

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 12 December 2012

PRESENT

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

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

Members in Attendance: Cllrs P A Duckett
Mrs D B Gurney
R W Johnstone
Mrs J G Lawrence
D J Lawrence
Mrs M Mustoe
N J Sheppard
B J Spurr
A Zerny,

Officers in Attendance:	Mr D Ager	Highways Officer
	Mrs M Clampitt	Committee Services Officer
	Mr M Cornell	Principal Highway Engineer
	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
	Ms A Lack	Planning Officer
	Mr D Lamb	Planning Manager East
	Mr R Romans	Minerals and Waste Team Leader
	Mrs J Selley	Major Applications Manager
	Mr A Stone	Environmental Services Technical Officer

DM/12/301 **Chairman's Announcements**

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

The Chairman advised the Councillors and members of the public that items 1 – 8 would be considered in the morning session and items 9 -14 would be considered in the afternoon session.

Subject to declarable interests all Members of the Committee have the right to vote on all matters of business considered by the Committee.

Rule No. 13.5.5 of the Constitution states that Members do not vote or take part in the meeting's discussions on a proposal unless they have been present to hear the entire debate, including the officer's introduction to the matter.

The Chairman, under Part E3 paragraph 9.2 has a second or casting vote should there be equal numbers of votes for and against an item. This provision makes it quite clear that the Chairman is entitled to vote on any item of business. There is no restriction or limitation on how the second or casting vote should be exercised nor is there a requirement that the right be exercised at all.

DM/12/302 **Minutes**

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on the 21 November 2012 be confirmed and signed by the Chairman as a correct record.

DM/12/303 **Members' Interests**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr N Young	7	Meetings with applicant as Executive Member	Present
All Members of Development Management Committee	8	Received emails regarding application	Present
Cllr S Clark	7	Knows Applicant	Present
Cllr K C Matthews	7	Knows Applicant	Present
Cllr A R Bastable	7	Knows Applicant	Present
Cllr Mrs C F Chapman	7	Chair of the Marston Vale Trust	Present
MBE			
Cllr Ms C Maudlin	8	Knows Funeral Co.	Present

All Members of Development Management Committee	8	Know speaker as former MBDC Councillor	Present
Cllr Mrs D Gurney	9	Governor of Everton Lower School	Present
Cllr Ms C Maudlin	10 & 11	Knows agent	Present
All Members of Development Management Committee	7	Received emails regarding the application	Present
All Members of Development Management Committee	9	Received correspondence regarding the application	Present

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

None

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

Member	Item	Parish/Town Council	Vote Cast
Cllr A Shadbolt	6	Leighton Buzzard Town Council	Did not vote
Cllr M Blair	7	Ampthill Town Council	Did not vote

DM/12/304 **Planning Enforcement Cases Where Formal Action Has Been Taken**

RESOLVED

That the update on Planning Enforcement cases where formal action has been taken be noted.

DM/12/305 **Late Sheet**

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

DM/12/306 **Planning Application No. CB/12/03697/FULL**

RESOLVED

That Planning Application No. CB/12/03697/FULL relating to 2 Sandy Lane, Leighton Buzzard, Beds LU7 3BE be refused as set out in the schedule appended to these Minutes.

DM/12/307 **Planning Application No. CB/12/01496/OUT**

RESOLVED

That Planning Application No. CB/12/01496/OUT relating to Land at Warren Farm, Flitwick Road, Ampthill be approved as set out in the schedule appended to these Minutes.

DM/12/308 **Planning Application No. CB/12/03535/FULL**

RESOLVED

That Planning Application No. CB/12/03535/FULL relating to Land rear of 197 Hitchin Road, Arlesey be delegated to the Head of Development Management to approve subject to consultation with the Chairman, Vice-Chairman and Ward Members to amend the conditions.

The Committee adjourned at 1.10pm and reconvened at 1.50pm

DM/12/309 **Planning Application No. CB/12/03433/FULL**

RESOLVED

That Planning Application No. CB/12/03433/FULL relating to 21 Potton Road, Everton, Sandy be approved as set out in the Schedule appended to these Minutes.

DM/12/310 **Planning Application No. CB/12/02838/FULL**

RESOLVED

That Planning Application No. CB/12/02838/FULL relating to Kingdom Hall, 5 Shortmead Street, Biggleswade be approved as set out in the Schedule appended to these Minutes.

DM/12/311 **Planning Application No. CB/12/02837/CA**

RESOLVED

That Planning Application No. CB/12/02837/CA relating to Kingdom Hall, 5 Shortmead Street, Biggleswade be approved as set out in the Schedule appended to these Minutes.

DM/12/312 **Planning Application No. CB/12/03455/FULL**

RESOLVED

That Planning Application No. CB/12/03455/FULL relating to Northill Lower School, Bedford Road, Northill, Biggleswade be approved as set out in the schedule appended to these Minutes.

DM/12/313 **Planning Application No. CB/12/00193/MW**

RESOLVED

That Planning Application No. CB/12/00193/MW relating to Totternhoe Lime and Stone Works, Knolls View, Totternhoe, Dunstable be delegated to the Head of Development Management to approve subject to consultation with the Chairman, Vice-Chairman, Executive Member for Sustainable Communities – Strategic Planning and Economic Development and the Ward Member to amend conditions.

DM/12/314 **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 Monday 14 January 2012:

**Chairman (or his nominee)
Vice-Chairman (or his nominee)
Cllrs: P N Aldis
D Bowater
A D Brown**

(Note: The meeting commenced at 10.00 a.m. and concluded at 4.15 p.m.)

Chairman

Dated

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LATE SHEET**DEVELOPMENT MANAGEMENT COMMITTEE – 12th December 2012****Item 6 (Page 11-24) - CB/12/03697 – Land Adj to No 2 Sandy Lane, Leighton Buzzard**

Email from the agent Lee Butler
dated 29th November 2012

From: Lee Butler [mailto:lee@leondevelopments.co.uk]

Sent: 29 November 2012 13:03

To: Heidi Antrobus

Subject: No 2 Sandy Lane, Leighton Buzzard

Hi Heidi

Please see attached, can you add it to the original planning statement and ensure it goes as addendum to the planning committee.

Regards

Lee Butler

PROPOSED NEW 2 BED BUNGALOW ON LAND ADJACENT No 2 SANDY LANE, LEIGHTON BUZZARD - AN ADDITION TO THE EXISTING PLANNING STATEMENT

GENERAL SYNOPSIS

The site is situated in Sandy Lane which has over the years had several new properties built within the street scene and it comprises old terraced houses, new detached houses, chalet bungalows and bungalows.

I believe the last new dwelling to be built was a 3 bed bungalow at No 6 next to chalet bungalows with a garden area of 110m² approx which at the time was also met with a negative interpretation but now built blends in to the street scene and all the previous pre-conceived perceptions have been proven to be misconceived.

Whilst in my planning statement – D/A statement I describe the area around the garages to be unusable garden, with the proposal this becomes a very useful garden for the new dwelling therefore its relationship with its neighbours is greatly enhanced and if desired a planting scheme can be supplied as a condition to achieve greater privacy than is now apparent not only for the new bungalow but for No's 2 & 4 Sandy Lane and 299 Heath Rd.

Whilst I cannot dispute that the proposed garden is not particularly deep it is exceptionally wide and for a 2 bed bungalow some 85m² which relates well when compared to the 3 bed bungalow at No 6.

The new two bedroom bungalow would probably be ideal for a retired couple giving easy overall maintenance coupled with energy efficient modern living.

The built new bungalow could only improve the aesthetic appearance to the street scene compared to the flat roofed garages that now exist and from Sandy Lane the depth of the rear garden would be unknown, so as it is plenty big enough for a 2 bed bungalow I do not see that the depth is important.

I would also point out that the strip of land between No 4 and the erected timber fence is actually on the deed plan of No 2 although I believe they have no intention of taking it down as it is obviously beneficial to both No 4 and No 2.

Therefore the actual distance from No 4 to the new bungalow is 1.9m minimum.

I also understand that the tree officer may have objected to the surfacing of driveway being in block paving. The driveway can be formed using a non- dig method and resurfaced in shingle although as previously stated there is no evidence of any tree root problems at the front of the proposed bungalow.

Item 6 (Page 11-24) - CB/12/03697 – Land Adj to No 2 Sandy Lane, Leighton Buzzard

7/12/12

**Memo from John Lynch – Highways @ Central Bedfordshire Council
Additional Highways Response in relation to Drawing N0 51112**

The amended site layout plan which has been submitted as drawing number 51112, will not affect those comments I made on the original submission.

In terms of the location of the proposed access and its relative position to the main junction of Heath Road and Sandy Lane I would add the following comments. There is a Traffic Regulation Order currently along both sides of the entrance to Sandy Lane from Heath Road. It takes the form of a double yellow road marking and is a 'No waiting at any time' restriction. The order refers to the extent of the restriction as being "On both sides, from a point 18.5 meters east of the common boundary between property number 1 and 2 Sandy Lane Cottages, in an easterly direction to Heath Road.". I also understand that the order came in to operation on the 24th October 2011.

In terms of the enforcement of the restriction there are parking enforcement vehicles which monitor the restrictions, however if there is a particular problem here regarding persistent parking on the double yellow markings, then it should be reported to Bedfordshire Highways.

The presence of the new vehicle crossover will also help keep that section of Sandy Lane clear for users of the highway.

In terms of the location of the access to the main junction of Heath Road / Sandy Lane, Design Supplement 7 (6.07.3) reads, "Where a route serves no more than around 100 dwellings there should be no restrictions on junction spacing."

The proposed development will not be affected by or cause any adverse affect to traffic which is generated by the Oak Bank School. The access conforms to all visibility standards and parking standards and as mentioned before will help keep an additional section of Sandy Lane clear due to the presence of the new vehicle crossover.

The comments and advice in this response are based on the information supplied in the planning application and accompanying documents/plans and no liability is accepted for any inaccuracy.

Item 7 (Page 25-60) - CB/12/01496/OUT – Land at Warren Farm, Flitwick Road, Ampthill

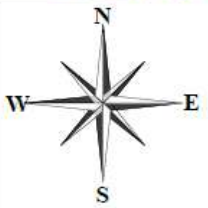
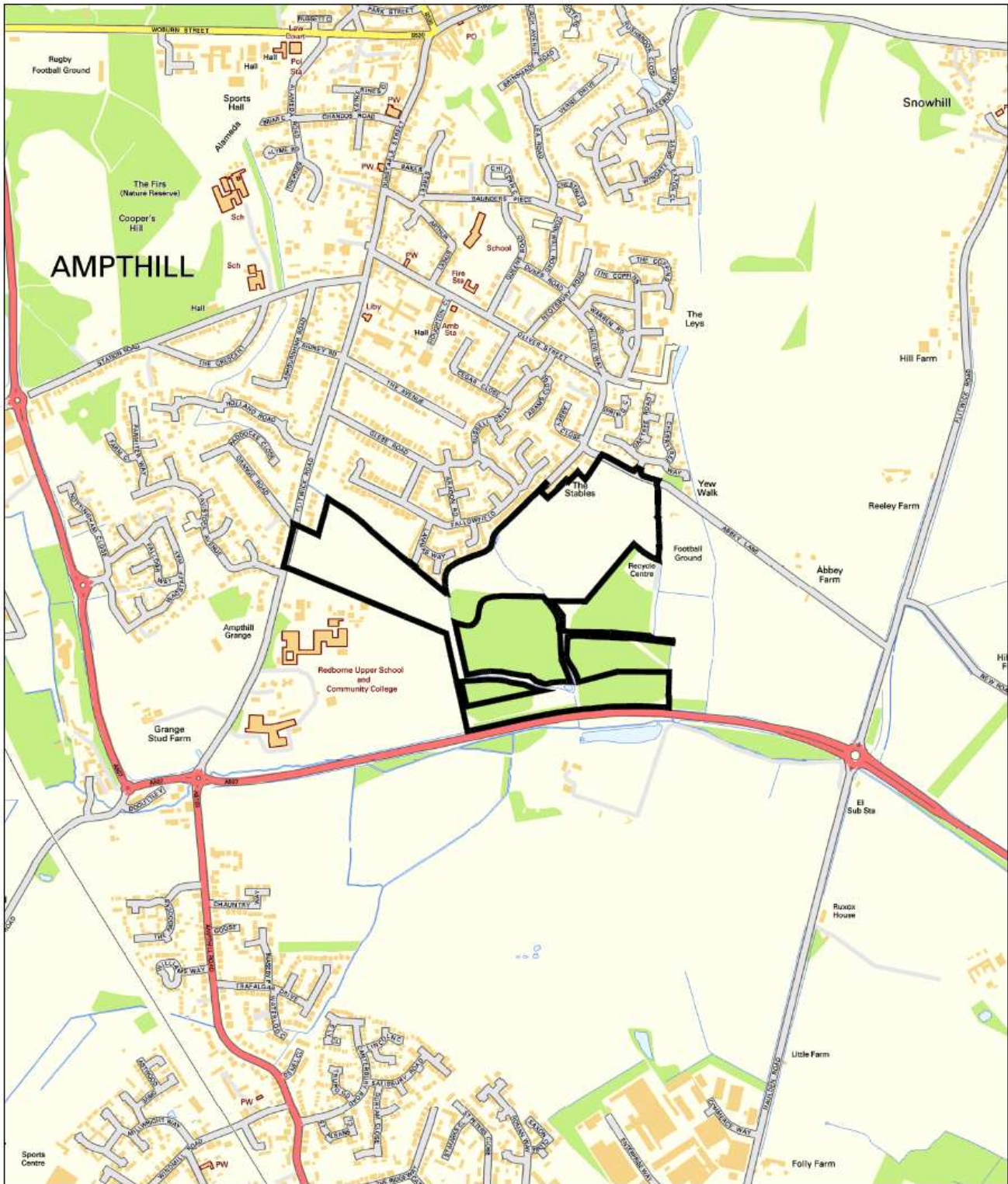
Corrections to Officers report:

- The site location plan attached to the front of the report does not show the correct application site boundary (shown by the bold black line). An amended site plan is therefore attached below.
- Page 51, third paragraph should refer to 35% affordable housing provision (**144** dwellings).
- Recommended Condition No.3 should refer to Red Line Plan 1239-O-1120.

E-mail from agent:

The applicant's agent has asked Officers to make the Committee aware of the condition that they propose in respect of noise mitigation which differs from the condition recommended by the Public Protection Officer. This is referenced at page 47 of the report. The agent adds that this is a widely recognised model condition which has been recommended to them by two separate acoustic consultants as being appropriate in the circumstances. The condition reads:

"Prior to commencement of any residential units where external noise levels are above 55 dB(A) during the day time or 45 dB(A) during the night, a scheme to provide details of the protection of the proposed residential units so that the internal noise levels as set out in BS8233 are achieved shall be submitted to and approved in writing by the Local Planning Authority. The residential units shall be constructed in accordance with the approved scheme"



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 Central Bedfordshire Council
 Licence No. 100049029 (2009)
 Date: 29:November:2012
 Grid Reference: 503643, 236823

Application No:
 CB/12/01496/OUT

Scale: 1:12500

Land at Warren Farm, Flitwick Road, Ampt Hill

SCHEDULE B

Item 8 (Pages 61-76) CB/12/03535/FULL – Change of use of land to use as a residential caravan site for 4 additional gypsy families, with a total of 8 caravans including no more than 4 static caravans. Extension of hardstanding and erection of two amenity buildings and landscaping at land rear of 197 Hitchin Road, Arlesey.

Additional Consultation/Publicity Responses

2 further objections to the application have been received since completing the report. These objections do not however raise concerns which are not already included and addressed in the report.

Amended Condition 3

No more than 8 caravans (of which no more than 4 shall be static caravans) shall be stationed on the extension to the site hereby approved, as shown on plan CBC/002, and no more than 20 caravans (of which no more than 10 shall be static caravans) shall be stationed on the site as a whole.

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

Amended Condition 4

Notwithstanding the details of the application all caravans together with all buildings, other structures, materials and equipment including fences, telegraph poles and lighting columns, septic tanks/cesspits and pipes, cables, meter boxes and other services brought on to the Site in connection with the development hereby approved shall be removed and all hardcore, tarmac and other hard surfacings on the above areas shall also be broken up and completely removed and the Site levelled, topsoiled and seeded with grass or turfed, within three months of the date of failure to meet any one of the requirements set out in (A) to (D) below:

(A) no development shall commence unless and until a scheme detailing:

1. the existing and proposed means of foul and surface water drainage of all parts of the Site;
2. the existing and proposed external lighting on the boundary of and within all parts of the Site including the location of all individual luminaires, their output (in lumens) and any shields, baffles or louvres together with the details of any existing or proposed lighting columns;
3. the existing walls, fencing, gates or other means of enclosure on the boundaries of and within all parts of the Site, together with any additional such walls, fencing, gates or other means of enclosure proposed;
4. a landscaping scheme, clearly identifying ground preparation works, details of all tree, hedge and shrub planting and where appropriate earth mounding

including details of species, plant sizes and proposed numbers and densities, together with the means of their protection;

5. the layout of the site and positions of all existing and proposed caravans, utility buildings and any other buildings or structures;

(hereafter referred to as the site development scheme) shall have been submitted for the written approval of the Local Planning Authority and the said scheme shall include a timetable for the implementation of the various components of the scheme;

- (B) within 11 months of the date of this decision the site development scheme shall have been approved by the Local Planning Authority or, if the Local Planning Authority refuse to approve the scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State;
- (C) if an appeal is made in pursuance of (B) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State; and
- (D) the approved scheme shall have been carried out and completed in accordance with the approved timetable, or in accordance with any amended details and/or revised timetables as might be agreed from time to time in writing by the Local Planning Authority and thereafter maintained in perpetuity.

Reason: In order to ensure that the development is satisfactory drained, that the lighting associated with the development does not have a detrimental impact upon the surrounding area, that the proposal takes account for the need of hard and soft landscaping and that the development has no adverse effect upon general or residential amenity in accordance with saved policy HO12 of the Mid Beds Local Plan, policy GT3 of the draft Gypsy and Traveller DPD and policies CS14 and DM3 of the Central Bedfordshire (north) Core Strategy.

Additional Informatives

1. The Council is concerned that Noise from the mainline railway may cause detriment to the residents of this development. Further information may be obtained from Public Protection on 0300 300 8000.
2. Any material used for earth bunding should be suitable for safe and secure occupancy which is the developer's responsibility to ensure.
3. All mobile home sites are required to obtain a Site Licence under the provisions of the Caravan Sites and Control of Development Act 1960. Further information may be obtained from the Private Sector Housing Team, Central Bedfordshire 0300 300 8000.
4. 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.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. The Council acted pro-actively through engagement with the applicant following a previous refusal of planning permission which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Item 9 (page 79 - 90) CB/12/03433/FULL – 21 Potton Road, Everton, Sandy SG19 2LD

The following comments have been received on behalf of Alistair Burt MP by email, which he requests be highlighted to the Committee:

Thank you for your response regarding this planning application in Everton.

Alistair is very concerned about the contacts we have had from the residents of Everton. He has asked me to raise with you the possibility of delaying this application in the first instance, as he is concerned that this would seem to be quite an unhappy start and possibly a recipe for future trouble if the residents already feel that they have not been effectively consulted and their engagement assured.

We know that a letter has gone from a group of residents to members of the Development Management Committee setting out their concerns, for which Alistair has some considerable sympathy as the remoteness of the village would seem to be a rather unusual place to site a home for young people. The residents also raise the issue of impact on the children of 'failure' of a home of this nature if it does turn out to be inappropriately sited.

Alistair would be grateful if his concerns could be highlighted to the committee if this goes to them on 12th December.

Item 12 (113-120) CB/12/03455/FULL – Extend perimeter fence of MUGA (Multi Use Games Area) by 1m in height.

Members are advised that the application has been brought to Development Management Committee as there has been an objection to the proposal and the application site is on land with CBC ownership.

Item 13 (121-148)

Following publication of the Committee report, the applicant has submitted a written request for amendments to be made to some of the conditions recommended in the report.

These conditions are as follows;

Recommended condition 3 reads as follows in the published report:

No development shall commence unless and until a scheme for the erection of warning signs and the mirrors to be located by the access of the former Lime works has been submitted to and approved by the Local Planning Authority. Such as scheme shall include provision for:

- Sign(s) stating the speed of HGVs to be no more than 20mph*
- Sign(s) warning HGV drivers of pedestrians and horses;*
- Sign(s) warning pedestrians of HGVs.*

The scheme as may be approved shall be implemented prior to the importation of waste and thereafter maintained in accordance with the scheme at all time.

The applicant has requested a minor change to the wording of this condition on the basis that the required scheme may demonstrate that only one directional mirror is required. Officers are agreeable to changing the word 'mirrors' to 'mirror(s)' in the event that one mirror is shown to be adequate.

Recommended condition 3 - will therefore now read as follows:

No development shall commence unless and until a scheme for the erection of warning signs and the mirror(s) to be located by the access of the former Lime works has been submitted to and approved by the Local Planning Authority. Such as scheme shall include provision for:

- Sign(s) stating the speed of HGVs to be no more than 20mph*
- Sign(s) warning HGV drivers of pedestrians and horses;*
- Sign(s) warning pedestrians of HGVs.*

The scheme as may be approved shall be implemented prior to the importation of waste and thereafter maintained in accordance with the scheme at all times.

Reason: In the interest of Highways Safety (MWLP Policy GE23).

Recommended condition 4 reads as follows in the published report:

The access road from the public highway to the operational site shall be kept clear of mud and dust at all times.

Reason: To minimise any nuisance to nearby residents by reason of dust and to protect the surrounding SSSI (Policies GE18 and GE11 of the MWLP).

The applicant contends that this recommended condition is unenforceable as the access into the estate is shared by numerous businesses which are not associated with the proposed development or the application site. The applicant also points out that the land is already concreted and as such question whether the condition is needed. The suggestion put forward by the applicant is that the condition should be modified to refer specifically to vehicles associated with the site not to deposit mud etc. Officers have re-considered the wording of condition and deem that it would be reasonable to refer to a limited section of the access road between the highway and the operational site so that the requirement to keep the road clean affects only traffic associated with the development. An additional plan (number CB/12/00193/MW-2) has been drawn and referenced in the amended condition so that there is no doubt which area needs to be kept clear of mud and debris.

Condition 4 will therefore now read as follows -

That section of the access road between the shared section of access and the entrance point into the operational site, as shown hatched blue on plan number CB/12/00193/MW-2 attached to this permission, shall be kept clear of mud and dust at all times.

Reason: To minimise any nuisance to nearby residents by reason of mud and dust and to protect the surrounding SSSI (Policies GE18 and GE11 of the MWLP).

Recommended condition 5 reads as follows in the published report:

No operations authorised or required under this permission shall take place on site except between the hours of:

07:00 to 17:00 hours Mondays to Fridays

07:00 to 16:00 hours Saturdays

And no operations authorised or required under this permission shall take place on Sundays and Public / Bank Holidays.

Reason: To minimise any nuisance to nearby residents by reason of Noise (Policy GE18 of the MWLP).

The applicant has pointed out that a weekday finish time of 1800 hours was requested in the application yet the condition in the published report imposed a finish time of 1700 hours. However, the applicant would not object to site operations closing an hour earlier at 17:00 hours provided that there is an express saving for emergencies. Officers consider that there is no planning reason why the applicant's proposed finish time of 1800 hours should be resisted.

Recommended condition 5 will therefore now read as follows:

No operations authorised or required under this permission shall take place on site except between the hours of:

07:00 to 18:00 hours Mondays to Fridays

07:00 to 16:00 hours Saturdays

And no operations authorised or required under this permission shall take place on Sundays and Public / Bank Holidays.

Reason: To minimise any nuisance to nearby residents by reason of Noise (Policy GE18 of the MWLP).

Recommended condition 6 reads as follows in the published report:

A record of daily HGV movements generated by the operations hereby permitted shall be maintained at all times and submitted to the Local Planning Authority within 7 days of any written request covering the period specified in the request.

Reason: In the interest of highway safety and for monitoring compliance with other conditions of this permission (Policy GE23 of the MWLP).

The applicant has stated that vehicle movement information would not be held for more than 2 years and therefore the condition should be amended to reflect this. Officers accept that this suggested change is reasonable as it is not expected that the Local Planning Authority would need to request data that is more than 2 years old.

Recommended condition 6 will therefore now read as follows:

A record of daily HGV movements generated by the operations hereby permitted shall be maintained for a period of 2 years and submitted to the Local Planning Authority within 7 days of any written request covering the period specified in the request.

Reason: In the interest of highway safety and for monitoring compliance with other conditions of this permission (Policy GE23 of the MWLP).

Recommended condition 15 reads as follows in the published report;

Except for temporary operations, the free-field Equivalent Continuous Noise Level, LAeq,1hr, due to operations on the site, shall not exceed 50dB LAeq,1hr, when measured at the boundary of any residential dwelling. For temporary operations, such as site preparation, construction, soil and overburden stripping, the free-field noised level due to work at the nearest point to each dwelling shall not exceed 70dBb LAeq, 1hr, when measured at the boundary of any residential dwelling. Temporary operations shall not exceed a total of 8 weeks in any calendar year.

Reason: To minimise nuisance to nearby residents by reason of noise (Policy GE18 of the MWLP).

The applicant considers that the time limit of eight weeks in respect of the higher noise limit for temporary operations may not be sufficient for the initial construction phase of the development. The applicant points out that the possibility of construction works being prolonged by periods of inclement weather needs to be taken into account. It is therefore suggested by the applicant that a limit of 12 weeks could be imposed in relation to the noise limit for temporary operations. On reflection, officers consider that a time restriction on the noise limit for temporary operations is not warranted on amenity grounds.

Recommended condition 15 therefore now reads as follows:

Except for temporary operations, the free-field Equivalent Continuous Noise Level, LAeq,1hr, due to operations on the site, shall not exceed 50dB LAeq,1hr, when measured at the boundary of any residential dwelling. For temporary operations involving site construction, the free-field noise level due to work at the nearest point to each dwelling shall not exceed 70dBb LAeq, 1hr, when measured at the boundary of any residential dwelling. .

Reason: To minimise nuisance to nearby residents by reason of noise (Policy GE18 of the MWLP).

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Following publication of the Committee report, the applicant has submitted a written request for amendments to be made to some of the conditions recommended in the report.

These conditions are as follows;

Recommended condition 3 reads as follows in the published report:

No development shall commence unless and until a scheme for the erection of warning signs and the mirrors to be located by the access of the former Lime works has been submitted to and approved by the Local Planning Authority. Such a scheme shall include provision for:

- Sign(s) stating the speed of HGVs to be no more than 20mph*
- Sign(s) warning HGV drivers of pedestrians and horses;*
- Sign(s) warning pedestrians of HGVs.*

The scheme as may be approved shall be implemented prior to the importation of waste and thereafter maintained in accordance with the scheme at all time.

The applicant has requested a minor change to the wording of this condition on the basis that the required scheme may demonstrate that only one directional mirror is required. Officers are agreeable to changing the word 'mirrors' to 'mirror(s)' in the event that one mirror is shown to be adequate.

Recommended condition 3 - will therefore now read as follows:

No development shall commence unless and until a scheme for the erection of warning signs and the mirror(s) to be located by the access of the former Lime works has been submitted to and approved by the Local Planning Authority. Such a scheme shall include provision for:

- Sign(s) stating the speed of HGVs to be no more than 20mph*
- Sign(s) warning HGV drivers of pedestrians and horses;*
- Sign(s) warning pedestrians of HGVs.*

The scheme as may be approved shall be implemented prior to the importation of waste and thereafter maintained in accordance with the scheme at all times.

Reason: In the interest of Highways Safety (MWLP Policy GE23).

Recommended condition 4 reads as follows in the published report:

The access road from the public highway to the operational site shall be kept clear of mud and dust at all times.

Reason: To minimise any nuisance to nearby residents by reason of dust and to protect the surrounding SSSI (Policies GE18 and GE11 of the MWLP).

The applicant contends that this recommended condition is unenforceable as the access into the estate is shared by numerous businesses which are not associated with the proposed development or the application site. The applicant also points out that the land is already concreted and as such question whether the condition is

needed. The suggestion put forward by the applicant is that the condition should be modified to refer specifically to vehicles associated with the site not to deposit mud etc. Officers have re-considered the wording of condition and deem that it would be reasonable to refer to a limited section of the access road between the highway and the operational site so that the requirement to keep the road clean affects only traffic associated with the development. An additional plan (number CB/12/00193/MW-2) has been drawn and referenced in the amended condition so that there is no doubt which area needs to be kept clear of mud and debris.

Condition 4 will therefore now read as follows -

That section of the access road between the shared section of access and the entrance point into the operational site, as shown hatched blue on plan number CB/12/00193/MW-2 attached to this permission, shall be kept clear of mud and dust at all times.

Reason: To minimise any nuisance to nearby residents by reason of mud and dust and to protect the surrounding SSSI (Policies GE18 and GE11 of the MWLP).

Recommended condition 5 reads as follows in the published report:

No operations authorised or required under this permission shall take place on site except between the hours of:

07:00 to 17:00 hours Mondays to Fridays

07:00 to 16:00 hours Saturdays

And no operations authorised or required under this permission shall take place on Sundays and Public / Bank Holidays.

Reason: To minimise any nuisance to nearby residents by reason of Noise (Policy GE18 of the MWLP).

The applicant has pointed out that a weekday finish time of 1800 hours was requested in the application yet the condition in the published report imposed a finish time of 1700 hours. However, the applicant would not object to site operations closing an hour earlier at 17:00 hours provided that there is an express saving for emergencies. Officers consider that there is no planning reason why the applicant's proposed finish time of 1800 hours should be resisted.

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07:00 to 18:00 hours Mondays to Fridays

07:00 to 16:00 hours Saturdays

And no operations authorised or required under this permission shall take place on Sundays and Public / Bank Holidays.

Reason: To minimise any nuisance to nearby residents by reason of Noise (Policy GE18 of the MWLP).

Recommended condition 6 reads as follows in the published report:

A record of daily HGV movements generated by the operations hereby permitted shall be maintained at all times and submitted to the Local Planning Authority within 7 days of any written request covering the period specified in the request.

Reason: In the interest of highway safety and for monitoring compliance with other conditions of this permission (Policy GE23 of the MWLP).

The applicant has stated that vehicle movement information would not be held for more than 2 years and therefore the condition should be amended to reflect this. Officers accept that this suggested change is reasonable as it is not expected that the Local Planning Authority would need to request data that is more than 2 years old.

Recommended condition 6 will therefore now read as follows:

A record of daily HGV movements generated by the operations hereby permitted shall be maintained for a period of 2 years and submitted to the Local Planning Authority within 7 days of any written request covering the period specified in the request.

Reason: In the interest of highway safety and for monitoring compliance with other conditions of this permission (Policy GE23 of the MWLP).

Recommended condition 15 reads as follows in the published report;

Except for temporary operations, the free-field Equivalent Continuous Noise Level, LAeq,1hr, due to operations on the site, shall not exceed 50dB LAeq,1hr, when measured at the boundary of any residential dwelling. For temporary operations, such as site preparation, construction, soil and overburden stripping, the free-field noised level due to work at the nearest point to each dwelling shall not exceed 70dB LAeq, 1hr, when measured at the boundary of any residential dwelling. Temporary operations shall not exceed a total of 8 weeks in any calendar year.

Reason: To minimise nuisance to nearby residents by reason of noise (Policy GE18 of the MWLP).

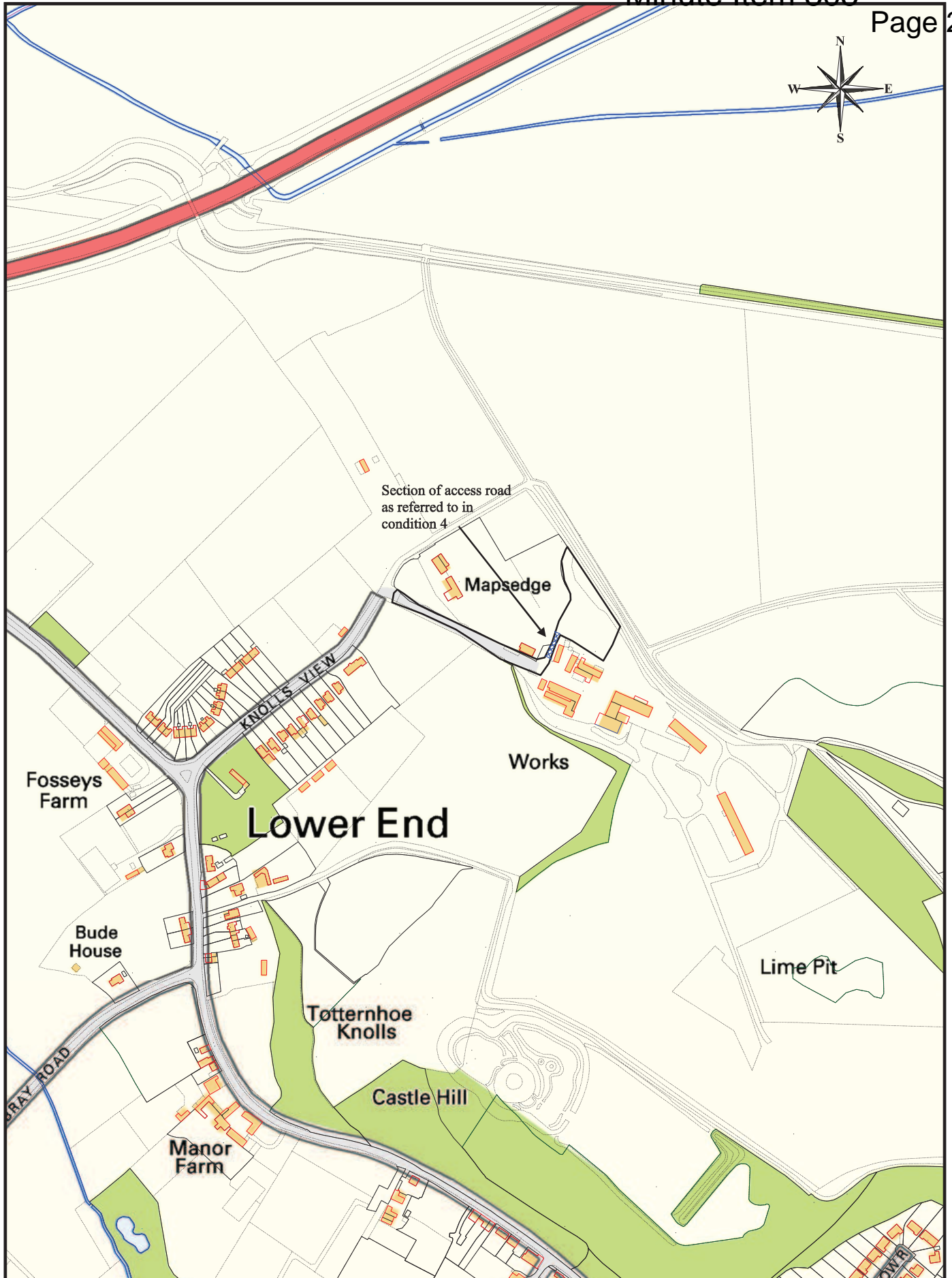
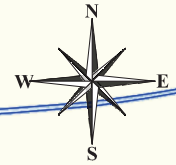
The applicant considers that the time limit of eight weeks in respect of the higher noise limit for temporary operations may not be sufficient for the initial construction phase of the development. The applicant points out that the possibility of construction works being prolonged by periods of inclement weather needs to be taken into account. It is therefore suggested by the applicant that a limit of 12 weeks could be imposed in relation to the noise limit for temporary operations. On reflection, officers consider that a time restriction on the noise limit for temporary operations is not warranted on amenity grounds.

Recommended condition 15 therefore now reads as follows:

Except for temporary operations, the free-field Equivalent Continuous Noise Level, LAeq,1hr, due to operations on the site, shall not exceed 50dB LAeq,1hr, when measured at the boundary of any residential dwelling. For temporary operations involving site construction, the free-field noise level due to work at the nearest point

to each dwelling shall not exceed 70dBb LAeq, 1hr, when measured at the boundary of any residential dwelling. .

Reason: To minimise nuisance to nearby residents by reason of noise (Policy GE18 of the MWLP).



Title:
Change of use of part of the former Lime works from B2 to End of Life Vehicle & Metal Recycling Facility with associated plant and the erection of a de-pollution building.

Date: December 2012
Scale: 1:5000
Ref: CB/12/00193/MW-2

Roy Romans
Team Leader
(Minerals & Waste)
Priory House
Monks Walk
Chicksands
Tel: 0300 300 8000



Central Bedfordshire Council
and Bedford Borough Council
working together

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Item No. 6

APPLICATION NUMBER	CB/12/03697/FULL
LOCATION	Land Adj to 2 Sandy Lane, Leighton Buzzard, LU7 3BE
PROPOSAL	Demolition of existing detached double garage & construction of a 2 bedroom bungalow, with new access and associated parking
PARISH	Leighton-Linslade
WARD	Leighton Buzzard North
WARD COUNCILLORS	Cllrs Johnstone, Shadbolt & Spurr
CASE OFFICER	Heidi Antrobus
DATE REGISTERED	16 October 2012
EXPIRY DATE	11 December 2012
APPLICANT	Mr & Mrs M Ciancio
AGENT	Lee Butler MRICS
REASON FOR COMMITTEE TO DETERMINE	One of the Applicants is an Employee of Central Bedfordshire Council
RECOMMENDED DECISION	Full Application - Refused

That Planning Permission be REFUSED for the following reasons:

- 1 The proposal would result in a substantial loss of amenity space which currently falls within the curtilage of the semi-detached property of No.2 Sandy Lane. Paragraph 53 of the National Planning Policy Framework (2012) (NPPF) aims to resist inappropriate development of residential gardens. Therefore the principle of the creation of a new 2 bedroom detached bungalow and the associated creation of two new driveways and associated parking areas is not considered as appropriate and would lead to the loss of valuable amenity land and therefore the proposal would not comply with the requirements of the NPPF (2012), Policies BE8 and Policy H2 of the South Bedfordshire Local Plan Review (2004) and the proposal does not meet the requirements of the Central Bedfordshire Council's Supplementary Guidance – Design Supplement 1: New Residential Development (2010).
- 2 The proposal is considered to be out of character with the existing semi-detached property of No. 2 Sandy Lane, the properties along Sandy Lane and the wider street scene of Sandy Lane and Heath Road due to its proposed set forward location on the street scene of Sandy Lane and the substantial loss of a prominent grassed garden fronting Sandy Lane which is also visible from Heath Road due to the prominent corner plot location together with the substantial loss of the rear garden to the existing property of No.2 Sandy Lane in an area that is characterised as having spacious set back frontages and spacious rear gardens. It is therefore considered that the proposal does not meet the requirements of the NPPF (2012), Policies H2 and BE8 of the South Bedfordshire Local Plan Review (2004) and it does not meet the requirements the Central Bedfordshire Council's Supplementary Guidance – Design Supplement 1: New Residential Development (2010).

- 3 The development would be sited too close to the existing common side boundaries of the neighbouring property of No.4 Sandy Lane and the rear side garden boundary of No.299 Heath Road which would be harmful to the residential and visual amenity of neighbouring occupiers. As such the development is contrary to Section 7 of the NPPF (2012), Policy BE8 and H8 of the South Bedfordshire Local Plan Review (2004) and the Central Bedfordshire Council's Supplementary Guidance – Design Supplement 1: New Residential Development (2010).
- 4 The development would have a detrimental impact on the health and stability of the fine Oak tree located directly adjacent to the property boundary on Sandy Lane which is deemed as an important tree. The loss of the tree would lead to a reduction in the visual amenity and character of the area. As such the development is contrary to Section 7 of the NPPF and Policy BE8 of the South Bedfordshire Local Plan Review (2004).

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. The Committee asked that the Highways consider placing a TPO on the Oak Tree outside of 2 Sandy Lane.
3. In advance of consideration of the application the Committee were advised that a letter had been received from the agent regarding the proposed development.
4. In advance of consideration of the application the Committee were advised that an email from Highways regarding Drawing No. 51112, did not alter the opinion of the site.]

Item No. 7

APPLICATION NUMBER	CB/12/01496/OUT
LOCATION	Land at Warren Farm, Flitwick Road, Ampthill
PROPOSAL	Outline: Development of up to 410 dwellings, together with open space, accesses and surface water retention basin.
PARISH	Ampthill
WARD	Ampthill
WARD COUNCILLORS	Cllrs Duckett, Blair & Smith
CASE OFFICER	Jennie Selley
DATE REGISTERED	24 April 2012
EXPIRY DATE	24 July 2012
APPLICANT	Denison Investments Ltd & Connolly Homes Plc
AGENT	Hives Planning Limited
REASON FOR COMMITTEE TO DETERMINE	Request for referral to Committee by Councillor Duckett for reason that he considers views of over 2000 members of the community are not being considered and the proposals do not take into consideration points previously raised.
RECOMMENDED DECISION	Outline Application - Granted

That Planning Permission be **granted** subject to satisfactory completion of a Section 106 Agreement and the following conditions:

- 1 **Approval of the details of the appearance, landscaping, layout and scale of the development within each area approved as identified in condition 4, and the landscaping adjoining it (herein called 'the reserved matters') shall be obtained in writing from the local planning authority before development is commenced within that area. The development shall be carried out in accordance with the approved details.**

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

- 2 Application for approval of the reserved matters for each area, as identified in condition 4, shall be made to the local planning authority before the expiration of 5 years from the date of this permission. The development shall begin no later than two years from the approval of the final reserved matters.

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 development hereby permitted shall not be carried out except in accordance with the Approved Plans drawings numbers: Red Line Plan 1239-O-1120; Land Use Plan 1239-O-1121 Rev B; Principal Points of Access 1239-O-1122 Rev A; Access & Movement 1239-O-1123 Rev C; Flitwick Road Junction Layout 13921/2001 F; Abbey Lane Junction Layout 13921/2002 G; and Lammas Way Access 13921/2003.

Reason: For the avoidance of doubt.

- 4 Prior to the submission of the first reserved matters, an areas plan for the entire application site shall be submitted to and agreed in writing by the local planning authority. The areas plan shall show a maximum of 6 areas; define the location and extent of each residential area and the number of dwellings in each area; and also the timing of the provision of the link road, the Lammas Way pedestrian access and the green infrastructure. The development of each area shall be carried out in accordance with the approved areas plan.

Reason: In order to ensure the timely provision of the development.

- 5 Prior to the submission of the first reserved matters application for each area, a detailed design code for that area of the development shall be submitted to the local planning authority for written approval. The detailed design code for each area shall demonstrate how it relates to any adjoining area(s) design code(s); how the objectives of the Design and Access Statement (April 2012) will be met, and shall be in accordance with the drawings and documents referred to in Condition 1 above. The design code for each area shall:
- a) explain how the code fits in with the Adopted Warren Farm Development Brief (February 2012) and its purpose.
 - b) outline the street network/hierarchy and include cross sections for each street type that outline the various applicable elements within the cross section, including overall range of building line distance(s), set backs/privacy strip(s), cycle lane(s) (if applicable), verge width(s), pavement width(s) , any on street parking, bus stops (if applicable) and carriageway width(s). Details of surface material type(s) will also be provided.
 - c) identify any character areas within which the following design principles shall be identified:
 - (i) public realm including details of landscaping, public art opportunities, public realm material types (landscape, street furniture etc) and refuse collection.
 - (ii) block principles including ranges for plot widths and depths, building lines, frontages and set backs, any on plot or other parking, cycle parking, servicing and storage and collection of waste.
 - (iii) boundary treatments including types to front, side and rear boundaries.
 - (iv) building types & uses.
 - (v) building densities and heights.
 - (vi) key gateways, landmark buildings, vistas and frontages.
 - (vii) architectural detailing and materials including key roofscape principles, building material types & design details: including signage and lighting (where applicable).
 - (viii) environmental and sustainability standards including details of any sustainable urban drainage system ("SUDS") serving that area

The development of each area shall be carried out in accordance with the approved design code for that area.

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009).

- 6 No more than 410 dwellings shall be constructed on the site pursuant to this planning permission.

Reason: The application is for outline planning permission for 410 dwellings.

- 7 **Prior to the commencement of the development in each area approved by condition 4 of this permission, a Code of Construction Practice shall be submitted to and approved in writing by the Local Planning Authority. This shall detail methods that all developers, contractors and sub-contractors will employ at all times during demolition, construction and other engineering operations on the site. The Code of Practice shall include:**

- Measures to be used to control and suppress dust;
- Measures to be used to reduce the impact of noise and vibration arising from noise and vibration generating activities on site in accordance with best practice as set out in BS 5228:2009 'Code of Practice for noise and vibration control on construction and open sites'
- The siting and appearance of works compounds

The implementation of the development shall only be undertaken in accordance with the approved Code of Practice.

Reason: To safeguard the amenities of the occupiers of neighbouring residential premises in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009).

- 8 No works in respect of the construction of the development hereby permitted shall be undertaken at the following times:

- a) Outside the hours of 0700 - 1800 on Mondays to Fridays (inclusive);
- b) Outside the hours of 0800 - 1300 on Saturdays;
- c) Not at all on Sundays and on public holidays.

Reason: To minimise the disturbance and inconvenience to residents living near the site in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009).

9 **No development shall commence until an overarching landscape and Open Space Strategy has been submitted to and approved in writing by the local planning authority. The Landscape and Open Space Strategy shall set out the in principle requirements for treatment of the areas of landscaping and open space, shall be in accordance with the Land Use Plan drawing number 1239-O-1110 Rev D and the areas plan and shall include:**

- a) a programme for implementation;**
- b) long-term design objectives for the laying out of areas of green infrastructure and open space within the residential development areas including any replacement planting;**
- c) short and long-term management responsibilities;**
- d) maintenance schedules for all hard and soft landscape areas and open spaces (other than privately owned domestic gardens), and any associated features.**

The development shall be carried out in accordance with the approved overarching Landscape and Open Space Strategy.

Reason: To ensure a satisfactory appearance of the development in accordance with Policies DM3 and DM16 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009).

10 **The development hereby permitted shall not be carried out otherwise than in accordance with the Flood Risk Assessment dated June 2012.**

Reason: To prevent the risk of flooding, to improve and protect water quality, to ensure the future maintenance of surface and foul water drainage systems in accordance with Policy DM2 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and Central Government advice contained within the National Planning Policy Framework (2012).

11 **No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate that the surface water run-off generated up to and including the 1% AEP (100 year return period) critical storm, plus a suitable allowance for climate change, will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

The scheme shall be based upon the principles within the agreed Flood Risk Assessment dated June 2012 and shall also include:

- Full storm event simulation results with appropriate inputs and parameters demonstrating the surface water runoff rates for the Q_{BAR}, Q₃₀, Q₁₀₀ and Q_{100 PLUS CLIMATE CHANGE} storm events, of the critical storm season and duration;
- Full results of proposed drainage system modelling in the above referenced storm events, inclusive of all collection, conveyance, storage, flow control and the disposal elements, together with an assessment of the system performance;
- Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions, and pipe reference numbers;
- Full details of the proposed attenuation and flow control measures, including dimensions, design and water levels, gradients and – where a vortex flow control is used – the manufacturer's design flow curve;
- Details of the existing state, nature and capacity of ditches in situ, and a full assessment of post-development impacts on the utilisation of the ditches for surface water conveyance;
- Details of overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites;
- Evidence that the Internal Drainage Board have been fully consulted and any requirements fully complied with;
- Full details of the maintenance and/or adoption of the system inclusive of all collection, conveyance, storage, flow control and disposal elements.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policy DM2 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and Central Government advice contained within the National Planning Policy Framework (2012).

- 12 No development shall commence until a scheme to dispose of foul water for the development hereby permitted has been authority. The scheme shall be implemented in accordance with the approved details.

Reason: To ensure that adequate foul drainage has been provided in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and Central Government advice contained within the National Planning Policy Framework (2012).

- 13 No development shall take place in an area of the development approved as per condition 4 above until there has been submitted to and approved in writing by the Local Planning Authority a detailed waste audit scheme for that area. The waste audit scheme shall include details of refuse storage and recycling facilities. The development of each area shall be carried out in accordance with the approved details shall not thereafter be used for any other purpose.

Reason: To ensure that development is adequately provided with waste and recycling facilities in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and Central Government advice contained within the National Planning Policy Framework (2012).

- 14 Prior to the commencement of development in each area, details of the finished floor and site levels for each area of the development approved as per condition 4 above, shall be submitted concurrently with the reserved matters applications for that area and approved in writing by the local planning authority and shall include full details of finished floor levels for each building and finished site levels (for all hard surfaced and landscaped areas) in relation to existing ground levels. The development shall thereafter be carried out strictly in accordance with the approved level details.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development.

- 15 **No development shall take place in an area of the development approved as per condition 4 of this permission until details of the plans and sections of the proposed roads, including gradients and method of surface water disposal have been submitted to and approved in writing by the Local Planning Authority and no building within that area 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 road works are constructed to adequate standard.

- 16 No buildings, or structures, including fences, of height greater than 0.6m are to be constructed within the 2.4m x 60m visibility envelope of the tidy tip access, as shown on the approved site access drawing (Drawing Number 13921/2002G).

Reason: In the interests of highway safety.

- 17 The details required by Condition 1 of this permission shall include a scheme for protection of dwellings from noise from the adjoining Household Waste Recycling Centre, as identified in Spectrum Acoustics Report Ref JW545/11222 dated 16th October 2012. No dwellings shall be occupied until the scheme providing protection for those dwellings has been implemented in accordance with the approved details and has been demonstrated to achieve the required noise levels to the satisfaction of the Local Planning Authority. The approved scheme shall be retained in accordance with those details thereafter.

Reason: In the interests of the amenities of the occupants of the development in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009).

- 18 **The applicant or developer will secure the implementation of a Written Scheme of Archaeological Investigation for the Poplar Plantation Area (as identified on the Areas Plan required by Condition 3 above) subject to works for the approved drainage strategy and the areas identified with archaeological remains of Iron Age occupation and the post medieval kiln feature as shown on drawing Arch.001 and any land immediately adjoining these areas as may be reasonably appropriate . No development shall take place within those identified areas until the Written Scheme for those areas which shall identify the extent of the land in which the Scheme is to be implemented has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in accordance with the Scheme thereby approved.**

Reason: To record and advance understanding of the significance of the heritage assets with archaeological interest in accordance Central Government advice contained within the National Planning Policy Framework (2012).

- 19 The landscaping scheme required by condition 1 of this permission shall show the numbers, types and sizes of trees, grass and shrubs to be planted and their location in relation to proposed buildings, underground services and/or engineering works and shall include details of any hard surfaces and earth mounding. The approved scheme for each area approved by condition 3 of this permission shall be implemented by the end of the full planting season immediately following the completion of that identified area (a full planting season means the period from October to March). The trees, shrubs and grass shall be subsequently 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 in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009).

- 20 **Prior to commencement of development in each area approved by condition 4 of this permission, including any ground clearance or excavation, protective fencing, the details of which shall be first approved in writing by the Local Planning Authority, shall be erected around the trees T45, T47, T56, T57, T58 and G16 as identified on Arbtech Consulting Limited Drawing No. TCP – 01 dated 27/012011. The protective fencing shall be retained at full height and extent until completion of development in each area. No materials shall be stored or deposited and no mixing of materials shall take place within the area so protected.**

Reason: To protect the trees so enclosed in accordance with Section 8 of BS5837 of 2005 or as may be subsequently amended in accordance with Policy DM14 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009).

- 21 The development shall be carried out in accordance with all ecological mitigation proposals set out in Aspect Ecology Report No. ECO2174.EcoAs.dv2 dated April 2012.
- Reason: To protect and enhance features of recognised nature conservation importance in accordance with Policy DM15 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009).
- 22 The details required by condition 1 of this permission shall include a scheme for parking, garaging and manoeuvring and the loading and unloading of vehicles in respect of each building forming part of the identified area thereof and shall be in accordance with the details approved by the Design Code for each area. The approved scheme pursuant to condition 1 shall be made available for use before the building is occupied and those areas shall not thereafter be used for any other purpose.
- Reason: To ensure that adequate turning, parking and unloading space is available in the interest of road safety.
- 23 **Prior to commencement of development in each area approved by condition 4 of this permission, a scheme showing the proposed boundary treatment of that area shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the type and height of fences, hedges, walls or other means of enclosure and shall be in accordance with the details approved by the Design Code for each area. The approved scheme shall be implemented before the adjacent residential units are first occupied.**
- Reason: To ensure a satisfactory appearance for the development and to safeguard the amenity of future occupiers in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009).**

Reasons for Granting

The site is allocated for residential development to provide a *minimum* of 410 dwellings under Policy HA4 of the Central Bedfordshire (North) Site Allocations DPD. Whilst the application proposes *up to* 410 dwellings the lower number of dwellings proposed is considered to be acceptable in view of there no longer being minimum density requirements set by Central Government and a general acceptance of lower density developments. The application also proposes provision of open space, including a NEAP and attenuation pond, within the designated Green Belt. The NPPF allows these uses as an exception providing they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The proposal would meet these requirements. The application has been advertised as a departure from Development Plan policy for the above reasons.

The proposal will deliver a sustainable form of residential development which will include provision of affordable housing, on site open space facilities, off-site highways improvements and financial contributions towards infrastructure to mitigate the local impacts of the development. The proposal is considered to be in accordance with relevant sections and policies of the National Planning Policy Framework, the East of England Plan, Central

Bedfordshire (North Area) Core Strategy and Development Management Policies 2009, Affordable Housing (July 2004) and Planning Obligations (north) (November 2009) SPD's, Mid Bedfordshire Recreation Open Space Strategy (2004), Design in Central Bedfordshire: A Guide to Development (2010) and the Warren Farm, Ampthill Development Brief (November 2011).

Notes to Applicant

1. **Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.**
2. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford, MK42 5AN.
3. 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. (HN vii)
4. The applicant is advised that in order to comply with Conditions 3 and 13 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 Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. (HN viii)
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. (HN xii)
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. (HN xiii)

7. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with Central Bedfordshire Council's "Cycle Parking Guidance - July 2010".
8. You are advised to note the comments of National Grid as set out in the enclosed letter.
9. 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 the 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.
10. If the developer wishes to connect to the Anglian Water sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. Anglian Water will be able to advise of the most suitable point of connection.
11. If the proposed pipe network crosses under and/or is within 7 metres of an Internal Drainage Board controlled watercourse the Boards statutory consent will be required.
12.
 - The proposal is situated over a Principal and Secondary aquifer.
 - Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
 - Where soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. Soakaways must not be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.
 - Drainage from parking areas that will discharge to a surface watercourse must be first passed through an oil interceptor. The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to surface waters.
 - Storage of domestic oil in above ground tanks >3500 litres must be undertaken on site in accordance with the Control of Pollution (oil storage) (England) Regulations 2001. Storage of domestic oil in above ground tanks <3500 litres must be undertaken in accordance with Approved Document J of the Building Regulations.

13. Any removal of trees, scrub or hedgerow should take place outside the bird breeding season of March to August inclusive. Should any such vegetation have to be removed during, or close to this period it should first be thoroughly assessed by a suitably experienced ecologist as to whether it is in use by nesting birds. Should nests be found, a suitable area of vegetation (no less than a 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. This process should be agreed in writing with the Local Planning Authority.
- REASON: In order not to cause destruction of, or damage to , the nests of wild birds, their eggs and young. This corresponds to the protection afforded to them under the Wildlife and Countryside Act 1981 (as amended).

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of three amendments to the report:
 - (a) a revised site plan had been attached to the late sheet;
 - (b) the amount of affordable housing was 35% totaling 144 dwellings, correction to page 51 of the report
 - (c) recommended condition no. 3 should refer to the Red Line Plan 1239-0-1120.]

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Item No. 8

APPLICATION NUMBER	CB/12/03535/FULL
LOCATION	Land rear of 197 Hitchin Road, Arlesey, SG15 6SE
PROPOSAL	Change of use of land to use as a residential caravan site for 4 additional gypsy families, with a total of 8 caravans including no more than 4 static caravans. Extension of hardstanding and erection of two amenity buildings and landscaping.
PARISH	Arlesey
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Vicki Davies
DATE REGISTERED	17 October 2012
EXPIRY DATE	12 December 2012
APPLICANT	Mr Patrick Rooney
AGENT	Philip Brown Associates
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	At the request of Cllr Dalgarno in light of the significant public interest.
	Full Application - Granted

Delegated Application – See Minute No. DM/12/308

That Planning Permission be delegated to the Head of Development Management to approve subject to consultation with the Chairman, Vice-Chairman and Ward Members to amend conditions.

- 1 This permission does not authorise use of the land as a caravan site by any persons other than gypsies and travellers, as defined in Annexe 1 of Planning Policy for Traveller Sites, CLG, 2012.

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

- 2 No more than 8 caravans (of which no more than 4 shall be static caravans) shall be stationed on the extension to the site hereby approved, as shown on plan CBC/002, and no more than 20 caravans (of which no more than 10 shall be static caravans) shall be stationed on the site as a whole.

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

- 3 Notwithstanding the details of the application all caravans together with all buildings, other structures, materials and equipment including fences, telegraph poles and lighting columns, septic tanks/cesspits and pipes, cables, meter boxes and other services brought on to the Site in connection with the development hereby approved shall be removed and all hardcore, tarmac and other hard surfacings on the above areas shall also be broken up and completely removed and the Site levelled, topsoiled and seeded with grass or turfed, within one month of the date of failure to meet any one of the

requirements set out in (A) to (D) below:

- (A) within three months of the date of this decision a scheme detailing:
1. the existing and proposed means of foul and surface water drainage of all parts of the Site;
 2. the existing and proposed external lighting on the boundary of and within all parts of the Site including the location of all individual luminaires, their output (in lumens) and any shields, baffles or louvres together with the details of any existing or proposed lighting columns;
 3. the existing walls, fencing, gates or other means of enclosure on the boundaries of and within all parts of the Site, together with any additional such walls, fencing, gates or other means of enclosure proposed;
 4. a landscaping scheme, clearly identifying ground preparation works, details of all tree, hedge and shrub planting and where appropriate earth mounding including details of species, plant sizes and proposed numbers and densities, together with the means of their protection;
 5. the layout of the site and positions of all existing and proposed caravans, utility buildings and any other buildings or structures;
- (hereafter referred to as the site development scheme) shall have been submitted for the written approval of the Local Planning Authority and the said scheme shall include a timetable for the implementation of the various components of the scheme
- (B) within 6 months of the date of this decision the site development scheme shall have been approved by the Local Planning Authority or, if the Local Planning Authority refuse to approve the scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State;
- (C) if an appeal is made in pursuance of (B) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State; and
- (D) the approved scheme shall have been carried out and completed in accordance with the approved timetable, or in accordance with any amended details and/or revised timetables as might be agreed from time to time in writing by the Local Planning Authority and thereafter maintained in perpetuity.

Reason: In order to ensure that the development is satisfactory drained, that the lighting associated with the development does not have a detrimental impact upon the surrounding area, that the proposal takes account for the need of hard and soft landscaping and that the development has no adverse effect upon general or residential amenity in accordance with saved policy HO12 of the Mid Beds Local Plan, policy GT3 of the draft Gypsy and Traveller DPD and polices CS14 and DM3 of the Central Bedfordshire (north) Core Strategy.

- 4 At the same time as the site development scheme required by Condition 3 is submitted to the Local Planning Authority there shall be submitted a schedule of maintenance for a period of five years of the proposed planting beginning at the completion of the final phase of implementation as required by that condition; the schedule to make provision for the replacement, in the same position, of any tree, hedge or shrub that is removed, uprooted or destroyed or dies or, in the opinion of the Local Planning Authority, becomes seriously damaged or defective, with another of the same species and size as that originally planted. The maintenance shall be carried out in accordance with the approved schedule.

Reason: In order to ensure that the proposal takes account for the need for hard and soft landscaping in accordance with saved policy HO12 of the Mid Beds Local Plan, policy GT3 of the draft Gypsy and Traveller DPD and policies CS14 and DM3 of the Central Bedfordshire (north) Core Strategy.

- 5 At the same time as the site development scheme required by Condition 3 is submitted to the Local Planning Authority there shall be submitted a programme of management and maintenance of the drainage system for the lifetime of the development. The drainage system shall be managed and maintained in accordance with the approved programme.

Reason: In order to ensure that the development has no unacceptable adverse effect upon general or residential amenity in accordance with saved policy HO12 of the Mid Beds Local Plan, policy GT3 of the draft Gypsy and Traveller DPD and policies CS14 and DM3 of the Central Bedfordshire (north) Core Strategy.

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

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

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

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

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/001, CBC/002, PBA1 and PBA2.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposal is in conformity with Policy HO12 of the Mid Bedfordshire Local Plan First Review 2005 and policy GT3 of the draft Gypsy and Traveller DPD as there is no unacceptable impact upon the character and appearance of the surrounding countryside, the amenities of nearby residential properties are not unacceptably harmed and a safe, convenient and adequate standard of access can be provided. The site is also identified in the draft Gypsy and Traveller DPD as a site suitable for use as a Gypsy and Traveller site for up to 10 pitches. It is also in conformity with the National Planning Policy Framework and Planning Policy for Traveller Sites.

Notes to Applicant

- 1 The Council is concerned that Noise from the mainline railway may cause detriment to the residents of this development. Further information may be obtained from Public Protection on 0300 300 8000.
- 2 Any material used for earth bunding should be suitable for safe and secure occupancy which is the developer's responsibility to ensure.
- 3 All mobile home sites are required to obtain a Site Licence under the provisions of the Caravan Sites and Control of Development Act 1960. Further information may be obtained from the Private Sector Housing Team, Central Bedford shire 0300 300 8000.
- 4 The Highways Development Control Officer has reservations regarding the site in relation to Arleseey, it is a remote site where sustainable transport links are limited and in terms of foot and cycle are non-existent. Any further planning applications for the extension of the site should address the issue of poor foot and cycle links otherwise an objection from the Highways Development Control Team is likely.
- 5 Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the "View a Planning Application" pages of the Council's website www.centralbedfordshire.gov.uk.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. The Committee noted that the Cemetery had flooded in the past but never to the current extent.
3. Conditions 1 to 8 were revised as above to reflect the latest development on the site.
4. In advance of consideration of the application the Committee were advised that two additional objections had been received since the report was published.
5. Condition 3 has been amended to reflect the revised number of caravans on site.
6. That an informative be added for the applicant that should there be any additional caravans added to the site there would be concerns regarding the Highways.]

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Item No. 09

APPLICATION NUMBER	CB/12/03433/FULL
LOCATION	21 Potton Road, Everton, Sandy, SG19 2LD
PROPOSAL	Change of use to care home from adult residential home to residential childrens home
PARISH	Everton
WARD	Potton
WARD COUNCILLORS	Cllrs Mrs Gurney & Zerny
CASE OFFICER	Amy Lack
DATE REGISTERED	12 October 2012
EXPIRY DATE	07 December 2012
APPLICANT	Mrs D Bavister
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Called to Committee by Cllr Gurney and Cllr Zerny given concern over inappropriate location for the proposed facility.
RECOMMENDED DECISION	Full Application - Granted

That Planning Permission be approved for the reasons set out as follows:

- 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 application site shall be used as a residential care home for no more than 5no. children at any one time falling within Class C2 of the Use Classes Order and for no other use specified in Use Class C2 of the Schedule or the Town and Country Planning (Use Classes) Order 1987, or any Statutory Instrument revoking and re-enacting that Order without modification.

Reason: To fully assess the impact of occupation of the site by any other use.
- 3 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.

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [Site Plan; Block Plan; Floor Plan].

Reason: For the avoidance of doubt.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 – Article 31

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Reasons for Granting

The proposed use of 21 Potton Road as a residential institution for the care of children (Use Class C2) is acceptable in principle. The use will have a neutral impact upon the character of the surrounding area, car parking and highway safety. There would be no significant harmful impact upon the living conditions of neighbouring occupiers nor the wider local community. The development accords with the Central Bedfordshire Core Strategy and Development Management Policies (2009).

[Notes:

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

Item No. 10

APPLICATION NUMBER	CB/12/02838/FULL
LOCATION	Kingdom Hall, 5 Shortmead Street, Biggleswade, SG18 0AT
PROPOSAL	Brownfield development seeking demolition of existing outdated building and upgrade with a new building.
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllrs Jones & Mrs Lawrence
CASE OFFICER	Amy Lack
DATE REGISTERED	14 September 2012
EXPIRY DATE	09 November 2012
APPLICANT	Biggleswade Congregation of Jehovah's Witnesses
AGENT	RBC (London & Home Counties)
REASON FOR COMMITTEE TO DETERMINE	Called to Committee by Cllr Jane Lawrence who has been asked to do so by the Town Council who wishes to refuse permission on the same grounds as before e.g. a historic building within the Conservation Area paid for by public subscription as a memorial to the fallen in the 1914-1918 war.
RECOMMENDED DECISION	Full Application - Granted

That Planning Permission be approved for the reasons set out as follows:

- 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 **Details of materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.**

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

- 3 All Arboricultural works shall be carried out by a competent tree contractor, proficient in both root-zone and aerial arboricultural work and shall follow strictly the agreed method statements and specifications set out in the 'Tree Survey, Arboricultural Implications Assessment Report and Arboricultural Method Statement' reference 1882.Biggleswade.TAG.AIA submitted with this

application. The developer's arboriculturalist shall monitor, record and confirm the implementation and maintenance of tree protection measures as set out in this approved document.

Reason: To protect the health and welfare of the trees to be retained on the site.

- 4 **Prior to the first use of the building hereby approved details of a bin storage/collection point shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details and the approved arrangements for waste and recycling retained therein unless agreed otherwise in writing.**

Reason: In the interest of amenity.

- 5 Except with the prior written agreement of the local planning authority in writing, no construction work or demolition shall be carried out or plan operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the residential amenity of nearby occupiers.

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [216/PL2/100; 216/PL2/101; 216/PL2/102; 216/PL2/103; 216/PL2/202/A; 216/PL2/300/A; 216/PL2/301/A; 216/PL2/302/A and 1882.Biggleswade.TAG.AIA].

Reason: For the avoidance of doubt.

Statement required by the Town and Country Planning (Development Management Procedure)(England)(Amendment No. 2) Order 2012 – Article 31

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure)(England)(Amendment No. 2) Order 2012.

Reasons for Granting

The proposed replacement building to be occupied by a non-residential institutional use (Use Class D1) successfully responds to the character and appearance of the surrounding Conservation Area. It will not have any significant adverse impact upon the residential amenity of nearby occupiers or jeopardise highway safety. By virtue of the siting, design, scale and mass of the proposal it is considered acceptable and in accordance with policies CS14, CS15, DM3, DM4 and DM14 of the Core Strategy and Development Management Policies (2009) and Central Government guidance contained within the National Planning

Policy Framework (2012) with respect to requiring good design and conserving and enhancing the historic environment.

Notes to Applicant

1. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled. The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

2. The applicant is advised of the importance of the existing building and its role in commemorating those residents of Biggleswade who served in the First World War and died. In the interests of acknowledging this the displaying of a commemorative plaque or similar is requested at the application site. It is thought that there may be an existing inscribed stone within the building from when first built to recognise the purposes for its erection. If during the demolition phases this stone is recovered this could be used, or if not used should be returned to Biggleswade Town Council for its preservation. Accordingly, the applicant is advised to contact Biggleswade Town Council to arrange for such an installation.
3. New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result, the Council recommends the Considerate Contractor Scheme which is aimed at promoting high standards of care during construction. The Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from the Considerate Contractor Scheme website at the following address: <http://www.ccscheme.org.uk/> or by calling telephone number 0800 783 1423.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. That a condition be added to set out the hours when work can be carried out on the site as follows: 8am to 6pm Monday to Friday, 8am to 1pm on Saturdays and no works to be carried out on Sundays or Bank Holidays.
3. The Committee asked that two informatives be made to the Applicant:-
 - a. That the engraved commemorative stone which was placed in the original building be located and returned to the Church.
 - b. That the Considerate builder policy be adopted during the construction time.]

Item No. 11

APPLICATION NUMBER	CB/12/02837/CA
LOCATION	Kingdom Hall, 5 Shortmead Street, Biggleswade, SG18 0AT
PROPOSAL	Brownfield development seeking demolition of existing outdated building and upgrade with a new building.
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllrs Jones & Mrs Lawrence
CASE OFFICER	Amy Lack
DATE REGISTERED	14 September 2012
EXPIRY DATE	09 November 2012
APPLICANT	Biggleswade Congregation of Jehovah's Witnesses
AGENT	RBC (London & Home Counties)
REASON FOR COMMITTEE TO DETERMINE	Called to Committee by Cllr Jane Lawrence who has been asked to do so by the Town Council who wishes to refuse permission on the same grounds as before e.g. a historic building within the Conservation Area paid for by public subscription as a memorial to the fallen in the 1914-1918 war.
RECOMMENDED DECISION	Conservation Area - Granted

Conservation Area Consent be granted subject to the following conditions:

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

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The demolition works hereby approved shall only be carried out in connection with the redevelopment of the site as permitted by planning permission reference CB/12/02838/FULL and the two permissions shall be implemented as a single continuous development scheme.

Reason: To ensure that an unsightly cleared site is not created to the detriment of the character and amenities of the area.

- 3 All Arboricultural works shall be carried out by a competent tree contractor, proficient in both root-zone and aerial arboricultural work and shall follow strictly the agreed method statements and specifications set out in the 'Tree Survey, Arboricultural Implications Assessment Report and Arboricultural Method Statement' reference 1882.Biggleswade.TAG.AIA submitted with this application. The developer's arboriculturalist shall monitor, record and confirm the implementation and maintenance of tree protection measures as set out in this approved document.

Reason: To protect the health and welfare of the trees to be retained on the site.

- 4 Except with the prior written agreement of the local planning authority in writing, no construction work or demolition shall be carried out or plan operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the residential amenity of nearby occupiers.

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [216/PL2/100; 216/PL2/101; 216/PL2/102; 216/PL2/103; 216/PL2/202/A; 216/PL2/300/A; 216/PL2/301/A; 216/PL2/302/A and 1882.Biggleswade.TAG.AIA].

Reason: For the avoidance of doubt.

Statement required by the Town and Country Planning (Development Management Procedure)(England)(Amendment No. 2) Order 2012 – Article 31

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure)(England)(Amendment No. 2) Order 2012.

Reasons for Granting

The loss of the existing building would not cause any detrimental harm to the character and appearance of the Conservation Area of the setting of nearby listed buildings as designated heritage assets, subject to a suitable replacement which has been granted planning consent under planning application reference CB/12/02838/FULL. The proposal accords with the guidance contained within the National Planning Policy Framework (2012) and policies CS15 and DM13 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

Notes to Applicant

1. The applicant is advised that a Section 80 notice should **be served to** Building Control not more than 28 days before the intended date of demolition.

2. The applicant is advised of the importance of the existing building and its role in commemorating those residents of Biggleswade who served in the First World War and died. In the interests of acknowledging this the displaying of a commemorative plaque or similar is requested at the application site. It is thought that there may be an existing inscribed stone within the building from when first built to recognise the purposes for its erection. If during the demolition phases this stone is recovered this could be used, or if not used should be returned to Biggleswade Town Council for its preservation. Accordingly, the applicant is advised to contact Biggleswade Town Council to arrange for such an installation.
3. New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result, the Council recommends the Considerate Contractor Scheme which is aimed at promoting high standards of care during construction. The Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from the Considerate Contractor Scheme website at the following address: <http://www.ccscheme.org.uk/> or by calling telephone number 0800 783 1423.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. That a condition be added to set out the hours when work can be carried out on the site as follows: 8am to 6pm Monday to Friday, 8am to 1pm on Saturdays and no works to be carried out on Sundays or Bank Holidays.
3. The Committee asked that two informatives be made to the Applicant:-
 - a. That the engraved commemorative stone which was placed in the original building be located and returned to the Church.
 - b. That the Considerate builder policy be adopted during the construction time.]

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Item No. 12

APPLICATION NUMBER	CB/12/03455/FULL
LOCATION	Northhill Lower School, Bedford Road, Northhill, Biggleswade, SG18 9AH
PROPOSAL	Extend the perimeter fence of MUGA (Multi Use Games Area) by 1m in height
PARISH	Northhill
WARD	Northhill
WARD COUNCILLORS	Cllr Mrs Turner
CASE OFFICER	Samantha Boyd
DATE REGISTERED	27 September 2012
EXPIRY DATE	22 November 2012
APPLICANT	Northhill Lower School
AGENT	Landscape
REASON FOR COMMITTEE TO DETERMINE	Objection from neighbour received
RECOMMENDED DECISION	Full Application - Granted

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 structure.

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 CBC/001, CBC/002 .

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed increase in fence height would not have a negative impact on the character of the conservation area or an adverse impact on the residential amenity of neighbouring properties therefore by reason of its size, design and location, the proposal is in conformity with Policies CS14, DM3, DM4, CS15 and DM13 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework, 2012.

Notes to Applicant

Item No. 13

APPLICATION NUMBER	CB/12/00193/MW
LOCATION	Totternhoe Lime And Stone Works, Knolls View, Totternhoe, Dunstable, LU6 2BU
PROPOSAL	Change of use of part of the former Lime Works from B2 to End of Life Vehicle and Metal Recycling Facility with associated plant and the erection of a de-pollution building
PARISH	Totternhoe
WARD	Eaton Bray
WARD COUNCILLORS	Cllr Mrs Mustoe
CASE OFFICER	Georgina Toye
DATE REGISTERED	09 May 2012
EXPIRY DATE	29 August 2012
APPLICANT	Totternhoe Metal Recycling Ltd
AGENT	Wilbraham Associates
REASON FOR COMMITTEE TO DETERMINE	Called in by Ward Cllr Mrs Mustoe
RECOMMENDED DECISION	Waste Application - Granted

Delegated Application – See DM/12/313

That planning permission be delegated to the Head of Development Management to approve the application subject to consultation with the Chairman, Vice-Chairman, the Executive Member for Sustainable Communities – Strategic Planning and Economic Development and the Ward Member to amend conditions.

- 1 Planning permission shall extend to the area delineated by a thick black line on the attached plan no. CB/12/00193/MW-1 and development shall be carried out in accordance with the planning application dated 19th January 2012 (as validated on 9th May 2012) and all accompanying supporting information dated 26th July 2012, 11th September 2012 and 19th October 2012, except for any minor amendments which may be approved in writing by the Local Planning Authority.

Reason: To define the permission and allow for minor amendments.

- 2 The development hereby permitted shall be begun not later than the expiration of 3 years from the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.

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.

Access

- 3 No development shall commence unless and until a scheme for the erection of warning signs and the mirror(s) to be located by the access of the former lime works has been submitted to and approved by the Local Planning Authority. Such as scheme shall include provision for:

- Sign(s) stating the speed of HGVs to be no more than 20mph
- Sign(s) warning HGV drivers of pedestrians and horses;
- Sign(s) warning pedestrians of HGVs.

The scheme as may be approved shall be implemented prior to the importation of waste and thereafter maintained in accordance with the scheme at all times.

Reason: In the interest of Highways Safety (MWLP Policy GE23).

- 4 That section of the access road between the shared section of access and the entrance point into the operational site, as shown hatched blue on plan number CB/12/00193/MW-2 attached to this permission, shall be kept clear of mud and dust at all times.

Reason: To minimise any nuisance to nearby residents by reason of dust and to protect the surrounding SSSI (Policies GE18 and GE11 of the MWLP).

Hours of Operation

- 5 No operations authorised or required under this permission shall take place on site except between the hours of:

07:00 to 18:00 hours Mondays to Fridays

07:00 to 16:00 hours Saturdays

And no operations authorised or required under this permission shall take place on Sundays and Public / Bank Holidays.

Reason: To minimise any nuisance to nearby residents by reason of Noise (Policy GE18 of the MWLP).

Site Operations

- 6 A record of daily HGV movements generated by the operations hereby permitted shall be maintained for a period of 2 years and submitted to the Local Planning Authority within 7 days of any written request covering the period specified in the request.

Reason: In the interest of highway safety and for monitoring compliance with other conditions of this permission (Policy GE23 of the MWLP).

- 7 Unless otherwise approved in writing by the Local Planning Authority, there shall not be more than 50 HGV movements (1 in and 1 out equals 2 movements) in any one working day (pro-rata for Saturdays) associated with the development hereby permitted.

Reason: In the interest of highway safety (Policy GE23 of the MWLP).

- 8 No fixed plant, machinery or buildings other than those authorised by this permission shall be erected on site.

Reason: To protect the Green Belt and in the interests of visual amenity. (Policies GE 5 and GE9 of the MWLP).

- 9 No storage of wastes, materials, plant or other site associated equipment including skips shall take place on site at a height in excess of 3 metres from ground level.

Reason: To protect the Green Belt and in the interests of visual amenity. (Policies GE 5 and GE9 of the MWLP).

- 10 No car de-pollution activities or treatment and baling of scrap metals (excluding ELVs) shall take place outside the building hereby permitted.

Reason: To restrict development to that applied for and to minimise disturbance in the interests of local amenity (Policy GE18 of the MWLP).

- 11 No development shall commence unless and until a detailed site layout / working plan (drawn to scale) has been submitted and approved by the Local Planning Authority. The plan shall include the following information:

- Positioning and colour of all buildings.
- Positioning and colour of the tanks.
- Positioning of the storage bays, containers, plant and machinery and circulation space.
- Specification and colour of boundary fencing.

The details shall thereafter be implemented as approved and complied with at all times.

Reason: To main control over the development, to protect the Green Belt and in the interests of visual amenity (Policies GE5 and GE9 of the MWLP).

Environment:

- 12 No operations authorised by this permission shall take place unless and until a CCTV camera has been installed in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of and provide for:

- The columns and cameras to be used;
- The area to be covered by the cameras;
- The capability for remote access viewing of live footage and recordings.

The CCTV system shall thereafter be implemented only in accordance with the approved scheme and complied with at all times.

Reason: To allow the monitoring of traffic movements and operating hours (MWLP Policies GE18 and GE23).

- 13 No floodlighting or security lighting shall be used on site except in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover and include provision for:

- Details of number, location and specification of floodlights or security lights;
- Minimising potential for light spill or glare.
- Lighting timers and sensors.

The scheme as may be approved shall be complied with at all times.

Reason: To minimise disturbance to residential and rural amenity and to protect the nearby SSSIs. (MWLP Policies GE11 and GE18).

- 14 No development shall take place unless and until a scheme for the suppression, control and monitoring of dust has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include measures to be undertaken in the event of any complaints about dust. Thereafter, the scheme as may be approved shall be carried out in full and complied with at all times.

Reason: To minimise disturbance to residential properties and local amenity. (Policy GE 18 of the MWLP).

- 15 Except for temporary operations, the free-field Equivalent Continuous Noise Level, LAeq, 1hr, due to operations on the site, shall not exceed 50dB LAeq, 1hr, when measured at the boundary of any residential dwelling. For temporary operations involving site construction, the free-field noise level due to work at the nearest point to each dwelling shall not exceed 70dB LAeq, 1hr, when measured at the boundary of any residential dwelling.

Reason: To minimise nuisance to nearby residents by reason of noise (Policy

GE18 of the MWLP).

- 16 In addition to and notwithstanding the operational hours prescribed in condition 5 of this permission, the car baler shall only be used between the hours of 0900 to 1600 hours on weekdays and not at all on Saturdays.

Reason: To minimise nuisance to nearby residents by reason of noise (Policy GE18 of the MWLP).

- 17 Except as may otherwise be agreed in writing by the Local Planning Authority, no tonal reversing alarms shall be used on mobile plant on the site.

Reason: To minimise nuisance to nearby residents by reason of noise (Policy GE18 of the MWLP).

- 18 No plant or machinery equipment shall be used on site unless fitted and operated with noise suppression equipment in accordance with the equipment manufacturer's specification.

Reason: To minimise nuisance by way of noise (MWLP Policy GE18).

- 19 No development shall place unless and until a scheme for the control and monitoring of noise has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include procedures to be followed and measures to be undertaken in the event of any complaints about noise and shall also include details of:

- a) Monitoring location(s)
- b) Monitoring frequency and duration and the equipment to be used;
- c) The logging of all weather conditions and on site and off site events occurring during measurements including 'phased out' extraneous noise events;
- d) Timetable for the reporting of results to the Local Planning Authority and;
- e) Protocol to be followed if any breaches of the prescribed noise limits are found, including provisions for noise mitigation measures to be introduced.

Thereafter the scheme as may be approved shall be implemented in full and complied with at all times.

Reason: To enable compliance with prescribed noise levels for on-site operations to be adequately monitored and assessed (MWLP Policy GE 18).

- 20 No burning of any wastes or materials shall take place on site.

Reason: To minimise disturbance to nearby residential properties by reason of smoke and odour (Policy GE 18 of the MWLP).

- 21 Any facilities 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 shall be at least the equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses shall 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 pipe work shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent water pollution (Policies GE17 and GE20 of the MWLP).

- 22 Prior to being discharged into any watercourse, surface water sewer or soak-a-way, all surface water drainage shall be passed through an oil interceptor designed and constructed to have a capacity compatible with the site being drained.

Reason: To ensure satisfactory drainage of the site and to prevent increased risk of pollution to the water environment (Policies GE17 and GE20 of the MWLP).

Landscaping

- 23 No development shall take place unless and until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include:
- A survey to identify existing trees and vegetation to be safeguarded and retained.
 - A specification detailed the species, size, number and location of all trees, shrubs and hedgerow to be planted.
 - Planting techniques.
 - Measures to be undertaken for protection of planting against weeds and vermin;
 - Measures to be undertaken to ensure that the planting does not encroach upon the Byway Open to All Traffic (BOAT) throughout the life of the development.

The approved planting shall be carried out in full in the first planting season following approval of the scheme. Thereafter, all plants shall be maintained for a period of 5 years from the date of planting and any failed, damaged or missing plants during this period shall be replaced with others of a similar size and species and maintained until satisfactorily established.

Reason: To provide for the satisfactory landscaping of the site (Policies GE9 and GE10 of the MWLP).

[N.B. Where conditions include the phrase "Except as may be/unless otherwise approved in writing by the County Planning Authority.." this is to

allow for exemptions to be approved for temporary periods for special circumstances or minor amendments to be made.]

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. Conditions to be amended in consultation with the Chairman, Vice-Chairman and Ward Members.]

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