

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 13 February 2013

PRESENT

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

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

Apologies for Absence: Cllr D Bowater

Substitutes: Cllr R W Johnstone (In place of D Bowater)

Members in Attendance: Cllrs A L Dodwell
P A Duckett
Mrs D B Gurney
D J Hopkin
J G Jamieson
K Janes
Mrs M Mustoe
B J Spurr
R C Stay,

Officers in Attendance:	Miss H Bell	Committee Services Officer
	Mrs M Clampitt	Committee Services Officer
	Mr M Cornell	Principal Highway Engineer
	Mr A Davie	Head of Development Management
	Mr A Davies	Senior Planning Officer
	Mr J Ellis	Planning Manager West
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Mr D Hale	Planning Manager South
	Mr D Lamb	Planning Manager East
	Mr A Maciejewski	Definitive Map Officer
	Mrs J Selley	Major Applications Manager

DM/12/323 Chairman's Announcements

The Chairman informed the Committee and the public that items 5 – 10 would be heard in the morning. If these items had been completed prior to 12:15 then item 20 Luton Airport would be considered prior to lunch.

There would be a comfort break at a convenient time about 11:15 – 11:30.

Item 11 would not be heard before 1.30pm at the earliest.

Speaking – due to the considerable interest in items 6 – 10, the Chairman agreed that where there are more than 1 speaking in a section then they would have 2 minutes each.

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

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.

Prior to consideration of item 9

The Chairman advised members that there had been certain allegations made against the Council on these applications both in the press and in open meetings. FoE had accused Councillors of already deciding the applications and accusations that secret meetings had taken place. The Chairman categorically stated that no such meetings had taken place and that this Committee had not decided the applications, indeed this was the first time that the majority of members had been involved.

The Chairman advised members that in November 2012 a separate presentation by both applicants to Officers and Local Ward Members occurred. After the presentation Ward Members asked some questions but no discussions took place and those Ward Members who were members of the Development Management Committee did not become involved and did not form any opinions. The members felt that as they were elected by residents of Leighton Buzzard to represent them it was vital that they attend in order to be up to date on the latest plans.

There were also allegations that local people would not know until today if they would speak. FoE was informed on Thursday night that any person wishing to speak should register and that a final decision would be made this week. The Chairman has never refused anyone to speak on a contentious application.

There had also been suggestions that Development on the South side would not take place. This was far from the truth; it was never going to be a quick fix but a long term programme.

Barwood had requested that both applications 9 and 10 be taken together. Officers considered this approach carried several inherent risks which might affect the soundness of the decisions taken, particularly the increased potential for the individual merits and characteristics of the two schemes to be confused at the decision stage. Therefore the applications will be considered separately. Each of the two separate proposals should be dealt with on the basis of their individual merit but having regard to potential combined impacts. For the avoidance of doubt, Officers considered that both schemes should be regarded as acceptable in combination.

The Chairman advised the Councillors and members of the public that items 11 – 20 would be considered in the following order:-

12, 14, 15, 16, 20, 11, 13, 17, 18 and 19.

The Chairman informed the Committee that the applicant for item 13 – 113 Camberton Road, Linslade, Leighton Buzzard had withdrawn the application prior to commencement of the meeting.

DM/12/324 **Minutes**

RESOLVED

that the Minutes of the meetings of the Development Management Committee held on the 12 December 2012 and 16 January 2013 be confirmed and signed by the Chairman as correct records.

DM/12/325 **Members' Interests**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr N Young	9 & 10	Met with applicants	Present
Cllrs A Shadbolt, R Johnstone, R Berry	9 & 10	Present at presentation from developers	Present
All Members of the Committee	9 & 10	Received information from various parties	Present
All Members of the Committee	6, 7 & 8	Received representations from objectors and applicant	Present
All Members of the Committee	15	Received representations from objectors and applicant	Present
All Members of the Committee	6, 7 & 8	Speaker former Central Bedfordshire Councillor	Present
Cllr K C Matthews	6, 7 & 8	Met with applicant when MBDC Councillor	Present
Cllr Mrs R Gammons	15, 16 & 20	Received information from various parties	Present

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

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr P N Aldis and Cllr Mrs R Drinkwater	11	Applicant associated with Grand Union Housing Association	Present

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

Member	Item	Parish/Town Council	Vote Cast
Cllr A Shadbolt	9 & 10	Leighton Buzzard Town Council	Did not Vote
Cllr P N Aldis	17	Sandy Town Council	Did not Vote

DM/12/326 **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/12/327 **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 available at the following link:

<http://www.centralbedfordshire.gov.uk/modgov/ieListDocuments.aspx?CId=631&MId=4083&Ver=4>

DM/12/328 **The consideration of an application to delete Maulden Footpath No. 28 under Section 53(3)(c)(iii) of the Wildlife and Countryside Act 1981**

The Committee received and considered a report of the Head of Service for Transport, Strategy and Countryside Services. The report set out evidence behind the application to delete Maulden Footpath No. 28 under the legislation contained within the Wildlife and Countryside Act 1981.

The report sought a decision on whether the application should be approved or refused.

RESOLVED

That the Committee refused the application by Mr A Bowers to make an order under Section 53(2) of the Wildlife and Countryside Act 1981 to delete Footpath No. 28 under Section 53(3)(c)(iii) of the Act because no new substantive and cogent evidence had been discovered which demonstrated on the balance of probability that a valid non-intention to dedicate existed during the period 1936 – 1956.

DM/12/329 The consideration of an application to extinguish Maulden Footpath No. 28 under Section 118 of the Highways Act 1980

The Committee received and considered a report of the Head of Service for Transport, Strategy and Countryside Services. The report set out the evidence behind the application to extinguish Maulden Footpath No. 28 under Section 118 of the Highways Act 1980.

The report sought a decision on whether the application should be approved or refused.

RESOLVED

That the Committee:-

- (a) Approved the application by Mr A Bowers to make a Public Path Order under Section 118 of the Highways Act 1980 to extinguish Maulden Footpath No. 28 between points A-B on the grounds that the footpath is no longer needed.**
- (b) Required the applicant Mr A Bowers to pay the costs associated with the carrying out of works to provide pedestrian refuges on the nearby Maulden Bridleway No.24 to accommodate increased levels of pedestrian traffic.**

DM/12/330 The consideration of an application to seek a Magistrates' Court Order to stop up Maulden Footpath No. 28 under Section 116 of the Highways Act 1980

The Committee received and considered a report of the Head of Service for Transport, Strategy and Countryside Services. The report set out the history and policy and legal considerations behind the application requesting the Council to apply to the Magistrates Court for a court order to stop up Maulden Footpath No. 28 under Section 116 of the Highways Act 1980.

The report sought a decision on whether the application should be approved or refused.

RESOLVED

That the Committee:-

- 1. Approve the application by Mr A Bowers for the Council to make an application under Section 116 of the Highways Act 1980 to the Magistrates' Court for a stopping up order for Maulden Footpath No. 28 between points A-B, on the grounds that:-**

- (a) the application meets the criteria in the Council's Rights of Way Applications Policy for making an application to the Magistrates' Court.
- (b) Bridleway No. 24 nearby is close enough to be used as an alternative route by those members of the public currently using the footpath.
- (c) As the bridleway has not undergone significant improvements to enable the Council to disregard the earlier decisions by independent Inspectors who concluded that the bridleway was not suitable alternative to the footpath, the applicant Mr A Bowers will be required to pay the costs associated with the carrying out of works to provide pedestrian refuges on the alternative route to accommodate increased levels of pedestrian traffic

The Committee adjourned at 12.15pm and reconvened at 12.55pm

DM/12/331 Planning Application No. CB/12/02071/OUT

RESOLVED

That Planning Application No. CB/12/02071/OUT relating to Retail Part at Grovebury Road, Leighton Buzzard be approved as set out in the schedule appended to these Minutes.

DM/12/332 Planning Application No. CB/12/03290/OUT

RESOLVED

That Planning Application No. CB/12/03290/OUT relating to Unit 7, Grovebury Road, Leighton Buzzard be delegated to the Head of Development Management to refuse the application for the reasons set out in the schedule appended to these Minutes.

Councillors Mrs S Clarke, Mrs R Drinkwater and R Johnstone left prior to the consideration of Item 12

DM/12/333 Planning Application No. CB/12/04310/FULL

RESOLVED

That Planning Application No. CB/12/04310/FULL relating to Brickhill Farm Park Homes, Halfmoon Lane, Pepperstock, Luton be approved as set out in the schedule appended to these Minutes.

DM/12/334 Planning Application No. CB/13/00101/FULL

The Applicant withdrew the application prior to the Committee meeting being held.

DM/12/335 Planning Application No. CB/12/03999/FULL

RESOLVED

That Planning Application No. CB/12/03999/FULL relating to 37 Moor Lane, Maulden, Bedford be approved as set out in the schedule appended to these Minutes.

Councillor D Jones left the meeting prior to consideration of Item 15

DM/12/336 Planning Application No. CB/12/04248/FULL

RESOLVED

That Planning Application No. CB/12/04248/FULL relating to Oak Tree Farm, Potton Road, Biggleswade be delegated to the Head of Development Management to refuse the application on the grounds as set out in the schedule appended to these Minutes.

Prior to the vote being taken for the refusal of the application, Councillor N Aldis moved approval of the application. The recommendation was seconded by Councillor K C Matthews.

A request for a recorded vote upon the decision of this planning application was made and voted upon. Upon being put to the vote to approve the application, the following vote was recorded:-

**Councillors: P N Aldis, M Blair, K C Matthews, C Maudlin, T Nicols.
Voted in accordance with the proposal to approve the application.**

**Councillors: A R Bastable, R D Berry, A D Brown, Mrs C F Chapman MBE, I Dalgarno, Mrs R B Gammons, A Shadbolt, I Shingler and N Young.
Voted against the recommendation to approve the application.**

The application was lost 5 for and 9 against.

Councillor N Young moved refusal of the recommendation. The recommendation was seconded by Councillor R Berry. The application was carried.

Councillor I Dalgarno left prior to the consideration of Item 16

DM/12/337 Planning Application No. CB/12/04272/FULL

RESOLVED

That following motions to approve and refuse the application fell, Planning Application No. CB/12/04272/FULL relating to 32 Astwick Road, Stotfold, Hitchin was deferred to allow a site visit to take place.

DM/12/338 Planning Application No. CB/13/00088/OAC

The Committee received and considered a report of the Director of Sustainable Communities. The report summarised the proposals in the Planning Application submitted to Luton Borough Council, provided for submission of specialist responses from Central Bedfordshire Council (CBC) Officers and to make comments on the proposals.

The Major Applications Manager provided the Committee with an overview of the responses which had been received from a number of Officers. The Committee considered the information and provided the following response to be forwarded to Luton Borough Council by the deadline for responses of 19 February 2013:-

1. While new jobs are welcome, there is concern that the majority of these will not go to local residents and that neither Luton Airport nor Luton Borough Council have addressed this issue.

Without providing local jobs, the growth of Luton Airport generates a significant downside of traffic congestion, aircraft noise without the benefits of local jobs.

In fact a bigger issue of significantly exacerbating pressure on local housing through migration of new employees from outside of the local area into Central Bedfordshire.

Hence it is essential that employment be focussed in the local area.

- Information request – assessment of where employees will come from
 - There should be a Local Employment Strategy which will detail how Luton Airport and Luton Borough Council will ensure the majority of jobs created will go to existing local residents. This would include:-
 - Recruitment locally
 - Provision of apprenticeships
 - Training
 - Work with schools
 - Work with DWP/JCP and local back to work providers
 - This should include a transport strategy and associated investment to ensure Central Bedfordshire Council residents are able to access their jobs
 - Appointment and funding of a Local Employment Co-ordinator
2. The proposals will create pressure on housing in Central Bedfordshire if new jobs are not for local people. This housing pressure will negate the economic benefits which may be achieved from this development.
- Luton Borough Council and Central Bedfordshire Council tenancy strategies are conflicting. Luton Borough Council provides homes for life whilst Central Bedfordshire Council provides homes for five years.
3. the application needs to provide further information on how night flights may increase or decrease;
4. it is questioned why no proposal to share profits with those parishes under the flight path who will suffer noise from the aircrafts;
5. there is concern regarding additional parking problems on roads in Slip End and Caddington;
6. there should be monitors put under the flight path of aircrafts to monitor noise of landing aircraft. A noise cap should also be placed on aircrafts up to a specified number of decibels;
7. the roads around the airport are not considered suitable. Newlands Road has been highlighted as a dangerous junction;
8. it has been stated that some feel that this would not be an independent decision by Luton Borough Council;
9. there should be triple or double glazing provided for residents affected by noise in the areas under and surrounding the flight paths.

RESOLVED

That the Committee:-

- 1. inform Luton Borough Council that this Council makes a holding objection on the proposal for the reasons detailed in section 17 of the report;**
- 2. inform Luton Borough Council of the additional comments in the preamble above.**

DM/12/339 Planning Application No. CB/12/03575/FULL

RESOLVED

That Planning Application No. CB/12/03575/FULL relating to 29 Steppingstones, Lancot Drive, Dunstable be approved as set out in the schedule appended to these Minutes.

DM/12/340 Planning Application No. CB/12/04342/FULL

RESOLVED

That Planning Application No. CB/12/04342/FULL relating to land to the Rear of 152 – 156, St Neots Road, Sandy be approved as set out in the schedule appended to these Minutes.

DM/12/341 Planning Application No. CB/12/04140/FULL

RESOLVED

That Planning Application No. CB/12/04140/FULL relating to 16 Ickwell Green, Ickwell, Biggleswade be approved as set out in the schedule appended to the Minutes.

DM/12/342 Planning Application No. CB/12/04247/FULL

RESOLVED

That Planning Application No. CB/12/04247/FULL relating to 49 Common Road, Stoffold, Hitchin be approved as set out in the schedule appended to these Minutes.

DM/12/343 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 25 March 2013:-

Vice-Chairman (or his nominee)

Cllrs: A D Brown (as substitute for the Chairman)

P N Aldis

A R Bastable

D Bowater

(Note: The meeting commenced at 10.00 a.m. and concluded at 6.40 p.m.)

Chairman

Dated

Item No. 9

APPLICATION NUMBER	CB/12/02071/OUT
LOCATION	Retail Park at Grovebury Road, LU7 4UX
PROPOSAL	Development of the site for retail warehousing development within Class A1 (retail) to comprise 5,575sqm with 2,090sqm mezzanine floorspace and 929sqm garden centre enclosure and a restaurant/cafe/public house of 372sqm within Class A1/A3/A4/A5 use
PARISH	Leighton-Linslade
WARD	Leighton Buzzard South
WARD COUNCILLORS	Cllrs Berry, Bowater & Dodwell
CASE OFFICER	Adam Davies
DATE REGISTERED	08 June 2012
EXPIRY DATE	07 September 2012
APPLICANT	Claymore Group and CC Trading Ltd
AGENT	Blue Sky Planning
REASON FOR COMMITTEE TO DETERMINE	Town Council objection to major application
RECOMMENDED DECISION	Outline Application - Granted

Resolution

That Planning Permission be GRANTED subject to;

- (1) the prior consultation of the Secretary of State, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009;
- (2) final discussion with the Chairman, Vice Chair and Executive Member concerning Section 106 matters;
- (3) the completion of a prior Section 106 Agreement to secure the planning obligations to support the vitality and viability of the town centre; support the delivery of a public bus service to serve the site and other sites along Grovebury Road; support the implementation of privately run mini bus service for the site; deliver a bus stop and half bus lay-by on Grovebury Road and the provision of real time passenger information on site; meet the costs of providing public feet/cycle path connections linking the site to the existing public foot/cycle path along Grovebury Road/Grovebury Lane; the creation of a dedicated public link along north eastern boundary; the funding of servicing, access arrangements and marketing for the retained employment site to encourage the delivery of small business/industrial units on the adjacent site; the funding of a public art strategy as part of the development; appropriate controls over goods sold; and appropriate controls over the size of the retail units along with suitable restrictions on sub-division, the merging of units, and the extent of eating/drinking facilities; and
- (4) the following conditions and informatives;

CONDITIONS

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

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

- 2 Approval of the details of the appearance, landscaping, layout and scale of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of all of the reserved matters referred to above shall be submitted in writing to the Local Planning Authority and the development shall be implemented as approved.

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

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

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

- 4 **Before development begins, details of the materials to be used for the external walls and roofs of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: To protect, as far as possible the character of the locality. (Policy BE8 S.B.L.P.R and Policy 43 D.S.C.B).

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

Reason: To ensure a satisfactory standard of landscaping.

6 Before developments begins, a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1) A preliminary risk assessment which has identified:

- All previous uses,
- Potential contaminants associated with those uses,
- A conceptual model of the site indicating sources, pathways and receptors, and
- Potentially unacceptable risks arising from contamination at the site.

2) A further site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to controlled waters as the Environment Agency are not confident that the initial site investigation sampling and the results of the risk assessment provides sufficient evidence to prove that there is no risk to controlled waters on site.

3) The results of the site investigation and detailed quantitative risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall then be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters (particularly the River Ouzel and the Woburn Sands Formation (Principal aquifer) below the site which is part of the Upper Bedford Ouse Woburn Sands waterbody) from potential pollutants.

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

Reason: To protect and prevent the pollution of controlled waters (particularly the River Ouzel and the Woburn Sands Formation (Principal aquifer) below the site which is part of the Upper Bedford Ouse Woburn Sands waterbody) from potential pollutants.

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

Reason: To protect and prevent the pollution of controlled waters (particularly the River Ouzel and the Woburn Sands Formation (Principal aquifer) below the site which is part of the Upper Bedford Ouse Woburn Sands waterbody) from potential pollutants.

- 9 **Before development begins, a scheme for surface water disposal shall be submitted to and approved by the Local Planning Authority. The scheme shall then be implemented as approved. Infiltration systems should only be used where it can be demonstrated that they will not pose a risk to groundwater quality.**

Reason: To protect and prevent the pollution of controlled waters.

- 10 **Before development begins, a Foundation Works Risk Assessment Report shall be submitted to and approved by the Local Planning Authority. The report shall detail the method of foundation construction, avoiding piling, and making use non-invasive methods, such as rafts, where possible. Where there is no alternative to piling, a method should be selected that minimises the risks of groundwater pollution or gas migration. Appropriate mitigation measures and/or environmental monitoring shall be incorporated into the design. The development shall then be carried out in accordance with the approved details.**

Reason: To protect and prevent the pollution of controlled waters.

- 11 Prior to the initial public use of the development, a revised Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Framework Travel Plan shall include the following:
- Targets for trip reduction and modal shift
 - The methods by which these targets will be met
 - The mechanisms for monitoring and review;
 - The mechanisms for reporting;
 - The penalties to be applied in the event that targets are not met;
 - Timescales for the implementation of the travel plan;
 - Mechanisms to secure variations to the travel plan following monitoring and review;
 - Mechanisms for managing the travel plan and coordinating with other travel plans in the area.

- Details of Individual Travel Plans (ITPs) for site occupants
- Details of how the travel plan will be funded.
- A requirement to produce of staff induction packs containing travel information and incentives to travel by sustainable travel.
- Commitments to set up a site-wide car-share database, provide a guaranteed lift home scheme for staff, allocated staff car-share parking bays, permit scheme/bay patrol by TPC and the promotion of CBC Travel Plan Guidance and National Liftshare Week or Central Beds and Luton Lift Share.
- A commitment to provide cycle parking in compliance with CBC cycle parking guidelines, or commit to the provision of a 'cycle to work' salary sacrifice scheme or promotion of national sustainable travel events for walking and cycling.
- A commitment that the TPC will seek to negotiate a site-wide bus season ticket discount scheme for staff.

The Framework Travel Plan shall then be fully implemented in accordance with the approved details.

Reason: In the interests of highway safety, to reduce congestion and to promote the use of sustainable modes of transport.

- 12 **Before development begins, a Public Art Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include written details of how public art would be commissioned and integrated as part of the development, setting out details of community engagement/consultation undertaken, timeframes for the creation and advertisement of an artists brief, the artist shortlisting and agreement process, and a maintenance plan for any artworks created including funding for long term maintenance. The strategy shall then be fully implement in accordance with the approved details.**

**Reason: To ensure a satisfactory and appropriate artistic feature(s) or element(s) are integrated into the development itself and thereby enhance, as far as possible the character of the locality.
(Policy BE8 S.B.L.P.R. and Policy 43 D.S.C.B).**

- 13 The development shall be carried out in accordance with the ecological enhancement/compensation measures set out in section 5.3 of the submitted Land off Grovebury Road, Leighton Buzzard, Ecological Site Appraisal by Urban Edge Environmental Consulting, dated May 2012 and in accordance with the generic migration strategies set out in section 5.2 of this appraisal.

Reason: To ensure the appropriate protection of existing and creation of replacement wildlife and supporting habitats opportunities (Policy BE8 S.B.L.P.R and Policy 43 D.S.C.B).

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan number 5195 – 33 received by the Local Planning Authority on 21 January 2012.

Reason: For the avoidance of doubt.

Reasons for Granting

Having regard to the current supply of employment land within the area, the site's history of employment use marketing and development initiatives and the opportunities for employment creation which would result from the proposal, the proposed non-B Class development is considered acceptable in terms of the site's employment land allocation. Taking account of the availability and suitability of other sites within Leighton Buzzard and the impact on existing, committed and planned public and private investment, subject to appropriate town centre contributions, the identified retail impact is considered to be marginal but not significant in NPPF terms. Subject to the delivery of a public bus service to serve the site and other sites along Grovebury Road, the proposed development is capable of achieving an acceptable scheme in terms of the impact upon the character and appearance of the locality and incorporating adequate landscaping, road, cycle and footpath links and parking areas. The proposal is therefore in conformity with Supplementary Planning Guidance contained within Central Bedfordshire Design Guide: A Guide for Development 2010, the development plan policies comprising the South Bedfordshire Local Plan Review and the emerging Development Strategy for Central Bedfordshire and national guidance contained in the National Planning Policy Framework.

Notes to Applicant

1. The development is subject to a Legal Agreement under Section 106 of the Town and Country Planning Act 1990.
2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4. Land contamination investigations should be carried out in accordance with BS 5930:1999-2010 'Code of Practice for site investigations' and BS 10175:2011 'Investigation of potentially contaminated sites - Code of Practice' as updated/amended. Site investigation works should be undertaken by a suitably qualified and experienced professional. Soil and water analysis should be fully MCERTS accredited. Any further site investigation, demolition, remediation or construction works on site must not create new pollutant pathways or pollutant linkages in to the underlying principal aquifer to avoid generating new contaminated land liabilities for the developer. Clean drilling techniques may be required where boreholes, piles etc penetrate through contaminated ground.
5. The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code

of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites.

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010

The Waste (England and Wales) Regulations 2011.

6. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, including in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' for waste to be removed from site, and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.
7. Soakaways and other infiltration SuDS must not be constructed in contaminated ground. The use of infiltration drainage would only be acceptable if a phased site investigation showed the presence of no significant contamination. The use of non infiltration SuDS may be acceptable subject to our agreement. The Environment Agency would need to be consulted on the results of the site investigation and on any protection measures. Please refer to the Environment Agency website at www.environment-agency.gov.uk for more information.
8. The applicant should note that any discharge of storm water to adjacent watercourse and/or the Buckingham and River Ouzel Internal Drainage Board statutory district must be limited to the appropriate Greenfield rate and any direct discharge will require the Board's statutory consent. If the method of storm water disposal is to be by way of soakaways then it is essential that the ground conditions be investigated and if found satisfactory the soakaways constructed in accordance with the latest BRE Digest 365.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional consultation and publicity responses as follows:
 - GVA Grimley, the Council's retail consultant setting out a detailed response to the objections received

- 89 additional objections
 - Strategic Planning consultation response
 - Economic regeneration consultation response
 - Third Party representations headed 'Help Save your High street'
 - Leighton Buzzard Observer Poll
 - Detailed Third Party Representations
 - Central Bedfordshire Highways
 - Additional comments from the Applicant.
 - Additional comments from the Case Officer.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

Item No. 10

APPLICATION NUMBER	CB/12/03290/OUT
LOCATION	Unit 7, Grovebury Road, Leighton Buzzard, LU7 4SQ
PROPOSAL	Outline Planning Permission: Proposed non food retail park of up to 10,775 sqm (116,000sqft) Gross retail floorspace, up to 600 sqm (6,460 sqft) storage up to 604 sqm (6,500 sqft) pub/restaurant, up to 167 sqm (1800sqft) drive thru restaurant, new vehicular access and associated highway works, associated car parking; hard and soft landscaping and associated infrastructure works.
PARISH	Leighton-Linslade
WARD	Leighton Buzzard South
WARD COUNCILLORS	Cllrs Berry, Bowater & Dodwell
CASE OFFICER	Adam Davies
DATE REGISTERED	18 September 2012
EXPIRY DATE	18 December 2012
APPLICANT	Barwood Developments Ltd & Invesco P.I.T. Ltd
AGENT	Framptons
REASON FOR COMMITTEE TO DETERMINE	Town Council objection to major application
RECOMMENDED DECISION	Outline Application - Granted

Resolution

That Planning Permission be REFUSED for the following reasons;

(1) In line with South Bedfordshire Local Plan Review Policy E1, Policies 6, 7 and 8 of the emerging Development Strategy for Central Bedfordshire and national guidance contained within the National Planning Policy Framework, the Council seeks to maintain an appropriate portfolio of employment land within Central Bedfordshire. The application site forms part of a designated Main Employment Area as defined on the proposals map of the South Bedfordshire Local Plan Review 2004 and the policy map of the emerging Development Strategy for Central Bedfordshire wherein the Local Planning Authority's primary objective is to encourage Business, General Industrial or Storage and Distribution development. The application site falls within an area identified as being in adequate condition for B Class employment with some potential for redevelopment taking account of factors including the quality of stock, access to amenities, the adequacy of site servicing, strategic road access and public transport provision (CBC 2012 Employment Land Review). The main source of demand for B Class premises in Leighton Buzzard is generated as a result of expansion by locally based firms, and some relocation from nearby areas (Luton and South Beds Employment Land and Market Assessment Study, NLP 2010). In this case, there is an expressed need for low cost warehousing to support the expansion of locally based firms as demonstrated by the present/recent occupation of the premises and by third party representations received from a major local employer in response to the application. In light of this demonstrated demand, it has not been

adequately shown that there is no viable prospect of the site delivering a B Class use, including through the redevelopment of the site to provide modern units for the local market. Taking account of the supply of B Class land within Leighton Buzzard itself and the scale, quality and location of the site, the proposed development would detrimentally impact upon the supply of B Class land within the locality. The proposal is therefore contrary to Policy E1 of the South Bedfordshire Local Plan Review 2004, Policies 6, 7 and 8 of the emerging Development Strategy for Central Bedfordshire and national guidance contained within the National Planning Policy Framework.

(2) By reason of the combination of the total commercial floor area of the development, the size of the individual units proposed, the range of goods to be sold from the site, and the number of retail units proposed, the proposed retail development would result in an unacceptable diversion of trade from Leighton Buzzard Town Centre to the detriment of the vitality and viability of the Main Shopping Area. Further, and given the propensity for competition among retailers seeking to come to Leighton Buzzard, the proposal would also negatively impact upon the town centre's capacity to attract new investment and may also prejudice the Council's ability to bring forward development in accordance with the Land South of the High Street Development Brief 2012, in line with its commitment to regenerate this site as a key objective within the Council's adopted Medium Term Plan, "Delivering Your Priorities 2012-16". The development would therefore have an unacceptable impact on existing, committed and planned public and private investment in Leighton Buzzard contrary to Policies 11, 12 and 15 of the emerging Development Strategy for Central Bedfordshire and national guidance contained within the National Planning Policy Framework.

NOTES

(1) In advance of the consideration of the application the Committee were advised of additional consultation and publicity responses as follows:

- GVA Grimley the Councils retail consultant
- Strategic Planning
- Economic Regeneration
- National Grid
- BE Aerospace
- 90 additional letters of objection
- Third Party representation forms headed; Help Save Your High Street
- Leighton Buzzard Observer Poll
- Detailed third party representations
- Applicants additional information
- Additional comments from the Case Officer

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

Item No. 12

APPLICATION NUMBER	CB/12/04310/FULL
LOCATION	Brickhill Farm Park Homes, Halfmoon Lane, Pepperstock, Luton, LU1 4LW
PROPOSAL	Continued use of site as mobile home park for a total of 105 mobile home plots
PARISH	Slip End
WARD	Caddington
WARD COUNCILLORS	Cllrs Mrs Gammons & Stay
CASE OFFICER	Adam Davies
DATE REGISTERED	03 December 2012
EXPIRY DATE	04 March 2013
APPLICANT	Miss G Mc Farland
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Parish Council objection to major application
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be GRANTED subject to the following:

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

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

- 2 **Before development begins, details of visibility splays to be provided at the junction between the new estate road(s) and the existing highway shall be submitted and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and the approved vision splay(s) shall, on land in the applicant's control, be kept free of any obstruction.**

Reason: To provide adequate visibility within the site to make the new road(s) and access(es) safe and convenient for the traffic which is likely to use them.

- 3 The site must be licensed under the Caravan Sites and Control of Development Act 1960. The Local Planning Authority would expect as part of the process the amendment of the illustrative 'Proposed Masterplan' Rev B submitted with this application, to take into account appropriate licensing conditions and after full consultation with Central Bedfordshire Ward Members, Slip End Parish Council, Brickhill and Dowlands Residents Associations and occupiers of the Brickhill Farm Park Homes Site.

Reasons for Granting

The continued use of the site as a mobile home park for a total of 105 mobile home plots is acceptable in terms of the impact upon the Green Belt and, subject to separate controls over the specific site layout under the Caravan Sites and Control of Development Act 1960, is not considered to be in conflict with the development plan policies comprising the South Bedfordshire Local Plan Review, the emerging Development Strategy for Central Bedfordshire and national guidance contained in the National Planning Policy Framework.

Notes to Applicant

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

[Notes:-

1. In advance of 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 informed of updates contained within the late sheet which included:-
 - Health and Safety Executive (01/02/13): the proposed development does not fall within the consultation distance for any explosive facility, therefore the Explosives Inspectorate have 'no comment' to make.
3. In advance of consideration of the application the Committee were informed of applicants additional information received following the completion of the late sheet.
4. The Committee requested that the residents of Brickhill Farm Park Homes be consulted prior to any works being carried out.]

Item No. 13

APPLICATION NUMBER	CB/13/00101/FULL
LOCATION	113 Camberton Road, Linslade, Leighton Buzzard, LU7 2UW
PROPOSAL	Single storey front extension and demolition of existing side brick boundary wall. Erection of 1.8m fence to extend rear and side garden to enclose grassed amenity land. (Re-Sub 12/3791).
PARISH	Leighton-Linslade
WARD	Linslade
WARD COUNCILLORS	
CASE OFFICER	Heidi Antrobus
DATE REGISTERED	16 January 2013
EXPIRY DATE	13 March 2013
APPLICANT	Mr & Mrs L Silva
AGENT	Mr Ian Johnson
REASON FOR COMMITTEE TO DETERMINE	The Agent is an employee of CBC

RECOMMENDED DECISION	Full Application - Refused
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Withdrawn Application – See Minute No. DMC/12/334

[Note: the Late Sheet contained additional consultation responses from the following:-

- Leighton-Linslade Town Council – objected to the application on the grounds of importance of the amenity land to the visual amenity of the street scene and the loss of it would be detrimental to the surrounding area.
- Tree Officer – referred to memorandum 16/01/13 and site visit on 01/02/13:
 - There would be no root damage to a nearby Lime Tree
 - The fence would not damage trees but would be out of keeping with the area.
- Highways had no objection
- Neighbour complained about the impact on their home, pathway and the neighbourhood in general. The application was out of keeping with the rest of the road.]

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Item No. 14

APPLICATION NUMBER CB/12/03999/FULL
LOCATION 37 Moor Lane, Maulden, Bedford, MK45 2DJ
PROPOSAL Retrospective approval for a garage extension to a dwelling.
PARISH Maulden
WARD Ampthill
WARD COUNCILLORS Cllrs Duckett, Blair & Smith
CASE OFFICER Dee Walker
DATE REGISTERED 08 November 2012
EXPIRY DATE 03 January 2013
APPLICANT Mr Swan
AGENT Braund Technical Services
REASON FOR COMMITTEE TO DETERMINE Development partially on highway land under CBC control

RECOMMENDED DECISION Full Application - Granted

Recommendation

That Planning Permission be APPROVED subject to the following:

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

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

- 2 Notwithstanding any provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no further window or other opening shall be formed on the building hereby approved.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 11/1152/01, 11/1152/02, 11/1152/03, 11/1152/04, 11/1152/05.

Reason: For the avoidance of doubt.

- 4 Within **one month** of the date of this permission, arrangements shall be made and implemented for surface water drainage from the garage hereby approved to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of surface water from the building into the highway so as to safeguard the interest of highway safety.

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

In conclusion, the scheme by reason of its site, design and location would not harm the character and appearance of the area or have an adverse impact on the residential amenity of neighbouring properties. As such the proposal is in conformity with Policy DM3 of the Central Bedfordshire Adopted Core Strategy and Development Management Policies 2009; National Planning Policy Framework. It is further in conformity with the Design in Central Bedfordshire: A Guide for Development - *Design Supplement 4: Residential Alterations and Extensions* (2009). It is therefore considered **acceptable** and that planning permission should be granted subject to conditions.

Notes to Applicant

1. This permission is granted under the provisions of Section 73A of the Town and Country Planning Act 1990.
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. Notwithstanding any grant of permission under the Town and Country Planning Act the applicant is advised that the garage building hereby permitted has been partially constructed on land forming part of the public highway and the land shall remain public highway and declared on any Land Charge Search unless the highway rights are formally extinguished by Magistrates Court Order under Section 117 of the Highways Act 1980.

[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 informed of updates contained within the late sheet which included:-
 - Additional condition 4 above dealing with water run off
 - Additional note 3 to the applicant regarding highway ownership
 - Additional comments from the Highways Authority regarding the highway ownership of 1m strip of land.]

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Item No. 15

APPLICATION NUMBER	CB/12/04248/FULL
LOCATION	Oak Tree Farm, Potton Road, Biggleswade, SG18 0EP
PROPOSAL	Change of use of site and buildings from Light industrial / retail / store / showroom / workshop / restaurant to school. External alterations including revised parking layout / landscaping / play areas and new fencing. Subdivision of land to separate existing house. New windows and Doors.
PARISH	Sutton
WARD	Potton
WARD COUNCILLORS	Cllrs Mrs Gurney & Zerny
CASE OFFICER	Mark Spragg
DATE REGISTERED	03 December 2012
EXPIRY DATE	28 January 2013
APPLICANT	Ermine Education Trust
AGENT	Blueprint Architectural Design
REASON FOR COMMITTEE TO DETERMINE	Call in by Cllr Gurney due to concerns as to whether this is an appropriate location for a school use.
RECOMMENDED DECISION	Full Application - Granted

That Planning Permission be delegated to the Head of Development Management to refuse the application for the following reason:-

The site is located within the countryside, and the proposed school with associated vehicular traffic generated would result in an unsustainable use of the buildings and land. As such the proposal is contrary to the National Planning Policy Framework, policies CS4, CS11, DM3 and DM9 of the adopted Central Bedfordshire Core Strategy and Development Management Policies (November 2009), policies 9 and 10 of the emerging Development

[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 informed of updates contained within the late sheet which included:-
 - Reference in the report to the catchment area should include Hertford and not Hereford.
 - Access and Parking – should read parking for 12 minibuses, as referred to in other parts of the report.

- The applicant has provided additional information as follows:-
 - The existing retail premises ceased trading on 28 April 2012 and has been on the market since March 2012
 - Whilst some teachers will move from the existing schools there will be a need to recruit new staff from the area to work at the school
 - At the existing Dunstable Campus (formerly known as Sceptre School) all the professional teaching staff are from outside the brethren community.]

Item No. 16

APPLICATION NUMBER	CB/12/04272/FULL
LOCATION	32 Astwick Road, Stotfold, Hitchin, SG5 4AT
PROPOSAL	Erection of 3 dwellings
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Saunders & Saunders
CASE OFFICER	Mark Spragg
DATE REGISTERED	04 December 2012
EXPIRY DATE	29 January 2013
APPLICANT	Mr T Saunders
AGENT	Levitt Partnership
REASON FOR COMMITTEE TO DETERMINE	The applicant is the brother of councillor John Saunders

RECOMMENDED DECISION	Full Application - Granted
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Deferred Application - See Minute No. DM/12/337

[Notes:-

- In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
- In advance of consideration of the application the Committee were advised of updates contained within the Late Sheet which included:-
 - The Ward Councillors on the report should read:- Cllrs B Saunders, J Saunders and Mrs G Clarke.
 - An additional letter had been received from the occupier of 10 Ivel Way reiterating previous comments, however also making the following new point:-

the new access road will be used by the customers of the adjacent garage.
- A completed signed Unilateral Undertaking has now been received in respect of a contribution towards infrastructure facilities.]

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Item No. 11

APPLICATION NUMBER	CB/12/03575/FULL
LOCATION	29 Steppingstones, Lancot Drive, Dunstable, LU6 2AP
PROPOSAL	Demolition of existing care facility and construction of new building with associated works. Proposed ground floor 8No x studio bedrooms with ensuites and associated communal and staff facilities. First floor assisted living 4No x two bedroom flats and 2No x one bedroom flats.
PARISH	Dunstable
WARD	Dunstable Northfields
WARD COUNCILLORS	Cllrs Mrs Green & Murray
CASE OFFICER	Vicki Davies
DATE REGISTERED	24 October 2012
EXPIRY DATE	23 January 2013
APPLICANT	Macintyre Housing Association
AGENT	Kyle Smart Associates
REASON FOR COMMITTEE TO DETERMINE	The application site is owned by CBC and an objection has been received which cannot be overcome by conditions.

RECOMMENDED DECISION	Full Application - Granted
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Recommendation

That Planning Permission be approved subject to the following:

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

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

- 2 **No development shall commence unless and until a scheme setting out the details of the materials to be used for the external walls and roof has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.**

Reason: To protect the visual amenities of the building and of the area generally. (SBLPR BE8 & DSCB 43)

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

**Reason: To ensure a satisfactory standard of landscaping.
(Policy BE8, S.B.L.P.R & DSCB 43).**

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

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

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

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

- 6 **No development shall commence unless and until a temporary turning space for construction vehicles has been provided and maintained throughout the construction period in a position to be approved in writing by the Local Planning Authority.**

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

- 7 **No development shall commence unless and until a scheme for the parking of cycles on the site has been 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.

- 8 **No development shall commence, including any ground clearance or excavation, unless substantial protective fencing, the details of which shall first be approved in writing by the Local Planning Authority, has been erected in such a manner as to protect all trees and hedgerows to be retained as shown on plan 09023 wd2.01 rev B and the fencing shall be retained at full height and extent until the development is substantially completed. 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 BS 5837 of 2005 or as may be subsequently amended.
(Policy BE8 S.B.L.P.R & DSCB 43)**

- 9 **No development shall commence until details of mitigation measures to be undertaken to safeguard protected species and protection of the habitats during the proposed works have been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented to the satisfaction of the Local Planning Authority and in accordance with a timetable agreed in writing by the Local Planning Authority.**

Reason: To enable proper consideration of the impact of the development on the contribution of nature conservation interests to the amenity of the area.

- 10 In the event that works do not commence prior to April 2014 the development hereby permitted shall not commence until the reptile survey has been updated and submitted to and approved in writing by the Local Planning Authority as colonisation may have occurred during this time.

Reason: In order to ensure that there are no reptiles on site which would be affected by the development.

- 11 Demolition or construction works shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby residents.

- 12 No part of the hedgerow demarcating the north eastern boundary of the site is permitted to be removed, trimmed or lowered without the prior written agreement of the Local Planning Authority.

Reason: In order to retain the hedgerow for its screening and ecological benefits.

- 13 No external lighting shall be installed unless and until a scheme of lighting including details of the location, design, lux level and light spill of all lights has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented solely in accordance with the scheme.

Reason: To protect the amenity of neighbouring properties and/or highway safety. (Policy BE8, S.B.L.P.R & DSCB 43).

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 09023 lp.01, 09023 wd2.01 rev C, 09023 wd2.02, 09023 wd2.03, 09023 wd2.04, 09023 wd2.05 rev A, 09023 wd2.06 rev A, 09023 wd2.07A & 09023 wd2.08

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 development would not detrimentally impact upon the character and appearance of the area nor would there be any adverse impact on the amenities of neighbouring residents. The proposal would not result in any highway, parking or other issues. The scheme by reason of its siting and design is in conformity with the National Planning Policy Framework, South Bedfordshire Local Plan First Review policy BE8 and policies 43 & 44 of the emerging Development Strategy for Central Bedfordshire. It is further in conformity with the Central Bedfordshire Supplementary Technical Guidance "Design in Central Bedfordshire, A Guide for Development" and the Parking Strategy, Appendix F of the Central Bedfordshire Local Transport Plan.

Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework, the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The Council's ecologist supports the recommendations set out in the Reptile Survey and advises that any areas of rough grassland must be strimmed back short prior to the commencement of development and that this should be done in one direction away from the buildings on site in order to allow animals to escape. In addition if prior to or during demolition or construction works on the site any reptiles are discovered, all works must cease until the Council's ecologist or Natural England has been contacted and a way forward has been agreed.

[Notes:

1. In advance of consideration of the application the Committee were informed of updates contained within the late sheet which included:-
 - Highways development control – the development falls within Category C2 of for parking purposes. Whilst the road is unadopted it falls within the Lancot Lower School Site.
 - The Bedfordshire Highways has been requested to investigate making a TRO to enable the restrictions to be enforced. Currently the double yellow lines outside of the site are not subject to a Traffic Regulation Order.]

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Item No. 17

APPLICATION NUMBER	CB/12/04342/FULL
LOCATION	Land To The Rear Of 152 - 156, St Neots Road, Sandy
PROPOSAL	Erection of 4 No. semi-detached dwellings and formation of associated access.
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Aldis, Maudlin & Sheppard
CASE OFFICER	Samantha Boyd
DATE REGISTERED	14 December 2012
EXPIRY DATE	08 February 2013
APPLICANT	L & R Developments (Herts) Limited
AGENT	Medusa Design
REASON FOR COMMITTEE TO DETERMINE	Cllr Aldis requests application goes to DMC because of objections from Town Council and neighbours on the grounds of overdevelopment, parking concerns and loss of sunlight amenity to neighbours.
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be granted subject to the following:

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

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

- 2 **No development shall commence until details have been submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external walls and roof. The development shall be carried out in accordance with the approved scheme.**

Reason: To protect the visual amenities of the building and of the area generally.

- 3 **No development shall commence on site until details of the final ground and slab levels of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas.

- 4 **No development shall commence until details have been submitted to the Local Planning Authority and approved in writing indicating the positions, design, materials and type of boundary treatment to be erected within and on the edges of the site. The approved scheme shall be fully implemented in accordance with the approved details before the development is first occupied and thereafter retained.**

Reason: To safeguard the amenity of the adjacent occupiers.

- 5 **Development shall not begin until details of the junction of the proposed vehicular access with the highway have been approved the Local Planning Authority and no dwelling shall be occupied until the junction has been constructed in accordance with the approved details.**

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

- 6 Before each individual access is first brought into use, a triangular vision splay shall be provided on each side of the new access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the footway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it.

- 7 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicants control, be kept free of any obstruction.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it.

- 8 Before the dwellings are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 9 Notwithstanding any provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no further window or other opening(s) shall be formed on the first floor side elevations of Plot 1 and Plot 4.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 10 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification), no works shall be commenced for the extension of the dwellings, or the erection of any building or structure within their curtilage, until detailed plans and elevations have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 11 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1134/11/03, 1134/11/02 rev C, 1134/11/01 Rev D.

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 early engagement with the applicant at the pre-application stage 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 proposal would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its size, design and location, is in conformity with Policies CS2, CS14, DM3 and DM4 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework. It is further in conformity with Design in Central Bedfordshire, a Guide for Development, 2010 and the Planning Obligation Strategy 2008. .

Notes to Applicant

1. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BD quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

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, Technology House, 239 Ampthill Road, Bedford MK42 9BD.

[Notes:-

1. Prior to consideration of the application the Committee received a written submission from an objector who had been unable to attend the meeting due to the lateness in the day of the item being considered.
2. It was noted that a Universal Undertaking has been submitted and is approved by the Council's Legal Team.]

Item No. 18

APPLICATION NUMBER CB/12/04140/FULL
LOCATION 16 Ickwell Green, Ickwell, Biggleswade, SG18 9EE
PROPOSAL Single storey rear extension to garage
PARISH Northill
WARD Northill
WARD COUNCILLORS Cllr Mrs Turner
CASE OFFICER Mark Spragg
DATE REGISTERED 22 November 2012
EXPIRY DATE 17 January 2013
APPLICANT Mr Turner
AGENT Richard Beaty (Building Design) Ltd
REASON FOR COMMITTEE TO DETERMINE The applicant is the son of Cllr Turner.

RECOMMENDED DECISION Full Application - Granted

Recommendation

That Planning Permission be granted subject to the following conditions:

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

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

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

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

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 11.50.03, 11.50. OSmap.

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 garage extension would not have a negative impact on the character of the conservation area or setting of the listed building. There would be no adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety. Therefore by reason of its size, design and location, the proposal is in conformity with Policies CS14, CS15, DM3 and DM13 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework, 2012. It is further in conformity with the Supplementary Planning Document: Design in Central Bedfordshire: A Guide for Development, 2010.

Notes to Applicant

Item No. 19

APPLICATION NUMBER	CB/12/04247/FULL
LOCATION	49 Common Road, Stotfold, Hitchin, SG5 4DF
PROPOSAL	Two storey side extension and single storey front extension.
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Saunders & Saunders
CASE OFFICER	Nicola Stevens
DATE REGISTERED	10 December 2012
EXPIRY DATE	04 February 2013
APPLICANT	Mr Nergaard
AGENT	James Isaac
REASON FOR COMMITTEE TO DETERMINE	Council employee

RECOMMENDED DECISION	Full Application - Granted
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Recommendation

That Planning Permission be Approved subject to the following:

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

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

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

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

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

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

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [P01, P02, P03, P04A, P06].

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 proposal would not have a negative impact on the character or appearance of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, is in conformity with Policies CS14, DM4 and DM3 of the Core Strategy and Management Policies, November 2009; National Planning Policy Framework (March 2012). It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010 and Central Bedfordshire Local Transport Plan: Appendix F Parking Strategy (endorsed as interim technical guidance for Development Management purposes 2.10.12).

Notes to Applicant