

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 17 July 2013

### PRESENT

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

Cllrs	P N Aldis	Cllrs	K Janes
	A R Bastable		D Jones
	M C Blair		T Nicols
	D Bowater		I Shingler
	Mrs C F Chapman MBE		B J Spurr
	Mrs S Clark		J N Young

Apologies for Absence: Cllrs R D Berry  
A D Brown  
I Dalgarno  
Ms C Maudlin

Substitutes: Cllrs Mrs R B Gammons (In place of Cllr R D Berry)

Members in Attendance: Cllrs P A Duckett  
Mrs J G Lawrence  
D J Lawrence  
B Wells,

Officers in Attendance:	Mrs E Bradbury	Legal Executive
	Mrs M Clampitt	Committee Services Officer
	Mr A Davie	Head of Development Management
	Mr J Ellis	Planning Manager West
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Miss A Gammell	Senior Planning Officer
	Mr D Lamb	Planning Manager East
	Mr A Maciejewski	Definitive Map Officer
	Mrs H Pattinson	Senior Planning Officer
	Mr T Saunders	Assistant Director, Planning

### DM/13/52 **Chairman's Announcements**

The Chairman of the Committee advised that the Order of Business would be varied to consider item 13 - 1 St Johns Street, Biggleswade as close to 12noon as possible. As there were no speakers listed for Item 10 it would be moved to the afternoon session if necessary.

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

Subject to the 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 casting vote should there be equal number 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/13/53 **Minutes**

**RESOLVED**

**that the Minutes of the meeting of the Development Management Committee held on the 24 April 2013 be confirmed and signed by the Chairman as a correct record.**

DM/13/54 **Members' Interests**

(a) **Personal Interests:-**

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr I Shingler	6 & 7	Knows the agent	Present
Cllr S Clark	10	Visited the Company	Present
Cllr K C Matthews	10	Visited the company and facilitated speed check	Present
Cllr A R Bastable	10	Visited the Company	Present
Cllr C F Chapman MBE	8	Knows the applicant	Present
Cllr M C Blair	7	Knows the applicant	Present
Cllr M C Blair	14	Asked by applicant for assistance	Present

Cllr K C Matthews                      7                      Knows the agent                      Present

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

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr S Clark	7	Knows a speaker	Absent
Cllr S Clark	8	Knows the applicant	Absent

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

<b>Member</b>	<b>Item</b>	<b>Parish/Town Council</b>	<b>Vote Cast</b>
Cllr P N Aldis	12	Sandy Town Council	Did not vote
Cllr M C Blair	14	Clophill Parish Council	Did not vote

DM/13/55      **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/13/56      **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.

DM/13/57      **Planning Application No. CB/13/01785/VOC**

**RESOLVED**

**That Planning Application No. CB/13/01785/VOC relating to Hillside, 32 Sundon Road, Harlington, Dunstable be approved as set out in the schedule appended to these Minutes.**

**PRIOR TO CONSIDERATION OF ITEM 7 - COUNCILLOR S CLARK LEFT THE CHAMBER**

**DM/13/58 Planning Application No.CB/13/01384/FULL**

**RESOLVED**

**That Planning Application No. CB/13/01384/FULL relating to The Drovers, Flitwick Road, Steepingley, Bedford be approved as set out in the schedule appended to these Minutes.**

**DM/13/59 Planning Application No. CB/13/01437/FULL**

**RESOLVED**

**That Planning Application No. CB/13/01437/FULL relating to Lark Rise, Mount Pleasant, Aspley Guise, Milton Keynes be delegated to the Head of Development Management to approve, due to exceptional health circumstances . The imposition of conditions is delegated to the Head of Development Management.**

**PRIOR TO CONSIDERATION OF ITEM 9 - COUNCILLOR S CLARK RETURNED TO THE CHAMBER**

**DM/13/60 Planning Application No.CB/13/00728/OUT**

**RESOLVED**

**That Planning Application No. CB/13/00728/OUT relating to Land off Steepingley Road and Froghall Road, Flitwick be approved as set out in the schedule appended to these Minutes.**

**DM/13/61 Planning Application No. CB/13/01922/FULL**

**RESOLVED**

**That Planning Application No. CB/13/01922/VOC relating to 1 St Johns Street, Biggleswade be approved as set out in the schedule appended to these Minutes subject to the hours of work being controlled by condition or legal agreement which is delegated to the Head of Development Management to resolve.**

**DM/13/62 Planning Application No. CB/13/01879/FULL**

**RESOLVED**

**That Planning Application No. CB/13/01879/FULL relating to 27 Western Way, Sandy be approved as set out in the schedule appended to these Minutes.**

**DM/13/63 Planning Application No. CB/13/01693/FULL**

**RESOLVED**

**That Planning Application No. CB/13/01693/FULL relating to Global Robots Limited, Beancroft Road, Marston Moretaine, Bedford be approved as set out in the schedule appended to these Minutes.**

**DM/13/64 Planning Application No. CB/13/01825/FULL**

**This item was withdrawn prior to the meeting.**

**THE COMMITTEE ADJOURNED AT 12.30PM AND RECONVENED AT 1.30PM**

**DM/13/65 To determine an application to extinguish part of Clophill Footpath No A4**

The Committee considered a report which proposed that an application for the extinguishment of the section of Clophill Footpath No. A4 running northwards from Old Kiln Lane across the middle of two paddocks and an arable field should not be approved as the footpath is considered needed for public use.

The Senior Definitive Map Officer informed the Committee that three separate landowners Messrs Hemmings, Parrish and Jones had applied on 31 March 2012 to extinguish the section of Clophill Footpath No. A4 as it was not needed for public use. The Council has no record of the footpath ever being open or available for public use. However, it has been shown on the Definitive Map, which is the Council's legal record of public rights of way, since 1964.

The footpath is a dead-end path which terminates at a ditch; it has no connections with any other permanent rights of way. The footpath does connect with a permissive footpath created under Natural England's Environmental Stewardship Permissive Access Scheme. The permissive footpath, which expires on 31 October 2019, connects with Clophill Bridleway No. 9.

**RESOLVED**

**That the application to make a public path extinguishment order under Section 118 of the Highways Act 1980 on the grounds that Footpath A4 was not needed for public use, be approved.**

DM/13/66 **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 12 August 2013:**

**Chairman  
Vice-Chairman's substitute Cllr Bowater  
Cllrs: P N Aldis  
A Bastable  
M Blair**

(Note: The meeting commenced at 10.00 a.m. and concluded at 2.30 p.m.)

Chairman .....

Dated .....

**LATE SHEET****DEVELOPMENT MANAGEMENT COMMITTEE – 17 JULY 2013*****Item 6 (Page 13-28) – CB/13/01785/VOC – Hillside, 32 Sundon Road, Harlington, Dunstable.*****Additional Comments**

In respect of the concerns raised by the Parish Council about the impact of the semi-detached properties becoming detached on the levels of energy efficiency, it is relevant that all new homes would need to comply with the current building regulations sustainability requirements. As such the change to create two detached units 12 and 13 would not be material in this regard.

***Item 7 (Page 29-42) – CB/13/01384/FULL – The Drovers, Flitwick Road, Steppingley, Bedford.*****Revised proposed site layout plan submitted by applicant.**

The applicant has submitted on 12/07/2013 a revised site layout plan (12/072/210/B) which shows clearly that the upper terrace to the rear of the Pubic House/restaurant is to be removed and the land regraded - with only the lower terrace retained. This lower terrace is to be used as pub garden and this is annotated in green cross hatching on this plan. A 1.2m high fence is shown on the plan, to be erected along the rear boundary of this pub garden to clearly define its extent.

Cross sections through the lower terraced area (pub garden) have been submitted and these indicate that the pub garden area will be at one level across its width.

The existing access track along the west side is to be regraded and used only for servicing of the application site and the land to the rear.

The plan shows a hatched area along the side boundary of the site that is shared with the bungalow next door to the east and this is to be excluded from the pub garden area to safeguard the amenities of occupiers of this bungalow from overlooking and noise.

Plan 12/072/210/B is attached to this late sheet.

**Additional/Amended Conditions****Condition 2 to read:**

The beer garden use hereby permitted shall be restricted to the area cross hatched in green on plan number 12/072/210/B and shall not include the area hatched in black on plan number 12/072/210/B.

Reason: To safeguard the residential amenity of neighbouring occupiers and the character of the area.

**Condition 4 to read:**

The access track to the west of the beer garden as shown on plan number 12/072/210/B shall only be used for maintenance purposes and shall not be used as a vehicular access to provide additional parking or in association with uses ancillary to the restaurant, public house or beer garden.

Reason: To safeguard the residential amenity of neighbouring occupiers and the character of the area.

**Condition 10**

The beer garden as shown on plan number 12/072/210/B shall only be used for such purposes between the hours of 11am and 11.30pm on any day and no outside amplified music shall be installed or operated without the prior approval in writing of the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of nearby dwellings.

**Condition 11**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 12/072/101, 12/072/103/A, 12/072/104, 12/172/105, 12/072/100, 12/072/102, 12/072/1000 and 12/072/210/B.

Reason: For the avoidance of doubt.

***Item 8 (Page 43-50) – CB/13/01437/FULL – Lark Rise, Mount Pleasant, Aspley Guise, Milton Keynes.***

**Additional details received from applicant by e. mail dated 11/07/2013 regarding existing and proposed floor areas and proposed ridge height.**



<u>Existing:</u>	Ground floor of the main house	86.42m squared
	Side utility (to be demolished)	3.06m squared
	Conservatory	17.94m squared
	Porch	0.97m squared
	First floor main house	86.42m squared
	<u>Total</u>	<u>194.81m squared</u>

<u>Proposed:</u>	Main house basement	32.10m squared
	Ground floor (incl extension)	122.19m squared
	Conservatory	17.94m squared
	Porch	0.97m squared
	First floor main house (incl extension)	122.19m squared
	Roof main house	60.13m squared
	<u>Total</u>	<u>355.52m squared</u>

The roof area has been measured to the dwarf walls at 900mm high and 1500mm within bathroom.

Existing footprint (measured externally and including porch, conservatory and side utility) is 123.99m squared.

Proposed footprint (including porch and conservatory) is 159.29m squared.

The applicant has also stated in his e. mail dated 1/07/2013 that the ridge height is to be raised to a max of 1.5m not 1.7m as stated in the officers report to committee. This figure is accepted and not disputed.

A further e. mail has been received from the applicant dated 15/07/2013 and this confirms that planning permission has not been obtained for the wooden shed which is situated just inside of the front boundary hedge. He will apply for consent for this if required to do so. This structure is referred to in the Design and Access Statement.

### ***Item 9 (Page 51-84) – CB/13/00728/OUT – Land off Steppingley Road, Froghall Road, Flitwick.***

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

There are no additional consultation or publicity responses.

## Additional Comments

A few errors have been identified within the Committee Report. These are corrected as follows:

### The Application:

Para 4 - The proposed residential density would be 35 dwellings per hectare net. A range of housing types are proposed between 1 and 5 bedrooms with ~~30%~~ 35% affordable in a range of housing within small clusters across the site. The building form is envisaged to be 'traditional' and predominantly two-storey, with the creation of different character areas within the site. Single storey dwellings would be arranged around a 'farmyard' courtyard located to the rear of the two existing cottages which front Steppingley Road and are proposed to be retained.

### Consultations/Publicity responses

Network Rail	No objection in principle to the development, but outline a series of requirements which must be met, especially with the close proximity to the electrified railway. These include ensuring surface and foul water drainage discharging away from the railway, 'fail safe' measures to prevent construction works interfering with the operation of the railway, provision of trespass-proof fencing along the boundary, sufficient buffering between development and rail land and appropriate lighting to prevent disruption, and the requirement of soundproofing to properties. Additional trips under the railway bridge may increase potential for 'bridge strikes' so recommend consultation with Asset Protection Project Manager to ascertain whether bridge protection barriers may be needed. Recommend conditions relating to drainage, boundary fencing, provision of a method statement, soundproofing, lighting and landscaping for reasons of safety, operational needs and integrity of the railway. <del>Other matters can be dealt with by an informative.</del>
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## 4. Traffic, Access and Sustainable Transport

### Other Highway Issues

Para 2 - A contribution shall be paid through the S106 to upgrade Footpath 15 adjacent to the site. Within the site the Footpath 15 is located within a landscape corridor which will provide a green finger through the site.

### Sustainable Transport

Para 1 - The S106 Agreement has secured ~~in excess of £701,800~~ £586,800 towards Sustainable Transport measures. This includes contributions towards the cycle network, upgrade of Footpath 15, the A507 Crossing and Public Transport.

## 8. Planning Obligations

Impact on existing infrastructure and services is another key issue raised during the consultation of this application. Contributions can be secured to ensure that the additional impacts arising from the development can be mitigated in accordance with the statutory tests for Planning Obligations. Contributions cannot be used to remedy existing deficiencies of infrastructure and services in the area.

The applicants have agreed to provide the full financial contributions required under the Planning Obligations SPD (North). The total package to be secured via a Section 106 Agreement would include a contribution of around ~~£5.03~~ £5.06 million, provision of on site leisure, recreational and green infrastructure facilities, off site highway works (as detailed above) and the full 35% affordable housing provision (140 dwellings). The applicants propose a Tariff style payment arrangement on a per dwelling basis. Providing the statutory tests for Planning Obligations are met, this would allow the Council greater flexibility in deciding exactly how the contribution will be spent within the locality.

The breakdown of financial contributions is as follows:

Education	£2,335,665.00
Sustainable Transport	£586,800.00
Health Facilities	£480,000.00
Leisure, Recreational Open Space & Green Infrastructure	£1,249,200.00
Community Facilities & Infrastructure	£2,800.00
Community Cohesion	£7,600.00
Waste Management	£18,400.00
Emergency Services	£82,800.00
Public Realm and Community Safety	£88,360.00
Footpath 15	£85,000.00
A507 Crossing	£30,000.00
MUGA	£65,000.00
Highways Contribution	£33,375.41
<b>Total</b>	<b>£5,065,000.41</b>

The Leisure, Recreational Open Space and Green Infrastructure contribution will include contributions towards indoor and outdoor sports facilities as requested by Sport England. A contribution to provide an offsite MUGA is also included as part of the play provision for the site. It is anticipated that this will be provided on CBC land adjacent to the site.

The proposed affordable housing 'package' consists of 70% Shared Equity and 30% Affordable Rent tenure types. These would comprise a range of 1, 2, 3 and 4+ bedroom dwellings (including flats) pepper-potted across the site.

## Amended Condition

Condition 38 has been amended for clarity only.

The development hereby permitted shall not be carried out except in accordance with the Approved Plans drawings numbers: Location Plan 16627/1003 prepared by Woods Hardwick , 46381000/P/3250/001 Rev A prepared by URS, 4638100/P/3250/005 Rev A prepared by URS, 4638100/P/3250/006 Rev A prepared by URS and 46381000/P/3250/007 Rev A prepared by URS.

Reason: For the avoidance of doubt.

***Item 10 (Page 85-102) – CB/13/01693/FULL – Global Robots Limited, Beancroft Road, Marston Moretaine, Bedford.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

***Item 11 (Page 103-108) – CB/13/01825/FULL – Crooked Oak, Bridle Way, Toddington.***

This application has been Withdrawn.

***Item 12 (Page 109-118) – CB/13/01879/FULL – 27 Western Way, Sandy.***

**Additional Consultation/Publicity Responses**

Comments from Sandy Town Council – objects to the proposed development on the grounds that the neighbouring properties at 25 and 23 Western Way may suffer a loss of amenity to their properties in terms of loss of light and overshadowing.

One letter received in support of the proposal from No. 29 Western Way.

Email received from 25 Western Way dated 28 June 2013:

*I wish to bring to your attention what I consider to be a lack of due diligence in the processing of the above application by your Planning Office.*

*A decision to permit development appears to have been made by your Planning Officer based on incomplete and incorrect data:-*

*The site plan which is crucial to understanding the relative position of the proposed development to the rear of my property is incorrect and was known by all concerned parties to be inaccurate one year before the current application was submitted;*

*The conclusion expressed by the Planning Officer to Lindsey Gilpin, a Member of the Royal Town Planning Institute, acting on my behalf, that the only room in my property to be adversely affected is one bedroom is incorrect, in fact the entire rear of my property is affected including bedroom, bathroom, kitchen, conservatory, patio and garden.*

*No further site visit has been made by the Planning Officer since 2012;*

*I am advised by Councillor Nigel Aldis that the Applicant sought advice from the Planning Officer prior to submitting this application but the advice given that a reduction of one metre in width may be acceptable is applicable to development where houses are side by side and is not relevant in this instance;*

*There is a failure to comply with Bedfordshire Best Practice guidelines that require consideration to be given to any negative impact on the neighbouring environment. In this case the negative impact through the loss of my amenity and that of subsequent owners can be quantifiable by a reduction in the value of my property of approximately £10,000 while the Applicant will benefit by an increase in the value of his property by approximately the same amount. A wholly inequitable situation that results from failure to consider the wider environmental impact.*

*All the above points are set out in detail in my Architect's letter to the Planning Officer dated 24 June 2013 to which we have not as yet received a reply. In fact the only communication I have received from the planning officer is an out of office email to my original objection.*

*Failure to show a duty of care by a professional council employee is obviously a serious breach of their responsibility to provide open and honest governance and a lack of compliance with governing rules, regulations and codes of practice that results in a planning recommendation which is hugely detrimental to an innocent party cannot pass any legal test of reasonableness.*

*I am honestly stunned that the Planning Department can consider that the erection of a two storey solid brick gable wall in such close proximity to the back of my house can have minimal impact on my environment. My contention is that if due diligence had been exercised and compliance requirements had been met then this proposed development would not be permitted. Despite my strong feelings that the application should be rejected, my Architects advised a reasonable compromise and last week Lindsey Gilpin advised the Planning Officer that I would withdraw my objection if the*

*rear and side wall of the proposed extension was moved 1.3 metres within the existing building thus reducing the impact of the first storey extension and still providing my neighbour with an extra room and shower room of adequate size. This was rejected out of hand by the planning officer, a position that you may now want to reconsider.*

*I understand that the application is due to be determined by the Council's Development Management Committee and that I will be invited to make my views known.*

Further email from No. 25 requesting copies of objection letter from Arnold Gilpin dated 27/06/13, email dated 28 June to Richard Carr and re-sent on 05/07/13 to be circulated to Members prior to the committee meeting.

Email dated 05/07/13:

*Dear Mrs Boyd*

*Thank you for your email below. Unfortunately, this has increased my concerns and still does not address the issues raised previously.*

*Please advise if the letter sent to you by my Architect, Arnold Gilpin, Dipl.Arch. RIBA, dated 24/06/2013, and my email to Richard Carr, Chief Executive, dated 28/06/2013 and re-submitted 05/07/2013 will be distributed to the Committee by your office prior to the Committee Meeting. Or do I need to submit one set, or one set per Committee Member?*

Letter from Arnold Gilpin Architect is attached to the Late Sheet as it includes an A3 plan.

Email dated 12/07/13 received from Applicants Architect Richard Beaty in response to Mr Arnold Gilpin's letter:

*Thank you for the copy of Arnold Gilpin's letter submitted to the council. I wish to make the following comments on its contents.*

*To avoid repetition I will not go through the letter point by point but cover the general issues that Mr Gilpin has raised.*

**1. Accuracy of drawings.**

*He is correct in his assumption that the block plan is based on the Ordnance Survey plan. To carry out an accurate survey of the relationship of the two properties it would be necessary to have been taken the measurements predominately in the garden of No25. I assume that Mr Gilpin has now carried this out and produced the drawing attached to his letter Rj23 Ao(0)01. I have revisited the site and as far as can be established from your garden I would concur with the facts as represented by the drawing however due to copying and scanning it is not possible to take scaled dimensions. In reference to the inaccuracies, point 1 of the letter states that ' Any*

decision based on this may be exposed to later challenge.' On examination of the original block plan and Mr Gilpin's drawings the discrepancies are relatively minor. There is a very slight difference in the orientation of the two buildings of around 250mm and the distance between the proposed extension and the bedroom window of No 25 is 7.5m ( see point 4 of Mr Gilpin's letter ) rather than the 7.35m on the submitted block plan. I don't believe that either of these could be seen as giving a false representation of the facts on the ground. Mr Gilpin's plan does refer to two bedroom windows facing towards No 27. There is only one the other being a bathroom.

## **2. Orientation of the Dwellings**

Mr Gilpin identifies the orientation of the two properties as the main issue and draws attention to the small rear garden of No25. In most dwellings the rear garden is an important amenity space. No25 is located on an almost 90 degree bend in Western Way and has the characteristics of a corner plot with the large side garden to the east providing the amenity space. The occupants of No25, over the years, have acknowledged this by constructing an extension on the small rear garden closed to No27 and constructing a conservatory and patio area opening on to the side garden. This fact is recognised in point 11 of Mr Gilpin's letter. As No27 is to the north of No25 I do not believe there will be any effect on the main amenity space of No25.

## **3. Daylight and Sunlight**

This issue is raised in points 6 and 7 of the letter. The BRE publication ' Site layout for daylight and sunlight, a guide to good practice' sets out various tests that have been approved by the Department of the Environment and are widely used by Local Authorities in considering development proposals. The proposed extension passes the simple 'rule of thumb' test. In respect of the other tests the two test tests relating to direct sunlight are not relevant as the proposed extension is to the north of the affected window of No27. The test relating to daylight says that the diffuse daylighting to a window will be adversely affected if after a development the Sky component is both less than 27% and less than 0.8 times its former value. As the proposed extension is directly in front of the original gable of No27 its is very unlikely that it will result in a significant reduction in the Sky component.

I hope that clarifies some of the issues raised in Mr Gilpin's letter. If you have any further queries please do not hesitate to contact me.

Letter from the applicant in response to Mr Gilpin's letter dated 11 July 2013:

Dear Members

### **No 27 Western Way, Sandy, Beds Proposed Extension Planning Ref CB/13/01879/FULL**

We are unable to attend the meeting due to be held on Wednesday 17<sup>th</sup> July due to work and family commitments, but hope you are able to take the time to read this letter in place of us speaking at the meeting.

In the spring 2012 we decided to look into the possibility of extending our property. We contacted the Planning Department and Samantha Boyd came and gave advice

*and thought that a first floor extension over the garage was feasible but advised us to consult with our neighbour. My husband visited our neighbour Ms Joan Fisher to ask her views on our potential planning application and after voicing some concerns regarding the resale of her property she agreed it would not be a problem. If at this stage she had raised specific objections we would have given it further consideration as to whether we would embark on this project.*

*Our application was withdrawn last year following objections from Ms Fisher. Our agent then drew up a revised plan moving the extension back one metre away from the boundary. We had been advised by the planning authority that this would probably be satisfactory to Ms Fisher. We then submitted this application.*

*When our application was passed to Sandy Town Council for consideration we became aware that Ms Fisher had commissioned an architect to comment on our application and this had been submitted to the council. As we had not been made aware of this report its contents were allowed to go unchallenged. Surely we should have been consulted on it beforehand. I attach an email from our agent that deals with the issues raised in this report.*

*More seriously we believe that Cllr Nigel Aldis should declare an interest in matters relating to our planning application. There have been a series of disputes between Sandy Football Club and Cllr Aldis regarding Cllr Aldis's conduct and as he is well aware I am the Secretary of Sandy Football Club.*

*Lastly I wish to make a general point that although I have tried to do everything in the correct way by contacting the planning authority from the outset and following their advice, my neighbour has opposed my applications with the support of my elected representative. Consequently I feel that I have been totally excluded from the democratic process.*

### **Additional Comments**

Planning Officer's response to No. 25's email. Response dated 04/07/13:

*Further to your email below and previous email dated 28 June 2013, I would comment as follows –*

*The block plan submitted with the application is correct in that it accurately shows the application site and the proposal. I am aware that your conservatory and garden shed are not shown on the plans, however the architect does not have the authority to enter your property in order to survey your garden and it's buildings. Ordnance Survey do not update their records regularly which is why Planning Officers undertake site visits so that we can check the submitted plans with what is actually on the ground while also assessing the impacts of any proposals.*

*From my site visit to 27 Western Way on 11 June this year, it was clear to me that there had been no change in the situation at your property since my last visit in June 2012. At the time of the last application I also visited your property and took photographs from your bedroom window facing No. 27 and the garden areas. These*



*are still on my files and will be included in the presentation to Development Management Committee.*

*In my conversation with Lindsay Gilpin, I mentioned that I felt the main impact from the proposed extension was to your bedroom window. This is because, in planning terms, bathroom and kitchen windows are not considered to be primary accommodation rooms therefore any impact on such windows would need to be severe. I also feel that the impact on your garden area is somewhat reduced given that your property is to the south of the extension (therefore sunlight is not reduced) and you have a ground floor flat roof extension and garden shed between your property and the flank wall of the proposed extension.*

*As you are aware the application is recommended for approval based on my judgement as a planning officer taking into account the existing situation at the site and the orientation of the houses and gardens. My reasons for the recommendation are fully explained in the Committee Report. A committee site visit has been requested therefore Members will be able to view the site for themselves prior discussing the application at committee. This is normally undertaken on the Monday before the meeting however the date has not yet been confirmed. Please be aware that a visit from Members to your property will be at the discretion of the Chairman.*

*The reduction in size of the extension was suggested by Lindsay Gilpin during our phone conversation, however as we would be recommending approval, I did not feel it necessary to request such revisions from the applicant. Should the application be refused, the applicant may need to reconsider their plans and this would be an option for them to consider.*

*Should you have any further queries please do not hesitate to contact me.*

*Kind regards  
Samantha Boyd  
Senior Planning Officer, MSc MRTPI  
Development Management*

#### **Additional/Amended Conditions**

No amendments.

***Item 13 (Page 119-128) – CB/13/01922/FULL – 1 St Johns Street, Biggleswade.***

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

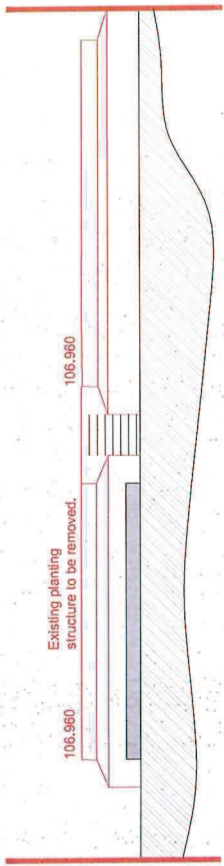
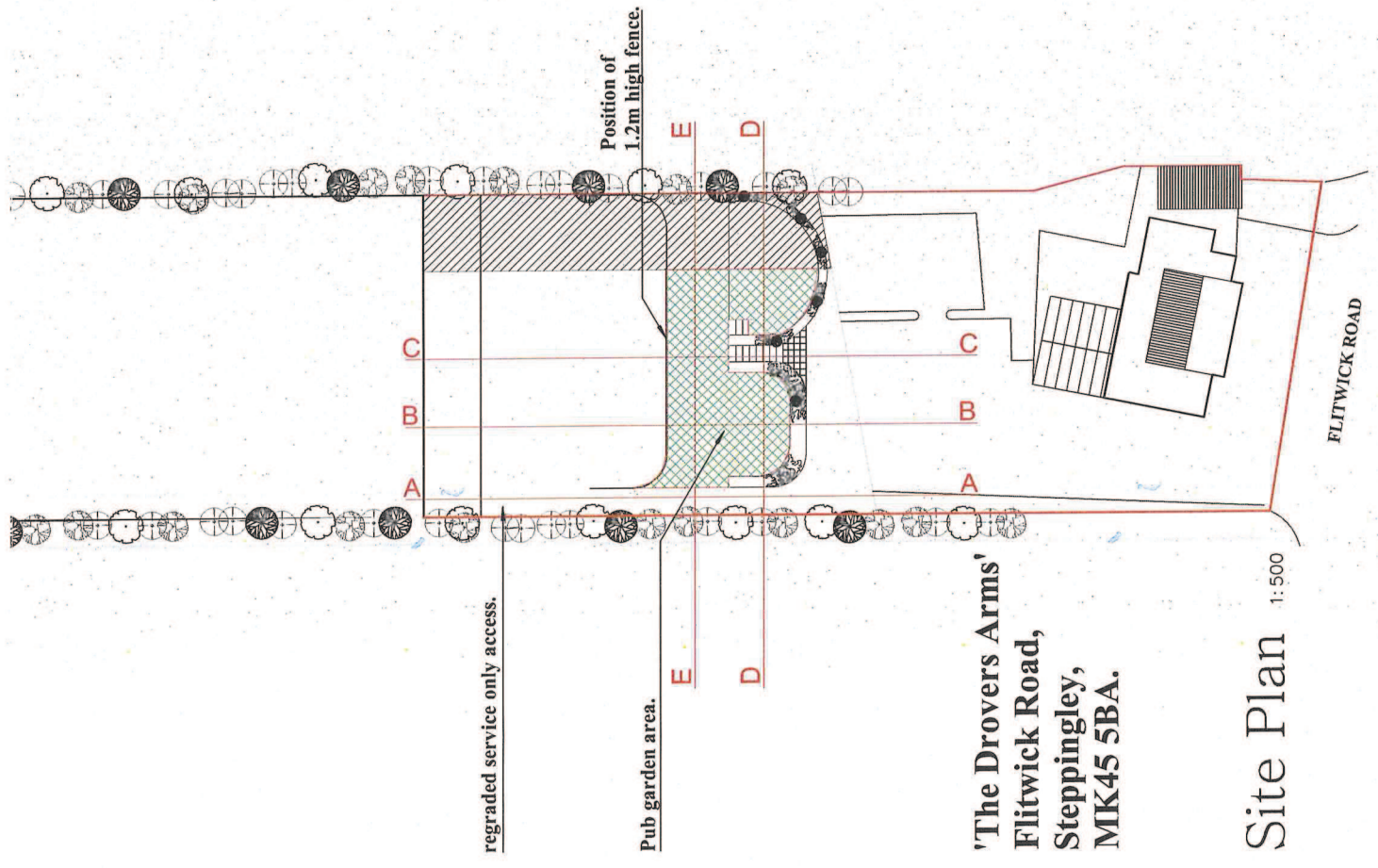
None.

**Additional Comments**

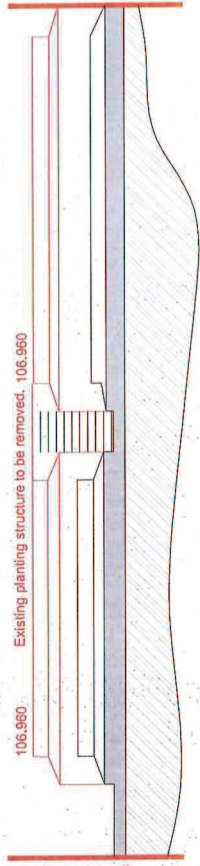
None.

**Additional/Amended Conditions**

None.



Section E to be removed.




Section D to be retained.

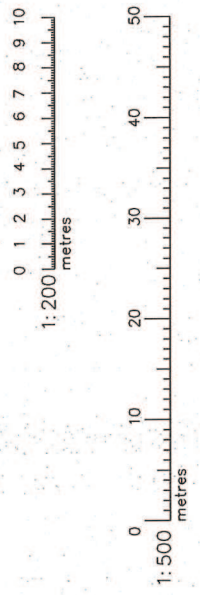
Sections 1:200

09/13/01384

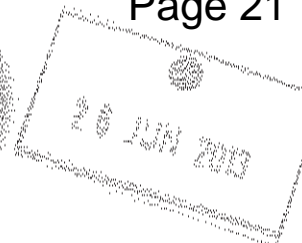
All measurements and dimensions should be verified before construction. All drawings remain Copyright ©Aragon Land and Planning Ltd.

REMOVED  
FIRE CORN

Title	Proposed Site Plan
Site	'The Drovers Arms', Flitwick, Steppingley.
Date	July 2013
Scale	1:200 and 1:500 @ A3
Dwg No.	12-072-210 B
 t: 01234 360655 f: 01234 343453 e: francis@aragond.co.uk w: www.aragond.co.uk LAND AND PLANNING Ltd	



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Development Management  
 Priory House, Monks Walk  
 Chicksands, Shefford,  
 Bedfordshire  
 SG17 5TQ  
 Attn: Samantha Boyd

24/06/2013

Ref :Zj23  
 Your Ref: CB/13/01879/FULL

Dear Sirs,

**First Floor Side Extension at 27 Western Way, Sandy.**

We have been asked by ~~Mrs [redacted]~~, the owner of 25 Western Way, to look at this proposed extension from the point of view of her neighbouring property.

1. Firstly I must point out that the block plan submitted with this application is incorrect – possibly reliant on an inaccurate ordnance survey plan. The block plan submitted misrepresents the true effect on the light and outlook enjoyed from the windows to the bedrooms, kitchen and the conservatory of No 25. Any decision based on this may be exposed to later challenge.
2. We attach drawing Rj23 Ao(0)01 which more accurately shows the relative positions of the two houses and on the south elevation outlines the position of the windows to No 25 relative to its neighbour.
3. The main issue with the proposed extension to No 27 is the orientation of the houses. Were the houses to be in the more normal 'row' formation along the road this side extension would only affect the side of No 25, which would typically only have windows to circulation space and bathrooms along it, without posing a large problem.

**Arnold Gilpin Associates Ltd**

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 Sandy SG19 1AX  
 Telephone 07545 956900  
 Email architect@a-g-a.co.uk  
 www.a-g-a.co.uk



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 No. 4989866  
 Registered office  
 8th floor Tolworth Tower  
 Surbiton KT6 7EL

4. No 27 however is at right angles to No 25 which means that the proposed extension is the equivalent of building a 6.5 metre high brick wall only 7.5 metres from kitchen and bedroom windows.
5. As the Council will be aware, this orientation means that any normal policy of allowing first floor side extensions provided they are set back a metre to avoid a terracing effect, in these circumstances is irrelevant.
6. The size of the plots in this estate should also be noted. Most houses have a large garden to the rear which provide all the light and outlook required. This house has only 6.4m between the principal rear windows and the back wall and only 3.25 metres from the conservatory. Any diminution in outlook and daylight will have a profound effect on the amenity that the occupants of No 25 currently enjoy.
7. I assume that, in this unusual case, there has been submitted calculations performed under Building Research Establishment (BRE) publication "Site Layout for Daylight and Sunlight, a guide to good practice". I would be glad to have sight of this.
8. We have judged the proposal against the "Design in Central Bedfordshire. A Guide for Development. Design Supplement 4. Residential Alterations and Extensions".

#### "4.01

*Proposals to alter or extend your home must have regard and respond positively to the host building, neighbouring properties and the wider context.*

#### 4.04

*Alterations and extensions should work with the host buildings form, scale, massing and detailed design to produce a harmonious and respectful addition."*

9. Looking at the relevant proposals and the above design guide, although the extension may be of huge advantage to No 27, whether it should be given planning permission is acknowledged to depend on the effect on the neighbouring properties.

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URBAN  
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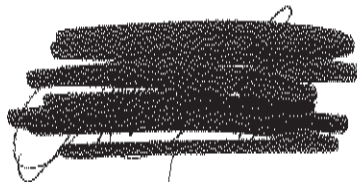
ACA ASSOCIATION OF  
 CONSULTING ARCHITECTS

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 8th floor Talworth Tower  
 Surbiton KT6 7EL



10. We would submit that this proposed first floor side extension is very detrimental to the amenities of the occupiers of No 25 in terms of its height and size, being so close to the rear wall of 25 and adversely affecting outlook and daylight.
11. There is also now a window proposed to the front bedroom which is some 3 metres nearer to the sitting out area of our client's garden than the present window of No 27, giving a much greater impression of overlooking.
12. I am aware that our client, out of consideration for her neighbour, has given thought as to how this design could be altered to ameliorate the impact on her property.
13. I would however look to you, as professional planners and Councillors, to balance the increase in amenity that this extension will deliver to No 27 with the harm to their neighbour at No 25 both current and future occupants, and ensure that as the proposal does not 'respond positively to the ... neighbouring properties' it is refused.

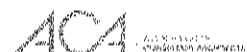
Yours faithfully



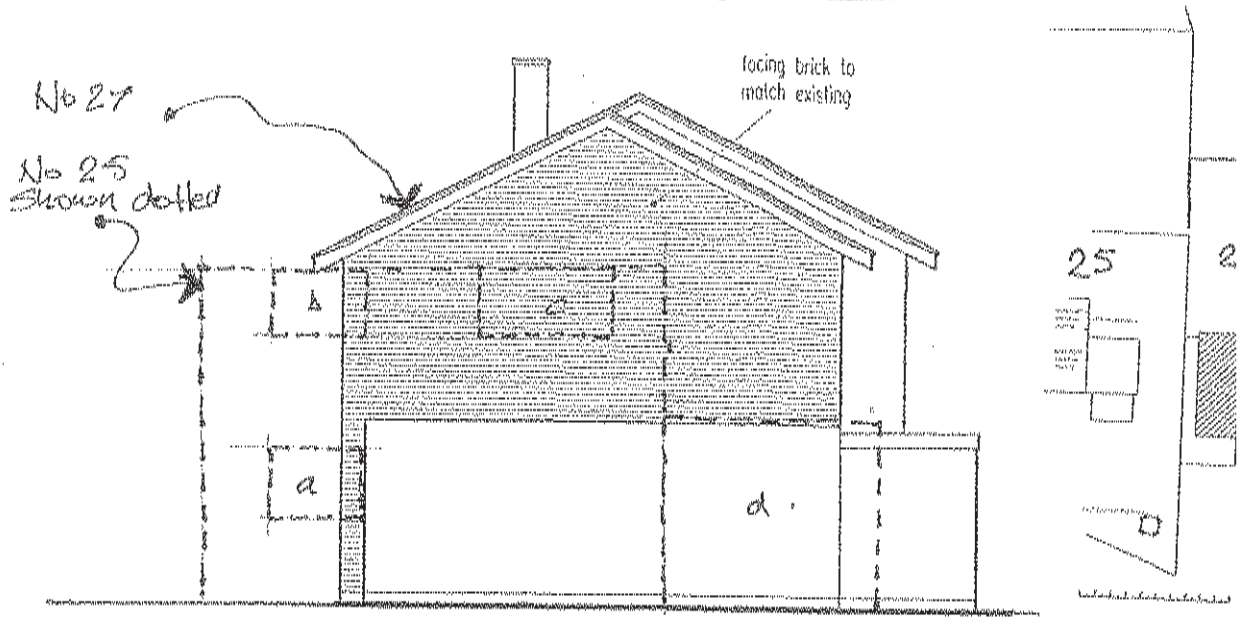
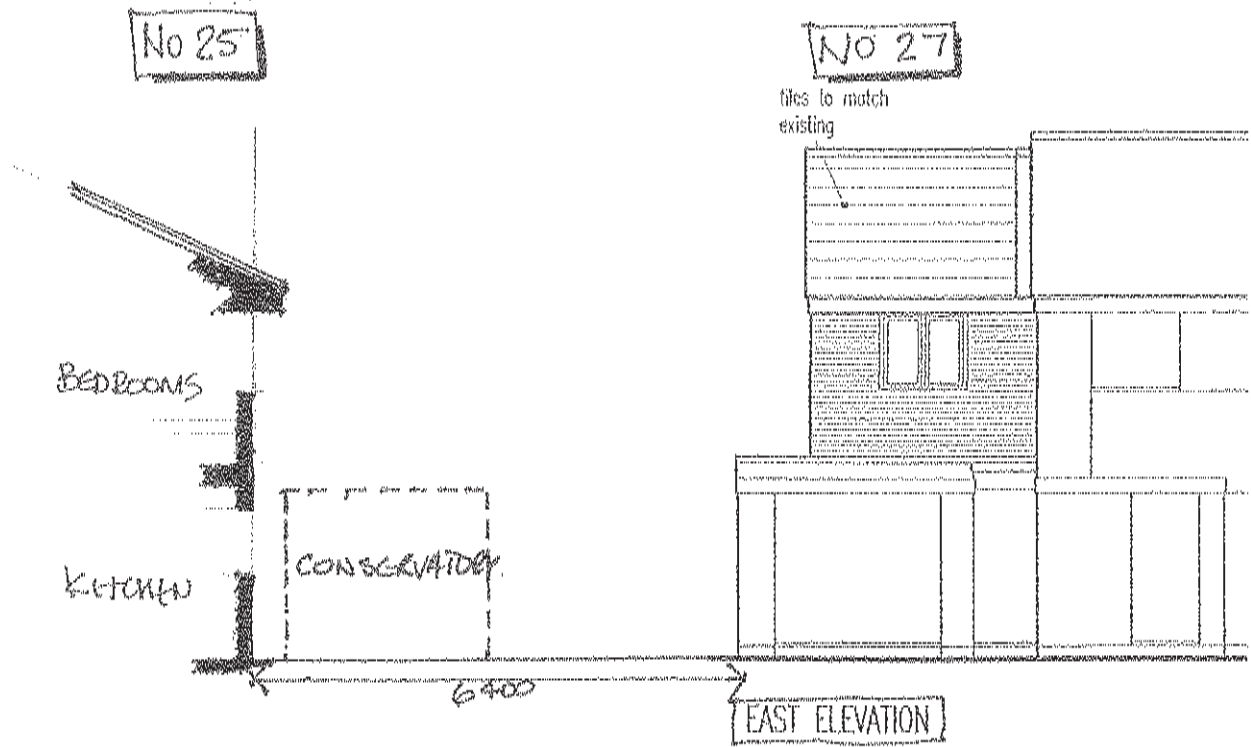
Arnold Gilpin Dipl.Arch. RIBA

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- a kitchen window
- b bedroom window
- c bedroom window
- d conservatory windows

SOUTH ELEVATION

ELEVATIONS 1:100

WESTER

BLOCK



<b>Item No. 6</b>
-------------------

<b>APPLICATION NUMBER</b>	<b>CB/13/01785/VOC</b>
<b>LOCATION</b>	<b>Hillside, 32 Sundon Road, Harlington, Dunstable, LU5 6LS</b>
<b>PROPOSAL</b>	<b>Variation of condition: Variation of condition 25 (approved plans) to allow rear wc additions to units 10 and 11, and 0.76m separation between units 12 and 13. Variation to planning permission CB/11/3832/FULL (Demolition of 2 dwellings and re development of site for 2 No. one bed dwellings, 4 No. two bed dwellings, 4 No. three bed dwellings, 2 No, four bed dwellings, and one No. 5 bed dwelling).</b>
<b>PARISH</b>	<b>Harlington</b>
<b>WARD</b>	<b>Toddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Costin &amp; Nicols</b>
<b>CASE OFFICER</b>	<b>Mark Spragg</b>
<b>DATE REGISTERED</b>	<b>22 May 2013</b>
<b>EXPIRY DATE</b>	<b>21 August 2013</b>
<b>APPLICANT</b>	<b>Hearne Holmes Developments</b>
<b>AGENT</b>	<b>Triad Planning &amp; Design Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>This is a major application subject to an unresolved Parish Council objection.</b>
<b>RECOMMENDED DECISION</b>	<b>Grant subject to conditions and a s106 agreement</b>

**Reason the application is recommended for approval:**

The proposal is in conformity with the National Planning Policy Framework and policies CS1, CS2, CS3, CS5, CS7, CS14, CS15, DM2, DM3, DM4, DM10, DM13, and DM15 of the Development Management Policies of the Core Strategy Adopted 2009, as it preserves the character and appearance of the surrounding Conservation Area. The proposal would also have no unacceptable impact on the amenities of neighbours, highway safety, on any heritage, tree or ecological assets, subject to appropriate conditions.

It is also in accordance with the Adopted Supplementary Planning Document, 'Design in Central Bedfordshire', 2010 and the Planning Obligations Strategy, Adopted 2008.

**Recommendation**

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

**RECOMMENDED CONDITIONS**

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

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

- 2 **Development shall not commence until details of the materials to be used for the external windows, doors, walls, roofs and rainwater goods of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.**

Reason: To ensure that the development is in keeping with the character of the surrounding Conservation Area.

- 3 **No development shall commence until detailed drawings of all proposed new doors & windows to a scale of 1:20, together with a detailed specification of the materials, construction & finishes, have been submitted to & approved in writing by the Local Planning Authority.**

Reason: To ensure that the new development is sympathetic to the character & appearance of historic buildings within the Conservation Area and the setting of listed buildings.

- 4 **No development shall commence until details of surface water drainage for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed in accordance with the approved plans before any part of the development is brought into use.**

Reason: To ensure that adequate surface water drainage is provided to prevent water pollution and flooding.

- 5 **No development shall commence until all preliminary works, ground protection and protective fencing has been implemented in strict accordance with the Method Statement and Tree Protection Plan, as shown on the drawing "Tree Removal and Protection Plan" (Drawing No. 11-734-P-15 submitted as part of planning permission CB/11/3832/FULL).**

Reason: To safeguard the integrity of the rooting medium, rooting system and existing canopy spread of retained trees and hedges, in the interests of maintaining the respective Root Protection Areas, good health and natural appearance of retained trees and hedging, thereby maintaining visual amenity and effective boundary screening.

- 6 Consent is being granted in recognition that no underground services are scheduled to be routed through the Root Protection Areas of retained trees and hedging. If any services are subsequently required to be routed through those areas protected under the Tree Protection Plan, then this work shall be carried out in full accordance with the National Joint Utilities Group (NJUG) Volume 4 "Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees"

Reason: To safeguard the integrity of the rooting medium and root system of trees and hedges in the interests of maintaining tree health, visual amenity and effective boundary screening.

- 7 **No development shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning, showing the species, sizes, position and planting specification of new trees, shrubs, climbers and hedging, to be planted during the planting season following completion of development. During each subsequent August for the first five years following initial planting, any losses of plants shall be checked and recorded and losses shall be replaced using the same species, planting size and planting specification in the following growing season (a growing season shall be deemed to be between 1st November to 31st March).**

Reason: To ensure a satisfactory establishment of landscape planting in order to enhance visual amenity and to integrate the development into the urban landscape.

- 8 **No development shall commence until details of the junctions between the proposed access roads and the highway have been approved by the Local Planning Authority and no dwelling shall be occupied until the junction which provides a means of access to it has been constructed in accordance with the approved details.**

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

- 9 **No development shall commence until detailed 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 shall be occupied until the section of road which provides access has been constructed apart from final surfacing in accordance with the approved details.**

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

- 10 **No development shall commence until details of a scheme showing the relocated position of the street furniture and electricity pole has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the street furniture and electricity pole have been relocated in accordance with the approved details.**

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

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

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

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

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

- 13 The turning spaces for vehicles illustrated on the Drawing No 11-734-P-01 Rev F submitted with approval CB/11/3832/FULL) shall be constructed before the development is first brought into use.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

- 14 **No development shall commence until a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.**

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

- 15 **No development shall commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

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

- 16 **No development shall commence until details of the final ground and slab levels of the dwellings hereby approved are submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local**

**Planning Authority. 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.**

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

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

- 18 **No development shall commence until details of all boundary walls and fencing have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained.**

**Reason: To safeguard the amenity of the area and ensure privacy between dwellings.**

- 19 Tree felling and scrub clearance of the site should avoid the bird nesting season between March and August inclusive and consideration should be given during site clearance to the presence of hedgehogs.

Reason: To ensure the protection of wildlife interests within the site.

- 20 The first floor west elevation windows of plot 5 and the first floor east and west elevation windows of plot 3 shall be fitted with obscured glass of a type to substantially restrict vision at all times, and thereafter retained as such. No first floor windows or other openings shall be formed in those elevations or in the first floor north elevation of plot 4 unless approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of existing and future properties.

- 21 **No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme.**

**Reason: To record and advance understanding of the archaeological resource which will be unavoidably destroyed as a consequence of the development. This is in line with policy 46 of the Draft Development Strategy for Central Bedfordshire.**

- 22 **No development shall commence until 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.**

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

Reason: In the interest of amenity.

- 24 The development hereby permitted shall not be carried out except in complete accordance with the plans previously approved as part of planning permission CB/11/3832/FULL as varied by the submitted plan numbers 13-795-P01A, P02B, P03B.

Reason: For the avoidance of doubt.

### **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.
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, Technology House, 239 Ampthill Road, Bedford MK42 9BD.
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 Highways Development Control Section, 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.

4. The applicant is advised that in order to comply with Conditions 1 and 5 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 Highways Development Control Section, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
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 Highways Development Control Section, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
6. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide for Development" and the Department for Transport's "Manual for Streets", or any amendment thereto
7. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Guidance – July 2010".
8. In order to encourage biodiversity on the site native trees and shrubs should be included as part of any landscaping and bird and bat boxes and ladybird/lacewing boxes, should be provided as recommended in the Design and Access Statement.
9. Prior to removal of any fruit trees from the site the developer is requested to contact the Council's Ecologist Liz Anderson on 0300 300 4869 so that arrangements can be made with the Beds Community Tree Trust to take cuttings, as it is possible that the trees could be examples of old Bedfordshire varieties.
10. 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.

11. The applicant is requested to have it written into the sale of contract that bins must be stored to the rear of each property when not placed out on day of collection.

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

Planning permission has been recommended for approval 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.

[Notes:

1. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
2. In advance of consideration of the application the Committee were referred to the Late Sheet which contained the additional comment: In respect of the concerns raised by the Parish Council about the impact of the semi-detached properties becoming detached on the levels of energy efficiency, it is relevant that all new homes would need to comply with the current building regulations sustainability requirements. As such the change to create two detached units 12 and 13 would not be material in this regard.]



<b>Item No. 7</b>
-------------------

<b>APPLICATION NUMBER</b>	<b>CB/13/01384/FULL</b>
<b>LOCATION</b>	<b>The Drovers, Flitwick Road, Steppingley, Bedford, MK45 5BA</b>
<b>PROPOSAL</b>	<b>Part removal and Part retention of terraced area and sleepers.</b>
<b>PARISH</b>	<b>Steppingley</b>
<b>WARD</b>	<b>Flitwick</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Chapman, Gomm &amp; Turner</b>
<b>CASE OFFICER</b>	<b>Sarah Fortune</b>
<b>DATE REGISTERED</b>	<b>18 April 2013</b>
<b>EXPIRY DATE</b>	<b>13 June 2013</b>
<b>APPLICANT</b>	<b>Mr S Miah</b>
<b>AGENT</b>	<b>Aragon Land and Planning UK LLP</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Councillor call in by Councillor F Chapman for the following reason: Local Concerns regarding the use of the land.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**Recommended Reasons for Granting:**

The re-grading and re-landscaping of the land subject to planning conditions to mitigate the impact of the use on neighbours, the landscape and the Green Belt is considered to be in conformity with the National Planning Policy Framework (2012), Development Management Policies DM3, DM14, CS11, CS14 & CS16 and Policies 43, 36, 58 & 59 of the emerging Development Strategy for Central Bedfordshire.

**Recommendation**

That Planning Permission be granted subject to the following:

**RECOMMENDED CONDITIONS / REASONS**

- 1 The development hereby approved shall be commenced within three months 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 The beer garden use hereby permitted shall be restricted to the area cross hatched in green on plan number 12/072/012/B and shall not include the area hatched in black on plan number 12/072/210/B.

Reason: To safeguard the residential amenity of neighbouring occupiers and the character of the area.

- 3 Before the beer garden is first brought into use a scheme of fencing and tree planting to demarcate and screen the rear and side boundary of the beer garden shall be implemented, the scheme having first been approved in writing by the Local Planning Authority.

Reason: To safeguard the residential amenity of neighbouring occupiers and the character of the area.

- 4 The access track to the west of the beer garden as shown on plan number 12/072/210/B shall only be used for maintenance purposes and shall not be used as a vehicular access to provide additional car parking or in association with uses ancillary to the restaurant, public house or beer garden.

Reason: To safeguard the residential amenity of neighbouring occupiers and the character of the area.

- 5 Notwithstanding Class B of Part 4 ('Temporary Buildings and Uses') of the Town and Country Planning (General Permitted Development ) Order 1995 or any subsequent order no marquees, tents or other temporary structures shall be erected on the application site or the land to the rear indicated in blue on plan number 12/072/1000. No part of the beer garden or land indicated in blue on plan number 12/072/1000 shall be used for car parking.

Reason: To safeguard the residential amenities of occupiers of the neighbouring properties.

- 6 Before the beer garden is first brought into use, the finished ground levels of the beer garden and full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a tree planting scheme
- finished ground levels in relation to adjoining land
- proposed and existing functional services above and below ground level.
- planting plans, including a schedule of size, species, positions, density and times of planting.
- cultivation details including operations required to establish new planting
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during the development works

The development shall be carried out in accordance with the approved details before the use of the beer garden commences.

Reason: To safeguard the residential amenity of neighbouring occupiers and the character of the area.

- 7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the commencement of the use or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next

planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 8 On site provision for the parking of construction workers vehicles and delivery vehicles shall be made available throughout the entire period of the regrading works.

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

- 9 No lighting shall be provided to the area of land to the rear of the car park or to the beer garden without the prior approval in writing of the Local Planning Authority.

Reason: To safeguard the visual amenities of the site and its surroundings.

- 10 The beer garden as shown on plan number 12/072/210/B shall only be used for such purposes between the hours of 11am and 11.30pm on any day and no outside amplified music shall be installed or operated without the prior approval in writing of the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of nearby dwellings.

- 11 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 12/072/101, 12/072/103/A, 12/072/104, 12/072/105, 12/072/100 12/072/102, 12/072/1000 and 12/072/210/B.

Reason: For the avoidance of doubt.

### Notes to Applicant

1. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
2. 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](http://www.cae.org.uk))  
Central Bedfordshire Access Group ([www.centralbedsaccessgroup.co.uk](http://www.centralbedsaccessgroup.co.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 positive engagement with the applicant at the pre-application stage and 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.

[Notes:

1. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised that the applicant had submitted a revised site layout plan (12/072/210/B) on 12 July 2013.
3. The Late Sheet included revised conditions 2, 4, 10 and 11 amended as above.]

<b>Item No. 8</b>
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<b>APPLICATION NUMBER</b>	<b>CB/13/01437/FULL</b>
<b>LOCATION</b>	<b>Lark Rise, Mount Pleasant, Aspley Guise, Milton Keynes, MK17 8JW</b>
<b>PROPOSAL</b>	<b>Proposed side extension and replacement main roof structure. Including a new lower ground floor level within the extension and living accommodation within the new roof space and solar panels to the rear elevation</b>
<b>PARISH</b>	Husborne Crawley
<b>WARD</b>	<b>Aspley &amp; Woburn</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Wells</b>
<b>CASE OFFICER</b>	<b>Sarah Fortune</b>
<b>DATE REGISTERED</b>	<b>10 May 2013</b>
<b>EXPIRY DATE</b>	<b>05 July 2013</b>
<b>APPLICANT</b>	<b>Mr &amp; Mrs Wright</b>
<b>AGENT</b>	<b>Paul J Elliott Arch. Services</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Councillor Call In - Does not consider this overdevelopment and there is another example nearby.</b>

**RECOMMENDED DECISION**

**Full Application - Refusal**

That the Planning Application be delegated to the Head of Development Management to approve the application 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 plan numbers 12037/06/A, 12037/05, 12037/01 and 12037/03/A.

Reason: For the avoidance of doubt.

**INFORMATIVES****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. In the Council's view the exceptional health circumstances put forward amount to very special circumstances such as to outweigh the presumption against inappropriate development in the green belt. The applicant was invited to withdraw the application to seek pre-application advice but did not agree to this and the application was considered by the Development Management Committee. The Council has therefore complied with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Managements Procedure) (England)(Amendment No. 2) Order 2012.

[Notes:

1. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of an email from the applicant dated 11 July 2013, regarding the existing and proposed floor areas and proposed ridge height, as detailed in the Late Sheet.]

<b>Item No. 9</b>
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<b>APPLICATION NUMBER</b>	CB/13/00728/OUT
<b>LOCATION</b>	Land off Steppingley Road and Froghall Road, Flitwick
<b>PROPOSAL</b>	Outline: The construction of up to 400 new homes, up to 4,400 Sq metres of employment floorspace within class B1 (Business) and Class B2 (General Industrial) Development; new access arrangements from Steppingley Road and Froghall Road, including engineering works on Froghall Road; provision of public open space; associated infrastructure including a storm water basin and the demolition of 8 former agricultural buildings.
<b>PARISH</b>	Flitwick
<b>WARD</b>	Flitwick
<b>WARD COUNCILLORS</b>	Cllrs Mrs Chapman, Gomm & Turner
<b>CASE OFFICER</b>	Hannah Pattinson
<b>DATE REGISTERED</b>	27 February 2013
<b>EXPIRY DATE</b>	29 May 2013
<b>APPLICANT</b>	Old Road Securities Plc
<b>AGENT</b>	Framptons Planning
<b>REASON FOR COMMITTEE TO DETERMINE</b>	A major development which is considered to be contrary to the Development Plan and is recommended for approval
<b>RECOMMENDED DECISION</b>	Outline Application - Approval

### Recommended Reasons for Granting

The site is allocated for a mixed use development to provide a *minimum* of 450 dwellings and at least 1.1 ha of B1 and B2 employment land under Policy MA2 of the Central Bedfordshire (North) Site Allocations DPD. Whilst the application proposes *up to* 400 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 has however been advertised as a departure from Development Plan policy for the above reason.

The proposal will deliver a sustainable form of mixed use development which will include provision of 1.1 Ha of employment land, 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, 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 Masterplan for Land at Steppingley Road and Froghall Road, Flitwick which was approved as technical guidance for Development Management purposes (October 2012).

### **Recommendation**

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

### **RECOMMENDED 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, (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 4 (1) of the Town and Country Planning (Development Management Procedure) Order 2010.**

- 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 Each reserved matters application shall demonstrate how it has taken account of the principles set out within the submitted Design and Access Statement (Woods Hardwick dated 20<sup>th</sup> February 2013):
  - a) Master Plan 1 – Movement Plan
  - b) Master Plan 2 – Landscape, Open Space & Play Areas Plan
  - c) Master Plan 3 – Built Form, Massing & Character Areas
  - d) Section 5.6 – Character Areas

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority in accordance with Policies CS14 and DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and Policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 4 Prior to the submission of the first reserved matters, an areas plan for the entire application site shall be submitted to and approved in writing by the Local Planning Authority. The areas plan shall show a maximum of 6 residential areas and shall define the location and extent of the employment area and each residential area and the number of dwellings in each area; and also define:



- a) the timing of the provision of the movement network shown on Master Plan 1 contained within the submitted Design and Access Statement;
- b) the timing of the provision of the vehicular access points onto Steppingley Road and Froghall Road as shown in principle on submitted Drawing No's: 46381000/P/3250/006 Rev A and 46381000/P/3250/005 Rev A prepared by URS Infrastructure and Environment UK Ltd;
- c) the timing of the provision of the open space, play areas and surface water attenuation areas shown on Master Plan 2 contained within the submitted Design and Access Statement.

The development and timing of provision of the movement network, vehicular access point(s) open space and play areas and surface water attenuation areas for 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 No more than 400 dwellings and no more than 4400 square metres gross of employment floorspace within Class B1 (Business) or Class B2 (General Industrial) of the Town and Country (Use Classes) Order 1987 (as amended) shall be constructed on the site pursuant to this planning permission.

Reason: For the avoidance of doubt.

- 6 The 'Froghall Bridge Signalised Shuttle Working' and the 'Froghall Road Tie-in to existing footpath' works as shown on submitted Drawing No's: 46381000/P/3250/001 Rev A and 46381000/P/3250/007 Rev A prepared by URS Infrastructure and Environment UK Ltd; shall be constructed and available for public use prior to the opening of any new vehicular or pedestrian access points onto Froghall Road to serve the development.

Reason: To provide safe and convenient pedestrian access under the railway bridge and onwards towards local facilities in Ampthill in accordance with policy CS4 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 24 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 7 The traffic calming works on Froghall Road as shown on submitted Drawing No's 4638000/P/3250/005 Rev A and 46381000/P/3250/006 Rev A shall be constructed and open to vehicular traffic prior to the opening of any new vehicular access point onto Froghall Road to serve the development.

Reason: To ensure that speeds are adequately reduced on Froghall Road in the interests of highway safety and in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 8 **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 principles set out within Master Plan 2 – Landscape, Open Space & Play Areas Plan contained within the submitted Design and Access Statement and the areas plan approved by condition 4 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) and policies 43 and 56 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 9 No development approved by this planning permission shall take place until such time as a detailed surface water drainage scheme, including details of timing of provision, in accordance with the submitted Flood Risk Assessment dated February 2013 prepared by Woods Hardwick has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the approved timing arrangements as per condition 4.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to others downstream of the site in accordance with Policy DM2 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 49 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).

- 10 No development in any area of the development approved as per condition 4 of this planning permission shall take place until a remediation strategy 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
- potentially unacceptable risks arising from contamination at the site.

(2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

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

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

The scheme shall be implemented as approved.

**Reason:** To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) from potential pollutants associated with current and previous land uses of the site (including agricultural and an adjacent railway) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).

- 11 No occupation of any area of the development approved as per condition 4 of this planning permission shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation for that defined area 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 be implemented as approved.

**Reason:** To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and

nearby surface water features) from potential pollutants associated with current and previous land uses of the site (including agricultural and an adjacent railway) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).

- 12 If, during development within an area of development approved as per condition 4, contamination not previously identified is found to be present at the site then no further development within that area (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy for that defined area 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 be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) from potential pollutants associated with current and previous land uses of the site (including agricultural and an adjacent railway) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).

- 13 Infiltration systems for surface water disposal shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The scheme shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 44 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012). The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration Sustainable Drainage Systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins.

- 14 Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters

(particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 44 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012). Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

- 15 **No development shall take place in an area of the development approved as per condition 4 above until such time as a scheme to dispose of foul and surface water for each area and in addition in relation to the employment area a scheme for the installation of oil and petrol separators has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.**

**Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) from potential pollutants associated with current and previous land uses of the site (including agricultural and an adjacent railway) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).**

- 16 **No development approved by this permission shall be commenced until a scheme for connection to the existing sewerage system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved. No occupation of dwellings approved by this permission shall occur until the approved scheme for connection to the existing sewage system has been completed.**

**Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) from potential pollutants associated with current and previous land uses (including agricultural and an adjacent railway) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).**

- 17 **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 dwellings and/or commercial units in 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 policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 18 **The details required by condition 1 of this permission in relation to each area approved by condition 4 shall include details of the finished floor and site levels including 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.**

- 19 **Means of access to the site shall be from Steppingley Road and Froghall Road as shown in principle on submitted Drawing No's: 46381000/P/3250/006 Rev A and 46381000/P/3250/005 Rev A. No development shall commence until construction details of the junctions have been submitted to and approved in writing by the Local Planning Authority or as otherwise agreed in accordance with a timetable to be agreed in writing with the Local Planning Authority .**

**Reason: To ensure that the proposed road works are constructed to adequate standard in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 20 **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 estate roads in that area, 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 in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development**

**Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 21 No occupation of any of the employment land shall take place until a vehicle height sensor, railway bridge warning device and any necessary signage have been installed on the employment land access road in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 22 Any Class B1 commercial units on the employment land hereby approved shall not be used except between the hours 8am till 7pm Monday to Saturdays and at no time on Sundays, Bank or Public Holidays and any Class B2 commercial units on the employment land hereby approved shall not be used except between the hours 8am till 6pm Monday to Saturdays and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the neighbouring residential properties from noise associated with their future use in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 23 No development in any area of the development approved as per condition 4 of this permission shall commence until a scheme of attenuation measures for noise and vibration from the adjacent railway line as identified in the Noise Assessment Report of URS Infrastructure & Environment UK Limited .Reference 47065407 R01 Revision 3 dated 11th February 2013 has been submitted to and approved in writing by the Local Planning Authority so far as may be necessary to ensure that internal noise levels within dwellings from the adjacent railway line shall not exceed 35 dB LAeq, 07:00 – 23:00 in any habitable room or 30 dB LAeq 23:00 - 07:00 and 45 dB LAfmax 23.00 - 07:00 inside any bedroom, and that external noise levels in outdoor amenity areas of dwellings from the railway line shall not exceed 55 dB LAeq, 07:00 – 23:00. The submitted scheme shall include a verification plan to demonstrate the effectiveness of the scheme. The works which form part of the scheme approved by the Local Authority for each dwelling shall be completed before the dwelling is occupied. The effectiveness of the scheme shall be demonstrated to the Local Planning Authority in accordance with the approved verification plan.

Reason: To protect the amenity of the future occupiers of the residential properties from noise and vibration associated with the railway in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version).

- 24 Noise resulting from the use of the plant machinery or equipment from any

commercial unit on the employment land hereby permitted shall not exceed a level of 5dBA below the existing background level (or 10 dBA below if there is a tonal quality) when measured according to BS4142:1997, at one point one metre external to the nearest noise sensitive building.

Reason: To protect the amenity of the neighbouring residential properties from noise associated with their future use in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 25 Deliveries to and from the B1 and B2 uses only hereby approved shall only be made between 08:00 hours and 18:00 hours Monday to Saturday, and at no time on Sunday or Bank Holidays without the prior written agreement of the Local Planning Authority.

Reason: In order to protect the interests and amenity of the immediate surrounding residential properties in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 26 **No development in any area of the development approved as per condition 4 of this permission shall commence until a Construction Environmental Management Plan for that area has been submitted to and approved by the Local Planning Authority which shall detail methods that all developers, contractors and subcontractors will employ and shall include:**

- **Details of traffic routes and points of access and egress to be used for the construction process**
- **Details of the areas for contractors parking and loading and unloading of materials within the site**
- **Measures of controlling dust created by the development**
- **Measures to be used to reduce the impact of noise arising from the noise generating activities on site in accordance with best practice set out in BS:5228:1997 'Noise and vibration control on construction and open sites**
- **The siting and appearance of the works compounds**
- **Wheel cleaning facilities for construction traffic**
- **The hours of work**
- **A scheme to treat and remove suspended solids from surface water run off during construction works**

The development hereby approved shall only be undertaken in accordance with the agreed plan for each area.

Reason: To safeguard the amenities of adjoining occupiers, to protect the surrounding countryside, and prevent the deposit of materials on the highway in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central



**Bedfordshire (Pre-Submission Version January 2013).**

- 27 **No development shall take place until archaeological investigations have been carried out in accordance with the Brief issued by the Local Planning Authority dated 3<sup>rd</sup> June 2013 or another scheme subsequently submitted to and approved in writing by the Local Planning Authority if the archaeological investigations have not been completed to the satisfaction of the Local Planning Authority by the 3<sup>rd</sup> January 2014 . The said development shall only be implemented in full accordance with the approved archaeological scheme.**

**Reason: To record and advance understanding of the archaeological resource which will be unavoidably destroyed as a consequence of the development in accordance with policy CS15 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 45 of the Development Strategy for Central Bedfordshire (Pre-submission version January 2013) and paragraph 141 of the National Planning Policy Framework.**

- 28 **No demolition of any buildings on the site shall take place until a written scheme of building recording for the onion drying shed (Building 7 in the Demolition Proposals Statement (Woods Hardwick 20<sup>th</sup> February 2013)) has been carried out in accordance with the Brief issued by the Local Planning Authority dated 3<sup>rd</sup> June 2013 or another scheme subsequently submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved building recording scheme.**

**Reason: To record and advance understanding of the archaeological and historic resource which will be unavoidably destroyed as a consequence of the development in accordance with policy CS15 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 45 of the Development Strategy for Central Bedfordshire (Pre-submission version January 2013) and paragraph 141 of the National Planning Policy Framework.**

- 29 **The landscaping scheme(s) 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 4 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 appearance of the development in accordance with Policies DM3 and DM16 of the Central Bedfordshire (North**

Area) Core Strategy and Development Management Policies (2009) and policies 43 and 56 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 30 **Prior to commencement of any development on site an Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved statement and plan.**

**Reason: To safeguard existing trees on site in accordance with Policy DM14 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 59 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 31 The development shall be carried out in accordance with all ecological mitigation proposals set out in the submitted Ecolocation reports entitled 'Extended Phase One, Initial Bat Assessment & Detailed Bat Surveys' (12<sup>th</sup> February 2013 – Revision B) and 'Great Crested Newt Report' (12<sup>th</sup> February 2013 – Revision B) and the results of any further/updated survey work shall be submitted to the Local Planning Authority.

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) and Policy 57 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 32 The details required by condition 1 of this permission in relation to each area approved as per condition 4 shall include a scheme for parking, and garaging for the residential units in that area and shall take account of the 'Residential Parking Typologies' set out within Section 5.12 of the submitted Design and Access Statement. In relation to the employment area shall include a scheme for parking manoeuvring loading and unloading of vehicles in respect of each building. The parts of each approved scheme pursuant to condition 1 related to each residential unit or building in the employment area shall be made available for use before the residential unit or 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 in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policies 27 and 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 33 **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 take account of the boundary treatment guidance set out**

**within Section 5.6 of the submitted Design and Access Statement. 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) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 34 No occupation of any of the dwellings or any buildings on the employment land shall take place until a trespass proof fence (which measures a minimum 1.8m high) has been erected adjacent to the railway boundary in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of safety for the occupants of the development and the operational needs and integrity of the railway in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 35 A construction method statement shall be submitted to and approved in writing by the Local Planning Authority for any excavations, pilings or buildings which are located within 10 metres of the railway boundary. The Local Planning Authority shall be notified at least 6 weeks in advance of the commencement of any such works and the works shall be carried out in accordance with the approved statement.

Reason: In the interests of safety for the occupants of the development and the operational needs and integrity of the railway in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 36 No occupation of any building and/or associated curtilage upon the employment land shall take place until details of any external lighting for that building, including details of type, location, colour and luminance levels, have been submitted to and approved in writing by the Local Planning Authority. All external lighting shall comply with the approved details.

Reason: In the interests of safety for the occupants of the development and the operational needs and integrity of the railway in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 37 The details required by condition 1 of this permission in relation to each area approved as per condition 4 shall include a scheme for cycle parking for

each dwelling and/or commercial unit. 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 cycle parking is provided in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 24 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 38 The development hereby permitted shall not be carried out except in accordance with the Approved Plans drawings numbers: Location Plan 16627/1003 prepared by Woods Hardwick , 46381000/P/3250/001 Rev A, 4638100/P/3250/005 Rev A, 4638100/P/3250/006 Rev A and 46381000/P/3250/007 Rev A prepared by URS.

Reason: For the avoidance of doubt.

### Notes to Applicant

1. The applicant is advised that in order to comply with the relevant Condition 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)
2. 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)
3. You are advised to note the comments of the Environment Agency as set out in the enclosed letter.
4. 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.

5. **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.**
6. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford, MK42 5AN.
7. The applicant is advised that 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)
8. 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.
9. 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).

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

Planning permission has been recommended for approval 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 National Planning Policy Framework (2012) (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

[Notes:

1. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of errors contained within the report and detailed in the Late Sheet.]



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 order revoking and re-enacting that Order with or without modification), no windows shall be inserted into the east and west flank elevations of the proposed extension.

Reason: To protect the amenity of neighbouring residents.

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [CBC/001, 1 SJS/1, 1 SJS/2, 1 SJS/3, 1 SJS/4, 1 SJS/5, 1 SJS/6 ].

Reason: For the avoidance of doubt.

### **Notes to Applicant**

Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk).

### **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.

[Note:

1. Prior to consideration of the application the Committee received representations made under the Public Participation Scheme.]



<b>Item No. 12</b>
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<b>APPLICATION NUMBER</b>	<b>CB/13/01879/FULL</b>
<b>LOCATION</b>	<b>27 Western Way, Sandy, SG19 1DU</b>
<b>PROPOSAL</b>	<b>First floor side extension</b>
<b>PARISH</b>	<b>Sandy</b>
<b>WARD</b>	<b>Sandy</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Aldis, Maudlin &amp; Sheppard</b>
<b>CASE OFFICER</b>	<b>Samantha Boyd</b>
<b>DATE REGISTERED</b>	<b>30 May 2013</b>
<b>EXPIRY DATE</b>	<b>25 July 2013</b>
<b>APPLICANT</b>	<b>Mr Oakely</b>
<b>AGENT</b>	<b>Richard Beaty (Building Design) Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr Call in. Cllr Aldis Overbearing impact on the adjacent property which is at right angles to the application site and therefore the proposed extension adversely impacts on the immediate garden area.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Recommended for Approval</b>

### Reasons for Recommendation

The first floor side extension would not have a negative impact on the character of the area or a significant 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 first floor extension is in conformity with Policy DM3 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework. It is further in conformity with the Supplementary Planning Document: Design in Central Bedfordshire: A Guide for Development, 2010.

### Recommendation

That Planning Permission be granted subject to the following conditions:

### RECOMMENDED CONDITIONS / REASONS

- 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 and the visual

amenities of the locality.

- 3 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 side elevation of the building.

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

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 12.25.01, 12.25.02B, 12.25.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.

Notes:

1. In advance of consideration of the application the Committee were advised of representations contained within the Late Sheet:
  - (a) Sandy Town Council objecting to the proposed development due to loss of amenity in terms of loss of light and overshadowing for properties 25 and 27 Western Way.
  - (b) a letter of support from 29 Western Way
  - (c) an email of objection from 25 Western Way and citing lack of due diligence in the processing of the application by the Planning Office.
  - (d) letter from Mr A Gilpin, Architect which highlighted inaccuracies in the application.
  - (e) email from the applicant's architect, Mr R Beaty replying to Mr Gilpin's letter.
  - (f) a response from the Planning Officer to email from No. 25 Western Way.
2. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.]



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<b>Item No. 10</b>
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<b>APPLICATION NUMBER</b>	<b>CB/13/01693/FULL</b>
<b>LOCATION</b>	<b>Global Robots Limited, Beancroft Road, Marston Moretaine, Bedford, MK43 0QF</b>
<b>PROPOSAL</b>	<b>Demolition of existing buildings, redevelopment and extension of site comprising a workshop/office building and two storage buildings. Associated car parking, landscaping and ancillary works.</b>
<b>PARISH</b>	<b>Marston Moretaine</b>
<b>WARD</b>	<b>Cranfield &amp; Marston Moretaine</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Bastable, Matthews &amp; Mrs Clark</b>
<b>CASE OFFICER</b>	<b>Annabel Gammell</b>
<b>DATE REGISTERED</b>	<b>13 May 2013</b>
<b>EXPIRY DATE</b>	<b>12 August 2013</b>
<b>APPLICANT</b>	<b>Mr Andrew Kirkwood</b>
<b>AGENT</b>	<b>Woods Hardwick Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>A Departure from the Central Bedfordshire Core Strategy and a major application.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**Reason for Committee to Determine:**

A departure from the Central Bedfordshire Core Strategy and a major application.

**Recommendation**

That Planning Permission be granted subject to the following conditions:

**RECOMMENDED CONDITIONS / REASONS**

- 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 **No works to commence on site until a scheme be submitted for written approval of the Local Planning Authority setting out the details of the materials to be used for the external walls and roof. Samples of the materials shall be provided. 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 The development hereby approved shall not be brought into use until visibility splays have been provided at the junction of the access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed estate road from its junction with the channel of the public highway and 105m to the south east and 114m to the north west, measured from the centre line of the proposed estate road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be kept free of any obstruction.

Reason: To provide adequate visibility between the existing highway and the vehicle access in the interests of highway safety

- 4 Before the premises are occupied all on site vehicular areas shall be surfaced in a stable and durable manner in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits

- 5 The proposed development shall be carried out and completed in all respects in accordance with the access siting and layout illustrated on the approved plan and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.

- 6 No development shall take place 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 the surface water run-off generated up to and including the 100 year critical storm 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 also include:

· Details of all elements (i.e. modelling reference labels, designs, diameters, gradients, dimensions, and so on of all pipes, inspection chambers, and flow control device(s)) of the proposed drainage systems should be provided as

part of the detailed surface water drainage scheme.

- Overland flood flow routes and subsequent flood risk in the event of surface water system failure. It is essential the flood flow is routed away from vulnerable areas and property, and that the development remains “safe”.

- Clear details of the ownership and responsibility of maintenance of all drainage including pipe networks, control structures and SUDS elements for the lifetime of the development.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future users

- 7 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 be implemented as approved.

Reasons: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

- 8 No development approved by this permission shall be commenced until a scheme for the improvement of the existing sewerage disposal system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

Reasons: The application does not provide sufficient information about drainage arrangements and pollution prevention measures to demonstrate whether the proposal will lead to pollution of surface or underground waters. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

- 9 **No development shall commence until a landscaping scheme to include any hard surfaces and earth mounding has been 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.**

- 10 No goods, waste, materials or equipment shall be deposited or stored on the site in the open other than on any areas defined for those purposes and shown on the approved plan.

Reason: To protect the amenities of the area and to ensure that vehicle parking, servicing and unloading areas are available for those purposes at all times.

- 11 No external lighting shall be installed without the prior written approval of the Local Planning Authority.

Reason: To protect the character of the open countryside and in the interest of highway safety.

- 12 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans site plan, P01, P02, P03, P04, P05, P06, P07, P08, 500.

Reason: For the avoidance of doubt.

### **Notes to Applicant**

1. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
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 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](http://www.cae.org.uk))  
Central Bedfordshire Access Group ([www.centralbedsaccessgroup.co.uk](http://www.centralbedsaccessgroup.co.uk))

#### 4. **Environment Agency:**

The use of the term cesspool refers to a reasonably large watertight sealed vessel which has no constructed outlet and requires regular emptying by contractor. We do not support the use of cesspits. Cesspits should be used as a temporary method pending a more satisfactory solution such as mains drainage, or installation of a sewage treatment plant. The expansion of this site and increase in staffing levels should be seen as an opportunity to explore a more satisfactory form of sewage disposal.

A septic tank is an aerobic treatment tank which has an outlet to soakaway which will require a separate formal approval from us. It would appear that the local geology is unsuitable for use for soakaways.

A package treatment plant is an alternative to a septic tank which has an outlet to either a soakaway or watercourse, and requires a separate formal consent from us. Such consent is not implied by these observations, and may be withheld.

#### **Advice to Applicant**

Depending on the precise activities and quantitative throughputs of the development, the site may be subject to the constraints of Environmental legislation, including but not limited to the WEEE regulations and the Environmental Permitting (England and Wales) Regulations, 2010. The developer is advised to seek further guidance or pre-application advice from the Environment Agency to clarify requirements. Further

information is available on our website at:

<http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx>

The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable for any off-site movements of wastes. The developer as a potential waste producer therefore has a duty of care to ensure all materials removed go to an appropriate permitted facility and all relevant documentation is completed and kept in line with regulations. Further, if any controlled waste is to be removed off site, then the site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably permitted facility.

The proposal must have consideration for prevention of pollution. The developer is advised to ensure the site infrastructure takes into account the requirements for prevention of pollution. Further information on these requirements can be found in the Pollution Prevention Guidelines (PPG) documents via our website at:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

### **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 recommending approval**

The proposed change of use of agricultural land and redevelopment of the site for a comprehensive B2/B8 development would be appropriate within the location. The use and development would not result in any significant harm to the character and appearance of the area, or the residential amenity of any neighbouring properties and is acceptable in terms of parking and highway safety. The proposal therefore complies with the objectives of the National Planning Policy Framework (2012) and Policies CS1, CS11, DM3, DM4 and DM9 of Central Bedfordshire Core Strategy and Development Management Policies Document (2009).

**Item No. 11**

<b>APPLICATION NUMBER</b>	<b>CB/13/01825/FULL</b>
<b>LOCATION</b>	<b>Crooked Oak, Bridle Way, Toddington, Dunstable, LU5 6HS</b>
<b>PROPOSAL</b>	<b>Single storey side extensions, One and a half storey side/front extension.</b>
<b>PARISH</b>	<b>Toddington</b>
<b>WARD</b>	<b>Toddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Costin &amp; Nicols</b>
<b>CASE OFFICER</b>	<b>Dee Walker</b>
<b>DATE REGISTERED</b>	<b>24 May 2013</b>
<b>EXPIRY DATE</b>	<b>19 July 2013</b>
<b>APPLICANT</b>	<b>Mr &amp; Mrs Laird</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Applicant is a member of staff</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Refusal</b>

Withdrawn Application - See Minute No. DM/13/

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