – Land adjoining Dunstable Road and to the rear of My Folly and the Scout Hut, Dunstable Road, Caddington.

Further Parish Council comment:

Received 16/7/12. On 17th July (the day before this meeting) Caddington Planning Committee will propose a scheme to full Parish Council for engineering works, the applicant bearing the cost, to be carried out on the allotment land where the ditch surface water crosses the public footpath. This is to achieve a catchment pit or widening of the ditch at that point to slow storm water into the pond which itself would be excavated to remove silt and aid the clay to remain damp (to stop the site drying out). This natural approach is the way ahead. Still have concerns that the surface and flood water, with additional road water, would go to the R8 land, even if it is in reduced quantities. At times of high water table and flood this could cause problems through dissipation of draining water, especially to neighbouring properties. It needs to be examined to prove where the discharge from the new system is placed at the Dunstable/Mancroft Road junction. What guarantees can be given that the detention basin and swale will work sufficiently to achieve the developer's aims?

Final neighbour responses:

Received from Caddington Scout Group (13/7/12):

Explains the origins of the 25-year-old building, the place of the group in the community and its financial limitations. Concerned –

- Some documentation still in circulation indicating 54 dwellings and implying that the applicant owns land which he does not,
- Strong concern about noise complaints from new houses, overlooking of scouts camping outside or inside and site security,
- Strongly urge CBC to ensure this does not happen,
- Landscaping or site reworking must not cause water to drain across scout land or subsidence (which may need a retaining wall),
- It is vital that there are proper sight lines with ongoing maintenance.

Asks DMC to take note of earlier letters and correspondence. Because there has been a marked reluctance for the applicant to engage further with the scouts, they must OBJECT.

Received from 3 Mossman Drive (8/7/12):

Requests that contractor and staff are prevented from parking in Mossman Drive as this prevents its use by residents as well as causing safety issues with visibility and mud.

Officers further comments:**DRAINAGE:**

A representative of the Parish Council is expected to address the committee today. In respect of the above comments, firstly it is welcomed that the PC is looking for a natural solution to water passing from their land to the site. A headwall on their land will of course be outside the control of the applicant and cannot be conditioned – certainly at this early stage of technical appraisal. However, appraising this approach could form part of the discharge of condition 11(4) – collection and piping at the footpath as outlined in Section 2.6 of the FRA. Secondly, there is a sequence of attenuation measures ‘below the site’: holding basin, porous base, vegetation, hydrobrake, weir, swale with steps and more vegetation. No system can offer a guarantee in extreme events yet this proposal offers as much as could be reasonably devised to detain water except in extreme events. This system cannot solve existing flooding problems in Mancroft Road, especially where the great majority of water reaching Mancroft Road comes from other places. Page 29 of the Agenda also sets out the likelihood of future government funds for LA adoption of such systems.

SCOUTS:

Another inspection of the site, attended by the CBC highway officer, to assess the proposed visibility splays for the retained Scout hut access shows that the provision of the footway would obviate the need to set a splay on the east side. This will safeguard the hedge which the scouts want left untouched. Condition 29 will be varied to include only a western splay, such that none of the scout land would be within the splay. Concerns with contractors’ parking will be passed to the Highways and Transport team as they are best handled under another legal framework.

Regarding the objections from the scouts, it is confirmed that the application is for 50 dwellings and does not include the scout land. It is also considered that sufficient safeguard against noise nuisance would be available viz: acoustic fence and the ability to plan housing layout at a later stage. Furthermore, scouting activities are occasional and do not extend late into the night. They are a very different character to clubhouses and other such premises. CBC has received no noise complaints against Caddington Scouts from residents opposite. The CBC EHO consulted St Albans DC after a senior representative of the Caddington Scouts pointed out a case where a troop in St Albans had to close because of noise complaints from new houses. After trying to find the nearest match from limited information provided, the St Albans DC Environmental Health Compliance Manager replied:

‘When the Health Authority decided to develop the land the 2nd St Albans scout group had to leave as there was no facility available for them in the proposed development. I do not recall there being an outcry about noise and being asked to leave for that reason...The majority of Scout HQs in St Albans are in close proximity to housing developments – it is the nature of the beast. They provide much needed community meeting points and in turn the local residents offer security to the premises. The noise levels are equivalent to play time at a local school. The only issue is usually at the coming and goings of parents delivering their offspring and with appropriate travel plans and local catchment for membership this can be reduced.’

While no-one can rule out the risk of noise complaints, there would appear to be a low risk of a justifiable complaint, and even less of recommended measures not being capable of implementation.

Drainage will be closely followed up at details stage and the developer would be responsible for any retaining structure should there be on/off site levels changes. It is likely that mature trees near the scout premises will remain, so significant levels changes are unlikely. Finally, the first paragraph covers the benefits to the scouts of a new sight line and scrub clearance by the new footpath.

Amended Recommendation:

That, on receipt of a satisfactory Agreement under S106 of the Planning Acts, based on the following Heads of Agreement, the Head of Development Management be authorised to issue the Grant of PERMISSION subject to the conditions which follow:

Heads of Agreement

Leisure and recreation,
Education,
Sustainable Transport,
Health,
Social/community,
Waste management,
Emergency services,
Affordable Housing.

Amended conditions:

Condition 6 – Add to end: ‘dated 5th September 2011 and ground preparation / development shall only be carried out in accordance therewith.’
(Correction)

Condition 11 – replace with:

‘The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) produced by Royal Haskoning Ref: 9V3743/R00004/303754/Pet and the approved FRA Addendum Ref: 9W4904 Rev.E dated 03 July 2012, and the following mitigation measures detailed within the FRA:

1. Controlling the roof drainage surface water run-off generated by the 100 year critical storm with 30% addition for climate change, using the sustainable drainage methods indicated in Section 2.3, so that it will not increase the risk of flooding off-site.
2. Controlling the road drainage run-off generated by the 100 year critical storm with 30% addition for climate change, using the sustainable drainage methods in accordance with Section 2.4, so that any off-site discharge is restricted to 1 litre/sec.
3. Controlling surface water overland flows using the sustainable drainage methods detailed in Section 2.6.

4. Developing a plan for the future maintenance of the sustainable surface water drainage system and overland flow routes shall be agreed with the Local Planning Authority and implemented prior to residential occupation of the site.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding by ensuring the satisfactory storage and disposal of surface water from the site and to maintain the approved systems. (Environment Agency condition as amended by Local Planning Authority).

Policy: NPPF'

(Updated reference to documents and flow rate in 2)

Condition 22 – replace with:

'A visibility splay shall be provided at the junction of the scout premises access with the public highway before the first dwelling is occupied. The minimum dimensions to provide the required splay line shall be 2.4m measured along the centre line of the access from the junction with the channel of the public highway and 56m measured in a westerly direction from the centre line of the access along the line of the channel of the public highway. The required vision splay shall, on land in the applicant's control, be kept free of any obstruction.'

Reason and policy reference unchanged.

(Updated to require only one splay)

Condition 30 – replace '5673/011/p*' with '5673/001/p*' *(correction)*.

As part of the ongoing review of conditions the following changes are proposed at this stage to ensure that conditions are enforceable:

Condition 4 – Delete 'Before development begins' and remove bold typeface. *(The main provision is that the scheme shall be implemented at the right time)*.

Condition 8 – Commence 'No development shall commence until surveys have been carried out between March and June inclusive for the presence'. *(Pre-commencement)*

Condition 9 – Commence 'No development shall take place until an updated bat survey has been carried out'. *(Pre-commencement)*.

Condition 17 – Commence 'No development shall take place until a drainage strategy'. *(Pre-commencement)*.

Condition 19 – Commence 'No development shall commence until' and convert condition to bold type. *(Pre-commencement)*.

Condition 23 – Commence 'No development shall begin' and convert condition to bold type. *(Pre-commencement)*.

Condition 25 – Commence 'A scheme for the parking' and remove bold typeface. *(Not essential for submission at this stage)*.

Condition 26 – Commence 'A scheme for the parking' and remove bold typeface. *(Not essential for submission at this stage)*.

Condition 28 – Commence 'No development shall commence, including ground clearance' *(Pre-commencement)*.

Condition 29 – Commence ‘No development shall commence until a scheme’ (*Pre-commencement*).

Item 7 (Page 43-56) – CB/12/01409/RM – White Lion Retail Park, Boscombe Road, Dunstable.

6. Section 106 Matters – page 55

It is understood that development on this site has not commenced and that the delay in submitting the reserved matters application relates to the Local Authority’s use of the land in relation to the construction of the busway. The use of the land for the construction of the busway was agreed and the applicants accepted a delay in developing the site on the basis that they would be able to do so in accordance with the Section 106 agreement signed at the outline application stage.

The legal agreement was completed on 27th March 2009 and the amounts secured index linked. If the contributions were paid today the amounts payable would be:

Public Open Space – original contribution £46,238 plus indexation at £6,805.49 = £53,043.49

Sustainable Transport – original contribution £12,000 plus indexation at £1,766.21 = £13,766.21

Additional Consultation/Publicity Responses

Environment Agency – no comment.

Highways Development Control - This application has provided more parking than that at the outline stage and it is acknowledged that there could be some casual visitor parking on the access road. It is also acknowledged that this area is in a very sustainable location.

For the reason above I would not object to the proposal on highway grounds.

Additional Conditions

None.

Additional Informatives

None.

Item 8 (Page 57-72) – CB/12/01317/FULL – Henlow Lakes and Riverside, Arlesey Road, Henlow.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 9 (Page 73-82) – CB/12/01536/FULL – Building adj. to 22 Long Close, Lower Stondon, Henlow.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 10 (Page 83-90) – CB/12/01152/FULL – Shefford Post Office, 6 Southbridge Street, Shefford.

Additional Consultation/Publicity Responses

An objection from the owner of No 4 Southbridge Street has been withdrawn.

An objection from a tenant at No 4 has been supplemented where the additional concern of construction disturbance and its impact on the operation of the café has been raised.

There is uncertainty over where the boundary between No's 4 and 6 is located. The applicant has confirmed that they are satisfied that proper notices have been served in respect of this planning application and the Council has accepted this (together

with evidence from Land Registry). Future land ownership issues that might impact on the implementation of development would be a civil matter between the two parties.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 11 (Page 91-96) – CB/12/01391/FULL – Fairfield Park Lower School, Dickens Boulevard, Stotfold, Hitchin.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

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