

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 9 October 2013

### PRESENT

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

Cllrs	P N Aldis	Cllrs	D Jones
	A R Bastable		Ms C Maudlin
	R D Berry		T Nicols
	M C Blair		I Shingler
	A D Brown		B J Spurr
	Mrs C F Chapman MBE		J N Young
	K Janes		

Apologies for Absence: Cllrs D Bowater  
Mrs S Clark  
I Dalgarno

Substitutes: Cllrs Mrs R J Drinkwater (In place of D Bowater)  
R W Johnstone (In place of I Dalgarno)

Members in Attendance: Cllrs Mrs G Clarke  
Mrs B Coleman  
Mrs J G Lawrence  
D J Lawrence  
B Saunders  
R C Stay,

Officers in Attendance:	Mr D Ager	Highways Officer
	Mr A Bunu	Senior Planning Officer
	Mrs M Clampitt	Committee Services Officer
	Mr A Davie	Head of Development Management
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Mr D Lamb	Planning Manager East
	Mr S Robinson	Planning Officer (Project Support/Admin)
	Mr N Smith	Senior Planning Officer
	Mrs D Walker	Senior Planning Officer

DM/13/21 **Chairman's Announcements**

The Chairman of the Committee advised that the Order of Business would be varied to consider item 8 first and the remainder of the agenda would be considered in order.

The Chairman advised that due to Officer illness and holidays the report on Planning Enforcement Cases where formal action has been taken would be brought to the 6 November 2013.

The Chairman reminded Councillors and members of the public 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 discussion 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/13/22 **Minutes**

**RESOLVED**

**That the Minutes of the Special meetings of the Development Management Committee held on the 28 August and 4 September be confirmed and signed by the Chairman as a correct record.**

**That the Minutes of the meeting of the Development Management Committee held on the 11 September 2013 be confirmed and signed by the Chairman as a correct record.**

DM/13/23 **Members' Interests**

(a) **Personal Interests:-**

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr N Young	All	In his capacity as Executive Member has had discussions regarding various applications.	Present

Cllr K C Matthews	All	In his capacity as Chairman has had discussions regarding various applications.	Present
Cllr B Spurr	5	Worked for the applicant	Present

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

There were none.

(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	7	Blunham Parish Council	Did not vote
Cllr C Maudlin	7	Blunham Parish Council	Did not vote

DM/13/24 **Late Sheet**

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

During consideration of some of the Applications the Committee received representations from members of the public in accordance with the Public Participation Procedure as set out in Annex 3 of Part A4 of the Constitution.

DM/13/25 **Planning Application No. CB/13/03029/VOC**

**RESOLVED**

**That Planning Application No. CB/13/03029/VOC relating to Eagle House, 135 Potton Road, Biggleswade SG18 0ED be approved as set out in the Schedule appended to these Minutes.**

DM/13/26 **Planning Application No. CB/13/02733/FULL**

**RESOLVED**

**That Planning Application No. CB/13/02733/FULL relating to Bell Farm, 15 Dunstable Road, Studham, Dunstable LU6 2QG be approved as set out in the Schedule appended to these Minutes.**

**DM/13/27 Planning Application No. CB/13/02682/VOC**

**RESOLVED**

**That Planning Application No. CB/13/02682/VOC relating to 3 Olivers Lane, Stotfold, Hitchin SG5 4DH be approved as set out in the Schedule appended to these Minutes.**

**DM/13/28 Planning Application No. CB/13/03036/FULL**

**RESOLVED**

**That Planning Application No. CB/13/03036/FULL relating to 38 Barford Road, Blunham, Bedford MK44 3ND be approved as set out in the Schedule appended to these Minutes and including the removal of the permitted development rights for roof extensions.**

**DM/13/29 Planning Application No. CB/13/02801/FULL**

**RESOLVED**

**That Planning Application No. CB/13/02801/FULL relating to 84 Miles Avenue, Leighton Buzzard LU7 3LG be approved as set out in the Schedule appended to these Minutes.**

**DM/13/30 Planning Application No. CB/13/02731/FULL**

**RESOLVED**

**That Planning Application No. CB/13/02731/FULL relating to Crooked Oak, Bridle Way, Toddington, Dunstable Lu5 6HS be approved as set out in the Schedule appended to these Minutes.**

**DM/13/31 Planning Application No. CB/13/02862/FULL**

**RESOLVED**

**That Planning Application No. CB/13/02862/FULL relating to 3 Kestrell Road, Flitwick, Bedford MK45 1RB be approved as set out in the Schedule appended to these Minutes.**

DM/13/32 **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 4 November 2013:**

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

(Note: The meeting commenced at 10.00 a.m. and concluded at 12.55 p.m.)

Chairman .....

Dated .....

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## LATE SHEET

### DEVELOPMENT MANAGEMENT COMMITTEE – 9<sup>th</sup> OCTOBER 2013

#### ***Item 5 (Page 5-52) – CB/13/02733/FULL – Bell Farm, 15 Dunstable Road, Studham, Dunstable.***

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

##### Objection

##### 3 Dunstable Road:

- Development would spoil the historic village.
- Much of the site is Green Belt and not brownfield.
- Increase in traffic would result in accidents.

##### General Comment

##### 23 Bell Cottages:

Due to traffic increase, consider erecting a mini roundabout at the site entrance. This would also slow traffic on Dunstable Road.

##### Petition against (6)

Cherry Trees, High Beeches, Adelaide Cottage, 2 Church Close, 1 Holywell Road and Tuesday Cottage:

- Proposal contrary to the Council policies and the National Planning Policy Framework (NPPF) regarding development in the Green Belt.
- The Strategic Housing Land Availability Assessment (SHLAA) demonstrates a sufficient number of deliverable sites for housing development.
- Loss of a local shop.
- Development would not be sustainable as it would generate about 290 vehicle trips per day.
- Appeal dismissed by a Planning Inspector for development at the Bell Public House.
- Financial reasons for relocation should not be given weight.

##### Top Acre (Land to the rear of Bell Farm)

Further representations received regarding access rights which run along the northern boundary of the site.

#### **Consultee Comments**

1. Housing Development Officer – Due to viability issues, the housing mix will need to be 7 units of affordable housing at a mix of 3 affordable rent units and 4 shared ownership units for the scheme to be viable. This is a tenure mix of 43% Affordable rent and 57% Shared Ownership but ensures we get the full 30% affordable housing requirement.

## 2. Conservation Officer –

- Plot 13 to have a door frontage to the street. The drawings have been amended accordingly.
- Key frontage hedges should be set behind the highway verge – Drawings have been amended accordingly.
- Impact of the raised table junction, road surfacing and markings and speed restriction signage on the Conservation Area –Details of the road improvement will be dealt with under section 278 works.

## **Additional Comments**

### Applicant's response to the Parish Council's comments

#### Timing of the application

This was governed by contracts and was not an attempt to disguise the application during the holiday period. A public exhibition was later held and the consultation period extended by the officers.

#### Construction Traffic

A condition for the submission of a construction traffic management plan would be acceptable. The development would be timed over a 12 month period to minimise disruption.

#### The Oaks

This bungalow is of no architectural merit and hence it made sense to include it within the application site.

#### Traffic Issues

Under a section 278 Agreement, improvements would be carried out to the junction and the wider area including speed restrictions. This would improve safety on entry and exit from the site.

#### Local Housing Need

About 40% of the units will be 3 bedroom dwellings. Affordable housing provision including tenure and size have been agreed with the Housing Department. These units could be ring fenced for local people.

#### Design

Following officers's advice, several amendments were made to the scheme to ensure that the development would not detract from the character of the Conservation Area. The Conservation Officer has confirmed that the design is now acceptable.



Section 106 Agreement

Heads of terms were put forward and final figures will be agreed prior to the committee Meeting.

**Additional/Amended Conditions**Conditions

- Conditions 2 & 4 consolidated into one to read, **‘Before development begins and notwithstanding the details submitted with the application, details of the materials to be used, which should include a written schedule of external materials for walls, roofs and final finishes for the proposed buildings and any hard landscaping and surfacing shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: To control the appearance of the buildings.  
(Policies BE8, S.B.L.P.R and 43 & 45 DSCB).’**

- Condition 8: Remove reference to the car park so as to read, **‘Prior to the commencement of the development hereby permitted, the applicant shall submit in writing for the approval of the Local Planning Authority, a suitable external lighting design scheme and impact assessment, devised to eliminate any detrimental effect caused by obtrusive light and/or glare on neighbouring land uses. The scheme shall be prepared by a suitably qualified lighting engineer in accordance with relevant publications and standards, and the approved scheme shall be fully implemented prior to the first occupation of the dwellings, unless an alternative period is approved in writing by the Authority.**

**Reason: To control the development in the interests of the amenities of the area.  
(Policy BE8, S.B.L.P.R. and 43 D.S.C.B).’**

- Condition 18: To read, **‘Prior to the first use of the accesses ----’**
- Condition 36: The following amended plans have been received : 2119/P/14B & 12119/P/24B and 5114/LM02 Rev. D, 5114/PP 03 Rev. D, 5114/PP 04 Rev. D, 5114/PP 05 Rev. D, 12156/4, SK05 Rev. E and SK06.

Section 106 Agreement

Terms revised as follows:

- Waste Management : **£2,208**
- Footpath improvement : **£17,000**
- Education contribution : **£93,200**
- Community and sports facilities : **£39,953**
- Emergency and health facilities : **£23,548**
- Affordable housing : **7 units**
- Relocation of existing uses to appropriate sites within CBC

- Access and highway improvement works under a section 278 Agreement
- Waiver against damage to the road surface by waste collection vehicles

***Item 6 (Page 53-62) – CB/13/02682/VOC – 3 Olivers Lane, Stotfold, Hitchin.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

***Item 7 (Page 63-72) – CB/13/03036/FULL – 38 Barford Road, Blunham, Bedford.***

**Additional Consultation/Publicity Responses**

An objection has been received from Blunham parish Council that raises the following concerns:

- It would be inappropriate development which has no precedent in the area. It could set a precedent.
- It would not conform to a building line and bringing vehicles up along side the house could be dangerous.
- It would harm views from the neighbouring property and would have a visual impact on the nearby playing fields.
- The bungalow would not be compatible with the use of the playing fields because of noise and light problems.

Blunham Parish Council also sent correspondence from the Blunham Playing Fields Association, which raised the following objections:

- A fire engine might not be able to reach the playing fields.
- Balls might go in to the rear garden of the new house.
- The use of the sports fields could result in late night noise.
- Traffic travelling past the house might lead to disputes.
- Existing flood lighting could be problematic for future occupiers.

Two letters of objection from No 36 Barford Road have been received, that raise the following concerns:

- The building would be too tall.
- There would be a loss of privacy and the view of playing fields would be blocked.
- The location of the bungalow could undermine the ability of the playing fields to properly function.
- Traffic and emergency vehicles could be problematic.
- The development would not be in keeping and could set a precedent.
- There would be harm to the character of the area.

### **Additional Comments**

References to planning application reference CB/13/01604/FULL being withdrawn on 4<sup>th</sup> July 2013 are incorrect. In fact, the application was refused on the same date for the following reasons:

- 1) The development would, by virtue its scale, height and mass when taken together with its proximity to the boundaries of the site, result in a cramped and visually dominating building that would cause harm to the appearance of the area. It would conflict with the objectives of the National Planning Policy Framework (2012), Policy DM3 (High Quality Design) of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and Design Supplement 1 (New Residential Development) of Design in Central Bedfordshire (a guide for development) (2010).
- 2) The development would, by virtue of its scale, height, mass and the location of dormer windows in the roof, cause significant harm to living conditions at neighbouring properties to the East and West by way of overlooking of rear gardens and by creating an oppressive relationship. It would be contrary to Policy DM3 (High Quality Development) of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and Design in Central Bedfordshire (a guide to development) (2010).
- 3) The development would, by virtue of the cramped nature of the site, result in an unsatisfactory parking and servicing arrangement that could result in vehicles needing to reverse the length of the proposed driveway on to Barford Road which could prejudice the safe and free flow of traffic. It would be contrary to Policy DM3 (High Quality Development) of the Central Bedfordshire Core Strategy and Development Management Policies (2009), Design Supplement 7 (Movement, Streets and Places) of Design in Central Bedfordshire (a guide for development) (2010) and Appendix F (Parking Strategy) of the Central Bedfordshire Local Transport Plan (2012).
- 4) In the absence of a completed Unilateral Undertaking, the development would result in an unmitigated impact on existing local infrastructure in the local area that would be contrary to the Central Bedfordshire Planning Obligations Supplementary Planning Document (North) (2009).

The Committee report explains why it is felt that amendments to the scheme would now result in an acceptable development.

**Additional/Amended Conditions**

None.

***Item 8 (Page 73-84) – CB/13/03029/VOC – Eagle House, 135 Potton Road, Biggleswade.*****Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

***Item 9 (Page 85-94) – CB/13/02801/FULL – 84 Miles Avenue, Leighton Buzzard.*****Additional Consultation/Publicity Responses**

A revised layout has been provided by the applicant to respond to the Highways officer's concerns regarding adequate access and sufficient parking provision.

The Highways officer has agreed to remove one of his suggested conditions and amend the remaining condition.

**Additional Comments**

The applicant's plan number 1/6 should be replaced with number 1/6 Revision 1

**Additional/Amended Conditions**

Condition 2 has been amended to:

**No development shall commence until the widened access and parking areas shown in drawing no. 1/6 Revision 1 have been laid out, drained and surfaced.**

**Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with Policy T10 of the South Bedfordshire Local Plan**

**Review and Policy 27 of the emerging Central Bedfordshire Council Development Strategy (January 2013).**

Condition 4 has been amended to:

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1/6 Revision 1, 2/6, 3/6, 4/6, 5/6 and 6/6.

Reason: For the avoidance of doubt.

***Item 10 (Page 95-102) – CB/13/02731/FULL – Crooked Oak, Bridle Way, Toddington.***

**Additional Consultation/Publicity Responses**

Response from Toddington Parish Council – No objection to application.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

***Item 11 (Page 103-108) – CB/13/02862/FULL – 3 Kestrel Road, Flitwick, Bedford.***

**Additional Consultation/Publicity Responses**

Response from Flitwick Town Council – Supports application.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

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<b>Item No. 8</b>
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<b>APPLICATION NUMBER</b>	<b>CB/13/03029/VOC</b>
<b>LOCATION</b>	<b>Eagle House, 135 Potton Road, Biggleswade, SG18 0ED</b>
<b>PROPOSAL</b>	<b>Variation of Condition No. 5 on planning application CB/12/01120/FULL dated 25/07/2012 to be varied to retain 3 No. existing openings with their original fenestration.</b>
<b>PARISH</b>	<b>Biggleswade</b>
<b>WARD</b>	<b>Biggleswade North</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Jones &amp; Mrs Lawrence</b>
<b>CASE OFFICER</b>	<b>Nicola Stevens</b>
<b>DATE REGISTERED</b>	<b>29 August 2013</b>
<b>EXPIRY DATE</b>	<b>24 October 2013</b>
<b>APPLICANT</b>	<b>Mr R Storton</b>
<b>AGENT</b>	<b>Robert J Larman Architectural Services</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The application was called in by Councillor Jane Lawrence with regard to privacy</b>

**RECOMMENDED DECISION**

**Variation of Condition - Approval**

**Summary of recommendation**

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

**Recommendation**

That Planning Permission be granted subject to the following conditions:

**RECOMMENDED CONDITIONS / REASONS**

- 1 Within one month of the date of this decision, 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:-
  - materials to be used for any hard surfacing;
  - planting plans, including 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 development works.

The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 2 The scheme approved in Condition 1 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the date of this decision.

Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

Reason: In order to ensure that the planting is carried out within a reasonable period in the interest of the visual amenities of the area.

- 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 works shall be commenced for extensions or alterations, including further new windows, and structures within the residential curtilage of the approved new dwelling until detailed plans and elevations which form a valid planning application have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of occupiers of neighbouring properties and the appearance of the approved buildings.

- 4 Prior to the first occupation of the building hereby approved, the first floor bathroom window in the east, side elevation and ensuite bathroom window in the west side elevation of the development hereby permitted shall be fitted with obscured glass of a type to substantially restrict vision through it at all times where the window height is less than 1.7metres above the floor level in the room where the window is installed. No further windows or other openings shall be formed in these elevations.

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

- 5 The first floor bathroom window in the rear (northern) elevation of the development shall be fitted with obscured glass of a type to substantially restrict vision through it at all times. This restriction shall be retained at all times. No further windows or other openings shall be formed in this elevation.



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

- 6 The ground floor lounge door in the rear (northern) elevation of the development shall be retained as a solid panel and with no glazing at all times. This restriction shall be retained at all times. No further windows or other openings shall be formed in this elevation.

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

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: CBC/001, 102011/1, 102011/2, 102011/4B.

Reason: For the avoidance of doubt.

### **Notes to Applicant**

#### **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: In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

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<b>Item No. 5</b>
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<b>APPLICATION NUMBER</b>	<b>CB/13/02733/FULL</b>
<b>LOCATION</b>	<b>Bell Farm 15 Dunstable Road, Studham, Dunstable, LU6 2QG</b>
<b>PROPOSAL</b>	<b>Demolition of existing buildings and erection of 23 dwellings including amendments to existing access.</b>
<b>PARISH</b>	<b>Studham</b>
<b>WARD</b>	<b>Caddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Gammons &amp; Stay</b>
<b>CASE OFFICER</b>	<b>Abel Bunu</b>
<b>DATE REGISTERED</b>	<b>02 August 2013</b>
<b>EXPIRY DATE</b>	<b>01 November 2013</b>
<b>APPLICANT</b>	<b>Bellway Homes</b>
<b>AGENT</b>	<b>DLA Town Planning Limited</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Departure from the Development Plan</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application recommended for Approval</b>

### Reasons for Granting

Whilst the proposed development would be inappropriate in the Green Belt, the proposal to redevelop the site for residential purposes has demonstrated the very special circumstances required by reason of the removal of a non-conforming commercial use from the site when taken together with (a) the relocation of the commercial development elsewhere within the district and hence retaining employment opportunities within CBC (b) the opportunity presented to improve highway safety at the junction of the existing access with Dunstable Road (c) the proposed design which is based on the vernacular style (d) entering into a section 106 Agreement to secure the provision and improvement of community infrastructure. Furthermore, the development would not be, harmful to the character and appearance of the area, prejudicial to highway safety and would not be harmful to residential amenity thereby conforming to the development plan comprising Policies BE8, SD1, NE3, H4, E2 and T10 of the South Bedfordshire Local Plan Review, Policies 1, 2, 3, 6, 7, 8, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 34, 36, 38, 43, 45, 46, 47, 49, 50, 57, 58 and 59 of the emerging Development Strategy for Central Bedfordshire and national advice contained in the National Planning Policy Framework and the supplementary planning guidance, 'Design in Central Bedfordshire, A Guide for Development', 2010 and the Planning Obligations supplementary planning document and the Chiltern Design Guide.

## Recommendation

That Planning Permission be **GRANTED** subject to the completion of an Agreement under Section 106 of the Town and Country Planning Act in respect of:

- **Waste management contributions : £2, 208**
- **Green Infrastructure (Footpaths improvement) : £17, 000**
- **Education contribution : £93, 200**
- **Sports facilities : £20, 040**
- **Community facilities contribution : £7, 817**
- **Emergency services : £6, 040**
- **Health Facilities : £17, 508**
- **Affordable Housing : 7 units**
- **Relocation of existing uses to appropriate sites**
- **Sustainable transport**
- **Highway Access improvements**
- **Waiver against damage to surface by waste collection vehicles**

and subject to the following conditions :

### 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 **Before development begins and notwithstanding the details submitted with the application, details of the materials to be used, which should include a written schedule of external materials for walls, roofs and final finishes for the proposed buildings and any hard landscaping and surfacing shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: To control the appearance of the buildings.  
(Policies BE8, S.B.L.P.R and 43 & 45 DSCB).**

- 3 Notwithstanding the details submitted with the application, all window and door joinery to be installed throughout the development hereby approved shall be of painted timber, and shall be maintained as such thereafter.

Reason: To control the appearance of the buildings.  
(Policies BE8, S.B.L.P.R and 43 & 45 DSCB).

- 4 **Before development begins, a landscaping scheme to include full details of any hard surfaces, earth mounding, hedges, permanent fences, and temporary fences required for the establishment of the**

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

**Reason: To ensure a satisfactory standard of landscaping having regard to the context of the development .  
(Policies BE8 & NE3, S.B.L.P.R and 36, 43, 45, 50 & 59).**

**5** Tree Protection Measures

All operations, protection measures and procedures shall be undertaken in strict accordance with the Arboricultural Method Statement, dated July 2013, produced by First Environment Ltd, (Ref 5114.FE.AMS.01 Rev E) that includes the Tree Protection Plan (Ref: FE TPP 05 -Appendix A).

Reason: To ensure a satisfactory standard of tree protection to secure the health, anchorage, visual amenity and effective screening of existing boundary planting.  
(Policies BE8 & NE3, S.B.L.P.R and 36, 43, 45, 50 & 59).

**6** Horse Chestnut Tree T25 Root Protection Measures

Root Protection Measures shall be undertaken in strict accordance with the drawing "Typical Root Protection Details" produced by Travis Baker, dated 16th September 2013 (Ref. Project No. 12156, Dwg No. 4).

Reason: To ensure a satisfactory standard of root protection to secure the health, anchorage and amenity of the protected Horse Chestnut tree T25, as listed in the Tree Schedule that forms Appendix B of the Arboricultural Method Statement associated with the application.  
(Policies BE8 & NE3, S.B.L.P.R and 36, 43, 45, 50 & 59).

**7** **Prior to the commencement of the development hereby permitted, the applicant shall submit in writing for the approval of the Local Planning Authority, a suitable external lighting design scheme and impact assessment, devised to eliminate any detrimental effect caused by obtrusive light and/or glare on neighbouring land uses. The scheme shall be prepared by a suitably qualified lighting engineer in accordance with relevant publications and standards, and the approved scheme shall be fully implemented prior to the first occupation of the dwellings, unless an alternative period is approved in writing by the Authority.**

**Reason: To control the development in the interests of the amenities of the area.  
(Policy BE8, S.B.L.P.R. and 43 D.S.C.B).**

**8** **No development shall commence until a Code of Construction Practice has been submitted to and approved in writing by the Local Planning**

Authority which shall detail methods that all developers, contractors and sub-contractors will employ at all times during demolition, construction and other engineering operations on site. The Code of Practice shall include:

- Details of size of vehicles, traffic routes and points of access/egress to be used for construction purposes;
- Measures to be used to control and suppress dust;
- Measures to be used to reduce the impact of noise & vibration arising from noise/vibration 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 works compounds;
- Wheel cleaning facilities for construction traffic.

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

Reason: To control the development in the interests of the amenities of the area.

(Policy BE8, S.B.L.P.R. and 43 D.S.C.B).

9 No development approved by this permission shall take place until the following have been submitted to and approved in writing by the Local Planning Authority:

- a) A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.
- b) Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling.
- c) Where shown to be necessary by the Phase 2 Desk Study, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.
- d) Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

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

**Applicants are reminded that, should groundwater or surface water courses be at risk of contamination during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.**

**Reason: To protect human health and the environment  
(Policies BE8, S.B.L.P.R and 43 & 44)**

**10 No development approved by 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 (PRA) which has identified: - all previous uses - potential contaminants associated with those uses - a Conceptual Site Model (CSM) 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.**

**Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3:2012).  
(Policies BE8, S.B.L.P.R and 43 & 44)**

**11 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as**

identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To protect human health and the environment.  
(Policies BE8, S.B.L.P.R and 43 & 44)

- 12 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.

Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3:2012).  
(Policies BE8, S.B.L.P.R and 43 & 44)

- 13 **Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems 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 from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3:2012).  
(Policies BE8, S.B.L.P.R and 43 & 44)**

- 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 from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3:2012).  
(Policies BE8, S.B.L.P.R and 43 & 44)

- 15 **The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul water 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 from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3:2012).**

**(Policies BE8, S.B.L.P.R and 43 & 44)**

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

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

**(Policies BE8, S.B.L.P.R and 43 DSCB)**

- 17 Prior to the first use of the accesses in connection with the development hereby approved, visibility splays shall be provided at all private means of access from individual properties within the site onto the estate roads. This vision splay shall be provided on each side of the access drive and shall be 2.8m measured along the back edge of the new highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the footway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the dwelling occupier's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the new estate road and the new individual accesses, and to make the accesses safe and convenient for the traffic which is likely to use them.

(Policies BE8, S.B.L.P.R and 43 DSCB)

- 18 Prior to the first use of the access(es) in connection with the development hereby approved, visibility splays shall be provided at all private means of access from individual properties within the site onto the estate road. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the private means of access from its junction with the channel to the through road and 17m measured from the centre line of the access along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

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

(Policies BE8, S.B.L.P.R and 43 DSCB)

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

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

**(Policies BE8, S.B.L.P.R and 43 DSCB)**

- 20 **Development shall not begin until details of turning areas suitable for a light goods vehicle to the private drive servicing plots 8 to 11 been approved by the Local Planning Authority and no building shall be occupied until those turning areas have been constructed in accordance with the approved details.**

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

**(Policies BE8, S.B.L.P.R and 43 DSCB)**

- 21 The length of all parking bays shall be at least 4.8m.

Reason: To ensure that parked vehicles do not adversely affect the safety and convenience of road users by overhanging the adjoining public highway.

(Policies BE8, S.B.L.P.R and 27 & 43 DSCB)

- 22 The maximum gradient of all vehicular accesses onto the estate roads shall be 10% (1 in 10).

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

(Policies BE8, S.B.L.P.R and 43 DSCB)

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

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises and in the interests of preserving the character of the area.

(Policies BE8, S.B.L.P.R and 43, 45 & 50 DSCB)

- 24 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.

(Policies BE8, S.B.L.P.R and 27 & 43 DSCB)

- 25 The driveway length in front of the garages shall be at least 6.0m as measured from the garage doors to the highway boundary.

Reason: To ensure that parked vehicles do not adversely affect the safety and convenience of road users by overhanging the adjoining public highway. (Policies BE8, S.B.L.P.R and 27 & 43 DSCB)

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

Reason: To prevent the deposit of mud or other extraneous material on the highway during the construction period in the interests of the amenity of the area .  
(Policies BE8, S.B.L.P.R and 43 & 45 DSCB)

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

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.  
(Policies SD1 & BE8, S.B.L.P.R and 24 & 43 DSCB)

- 28 **Details of bin storage/collection point shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The details so approved shall be implemented and thereafter retained.**

Reason: In the interest of amenity.  
(Policies BE8, S.B.L.P.R and 43 DSCB)

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

Reason: To ensure that the proposed highways are adequately lit.  
(Policies BE8, S.B.L.P.R and 43 DSCB)

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

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

**(Policies BE8, S.B.L.P.R and 43 DSCB)**

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

**Reason: To control the external appearance of the buildings and in the interests of highway safety.  
(Policies BE8 S.B.P.L.R and 27, 43 & 45 D.S.C.B).**

- 32 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order without modification), no additions to, or extensions or enlargements of, the dwellings hereby permitted shall be erected without the grant of further specific permission from the Local Planning Authority.

Reason: To safeguard the openness of the Green Belt and to control the external appearance of the dwellings in the interests of safeguarding the special landscape character of the area.  
(Policies SD1, NE3 & BE8, S.B.L.P.R. and 36 & 43 D.S.C.B).

- 33 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), the provision within the curtilage of the dwelling of any building or enclosure, swimming or ornamental pool required for purposes incidental to the enjoyment of the dwelling, or the alteration of such a building, enclosure, swimming or ornamental pool shall not be carried out without the grant of further specific permission from the Local Planning Authority.

Reason: To safeguard the openness of the Green Belt and to control the external appearance of the dwellings in the interests of safeguarding the special landscape character of the area.  
(Policies SD1, NE3 & BE8, S.B.L.P.R. and 36, 43 & 45 D.S.C.B).

- 34 **No construction works shall take place until an independently verified Code for Sustainable Homes report that achieves a Code Level 3 rating or above for each dwelling has been submitted to and approved in writing by the Local Planning Authority. Thereafter, each dwelling shall be provided in accordance with the report before it is first occupied.**

**Reason: To ensure that the proposed dwellings are built to a previously approved standard of environmental performance, as set out in the Code for Sustainable Homes.  
(Policies 43 & 46 D.S.C.B).**

- 35 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 12119/P/01,12119/P/02 Rev H, 12119/P/03A, 12119/P/04A, 12119/P/05A, 12119/P/06A, 12119/P/07A, 12119/P/08A, 12119/P/09A,

12119/P/10A, 12119/P/11A, 12119/P/12A, 12119/P/13A,12119/P/14A, 12119/P/15A, 12119/P/16A, 12119/P/17A, 12119/P/18A, 12119/P/19A, 12119/P/20A, 12119/P/21A,12119/P/22A,12119/P/23A,12119/P/24A and 5114/LM02 Rev. A, 5114/PP 03 Rev. A, 5114/PP 04 Rev. A & 5114/PP 05 Rev. A.

The following amended plans have been received: 2119/P/14B & 12119/P/24B and 5114/LM02 Rev. D, 5114/PP 03 Rev. D, 5114/PP/04 Rev. D, 5114/PP 05 Rev D, 12156/4, SK05 Rev. E and SK06.

Reason: For the avoidance of doubt.

### Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. Further surveys may be required should any trees be proposed for removal in case they are of interest for bats or if the development occurs after January 2015 as survey data is only regarded as remaining current for 2 years.
4. The Environment Agency has recommended a condition to protect ground water as we are not confident that sufficient evidence has been formally submitted to prove there is no risk to *controlled waters* on site and from the former and current use of the land immediately adjacent to the site. At this stage, we would therefore require that a Preliminary Risk Assessment (PRA) be undertaken. This should include a walkover survey to investigate areas of potential contamination from current and former land uses. Should risks be identified from the Preliminary Risk Assessment then further site investigation work may be required. The site is underlain by the Lewes Nodular Chalk Formation & Seaford Chalk Formation, which is a drinking water protected area under the EU Water Framework Directive. The Principal Aquifer is of high vulnerability.
5. Piling or any other foundation designs using penetrative methods can result in risks to controlled waters. It should be demonstrated that any proposed piling will not result in contamination of groundwater.
6. No information has been provided as to the intended method of foul drainage. The applicant's attention is drawn to DETR Circular 03/99 which requires an applicant to demonstrate that a connection to the foul sewer is available.

#### Flood Risk

We find the submitted Flood Risk Assessment (FRA) and drainage strategy to be acceptable. We recommend that the highway design should consider the need for appropriate flow routing in the 1 in 100 plus climate change event, with highway levels designed accordingly.

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

7. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN.
8. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in central Bedfordshire (Design Supplement 7 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Street", or any amendment thereto.

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

It is recommended that planning permission be 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 of additional consultation and public responses received since the agenda was published and detailed in the Late Sheet, including objections from neighbours, a petition against the application with 6 signatures, representations regarding access rights:
  - a. Housing Development Officer
  - b. Conservation OfficerThe applicant provided a response to comments from the Parish Council's comments. There was also the final figures for the Section 106 Agreement.
3. The above conditions were revised and consolidated as detailed in the Late Sheet. Renumbering occurred where necessary.]

<b>Item No. 6</b>
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<b>APPLICATION NUMBER</b>	<b>CB/13/02682/VOC</b>
<b>LOCATION</b>	<b>3 Olivers Lane, Stotfold, Hitchin, SG5 4DH</b>
<b>PROPOSAL</b>	<b>Variation/Removal of Conditions: on Application No. CB/12/1007/FULL dated 29/06/2013 Remove Conditions Numbered 2, 3, 4, &amp; 13 and Vary Condition No. 14.</b>
<b>PARISH</b>	<b>Stotfold</b>
<b>WARD</b>	<b>Stotfold &amp; Langford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Clarke, Saunders &amp; Saunders</b>
<b>CASE OFFICER</b>	<b>Mark Spragg</b>
<b>DATE REGISTERED</b>	<b>12 August 2013</b>
<b>EXPIRY DATE</b>	<b>07 October 2013</b>
<b>APPLICANT</b>	<b>Mrs S Anderson</b>
<b>AGENT</b>	<b>GC Planning Partnership Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Cllr Brian Saunders due to concerns raised by Stotfold Town Council</b>
<b>RECOMMENDED DECISION</b>	<b>Variation of Condition - Granted</b>

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

The additional roof lights and the resultant appearance of the development would not have a negative impact on the character of the area or any adverse impact on the residential amenity of neighbouring properties. As such it is in conformity with policies DM3 and DM4 of the Core Strategy and Management Policies (2009) and The National Planning Policy Framework. It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development (2010) and the National Planning Policy Framework (2012).

**RECOMMENDATION**

APPROVE Variation of Condition subject to the following conditions:

**RECOMMENDED CONDITIONS / REASONS**

- 1 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 including any further windows 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 and on the basis that the infrastructure contributions are based on a 3 bedroom dwelling.

- 2 The garage shall be kept available for the parking of motor vehicles at all times. The garage shall be used solely for the benefit of the occupants of the dwelling of which it forms part and their visitors and for no other purpose and permanently retained as such thereafter.

Reason: To ensure adequate parking within the site, in the interests of highway safety.

- 3 The landscaping shown on the approved plans shall be maintained for a period of five years from the date of planting and any planting which dies or is 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.

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number [12.38.06].

Reason: For the avoidance of doubt.

### **Notes to Applicant**

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

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: In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]



<b>Item No. 7</b>
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<b>APPLICATION NUMBER</b>	<b>CB/13/03036/FULL</b>
<b>LOCATION</b>	<b>38 Barford Road, Blunham, Bedford, MK44 3ND</b>
<b>PROPOSAL</b>	<b>Erection of detached dwelling to rear of 38 with parking, access drive and parking for 38 Barford Road</b>
<b>PARISH</b>	<b>Blunham</b>
<b>WARD</b>	<b>Sandy</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Aldis, Maudlin &amp; Sheppard</b>
<b>CASE OFFICER</b>	<b>Nikolas Smith</b>
<b>DATE REGISTERED</b>	<b>29 August 2013</b>
<b>EXPIRY DATE</b>	<b>24 October 2013</b>
<b>APPLICANT</b>	<b>H &amp; A (Developers) Ltd</b>
<b>AGENT</b>	<b>P-Maps Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>This application was called to committee by Cllr Maudlin because of concern that the development would conflict with the open character of the site and the area.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - approval</b>

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

The principle of the development would be acceptable, there would be no harm caused to the appearance of the site or the area, there would be no harm caused to living conditions at neighbouring properties, there would be no harm caused to the safe and free flow of traffic and the impact of the development on existing local infrastructure would be acceptably mitigated. The development would be in accordance with the objectives of the National Planning Policy Framework (2012), the Central Bedfordshire Core Strategy and Development Management Policies (2009), Design in Central Bedfordshire (a guide for development) (2010) and Appendix F (Parking Strategy) of the Central Bedfordshire Local Transport Plan (2012).

**Recommendation:**

That Planning Permission be approved subject to the following conditions:

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

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

- 2 **No development shall commence at the site before details of materials to be used in the external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

**Reason: To ensure that the appearance of the development would be acceptable.**

- 3 **No development shall commence at the site before details of landscaping and boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

**Reason: To ensure that the appearance of the development and its impact on living conditions at neighbouring properties would be acceptable.**

- 4 **No development shall commence at the site before details of two parking spaces and one visitor parking space, measuring 2.5m x 5.0m each, and a turning area suitable for a service/delivery sized vehicle have been submitted to and approved in writing by the local planning authority and the development shall not be occupied until the parking spaces, visitor parking and turning area is constructed in accordance with the approved details and thereafter be retained for these purposes.**

**Reason: To provide adequate on site parking provision, visitor parking provision and a turning area for service vehicles.**

- 5 The bungalow shall not be occupied before the on site vehicular areas have been constructed and surfaced in a stable and durable material 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 be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site 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.

- 6 The development shall be carried out and completed in all respects in accordance with the access siting and layout, replacement parking for no. 38 and refuse collection point illustrated on the approved drawing no. 07 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.

- 7 **No development shall commence at the site before a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and 2 short stay spaces per unit, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

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

- 8 **No development shall commence at the site before a scheme detailing provision for on site parking for construction workers and deliveries 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.**

- 9 **No development shall commence at the site before details of existing and proposed site levels showing cross sections through the site with neighbouring buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

**Reason: To ensure that the impact of the development on the appearance of the area and on living conditions at neighbouring properties would be acceptable.**

- 10 Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 1995 (as amended) or any subsequent legislation re-enacting that Order, there shall be no extensions to the roof space at the bungalow without planning permission having first been sought and obtained from the Local Planning Authority.

Reason: To protect living conditions at neighbouring properties.

- 11 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [01, 06, 07 and Design and Access Statement dated August 2013].

Reason: For the avoidance of doubt

### **Notes to Applicant**

1. The applicant is advised that no works associated with the widening 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 9BA quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the widening 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 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.
4. 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 Annexes – July 2010".

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

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.

[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 additional representation received and detailed in the Late Sheet:
  - a. Blunham Parish Council had objected for the following reasons:

- i. Inappropriate development which could create a precedent.
    - ii. Would not confirm to a building line and vehicles up along side the house could be dangerous.
    - iii. Would harm views from the neighbouring property and would have a visual impact on the nearby playing fields.
    - iv. The bungalow would not be compatible with usage of the playing fields because of noise and light problems.
  - b. Blunham Playing Fields Association also raised the following objections:
    - i. A fire engine might not be able to reach the playing fields
    - ii. Balls might go in to the rear garden of the new house
    - iii. The use of the sports fields could result in late night noise
    - iv. Traffic travelling past the house might lead to disputes
    - v. Existing flood lighting could be problematic for future occupiers
  - c. Two letters of objection from No. 36 Barford Road had been received, that raise the following concerns:
    - i. The building would be too tall
    - ii. There would be a loss of privacy and the view of playing fields would be blocked.
    - iii. The location of the bungalow could undermine the ability of the playing fields to properly function
    - iv. Traffic and emergency vehicles could be problematic
    - v. The development would not be in keeping and could set a precedent
    - vi. There would be hard to the character of the area.
  - d. The reasons for the refusal of the previous application CB/13/01604/FULL were detailed in the Late Sheet.
3. The removal of permitted development rights for the roof section including dormer windows.]

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<b>Item No. 9</b>
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<b>APPLICATION NUMBER</b>	<b>CB/13/02801/FULL</b>
<b>LOCATION</b>	<b>84 Miles Avenue, Leighton Buzzard, LU7 3LG</b>
<b>PROPOSAL</b>	<b>Single storey side and rear extension, loft conversion</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Leighton Buzzard North</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Johnstone, Shadbolt &amp; Spurr</b>
<b>CASE OFFICER</b>	<b>Stuart Robinson</b>
<b>DATE REGISTERED</b>	<b>08 August 2013</b>
<b>EXPIRY DATE</b>	<b>03 October 2013</b>
<b>APPLICANT</b>	<b>Mrs J Cripps-Hay</b>
<b>AGENT</b>	
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The applicant is an employee of the Council</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

**Reasons for Granting**

The proposed single storey side and rear extension and loft conversion, by reason of their siting, design and scale would complement the local surroundings and would not result in a loss of light, privacy or overshadowing or be prejudicial to highway safety as considered by policies BE8, H8 and T10 of the South Bedfordshire Local Plan Review 2004; Policies 27, 36, 38 and 43 of the emerging Development Strategy for Central Bedfordshire and the National Planning Policy Framework (2012). They are in further conformity with the technical guidance Design in Central Bedfordshire, A Guide for Development (2010) and the Central Bedfordshire Local Transport Plan: Appendix F – Approach to Parking (2012).

**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 **No development shall commence until the widened access and parking areas shown in drawing no. 1/6 Revision 1 have been laid out, drained and surfaced.**

**Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with Policy T10 of the South Bedfordshire Local Plan Review and Policy 27 of the emerging Central Bedfordshire Council Development Strategy (January 2013).**

- 3 The external finish of the walls and roofing materials to be used for the extension shall match that of the existing building as closely as possible.

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

(Policies BE8 and H8 South Bedfordshire Local Plan Review and Policy 43 emerging Development Strategy for Central Bedfordshire).

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

Reason: For the avoidance of doubt.

### **Notes to Applicant**

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 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.



4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Technology House, 239 Ampthill Road, Bedford MK42 9BD.

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

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

[Note: In advance of consideration of the application the Committee were advised of the following information contained in the Late Sheet:

- A revised application was provided in response to Highway officer concerns. The revised dwelling removed one of the suggested conditions.
- The applicant's plan number 1/6 should be replaced with number 1/6 Revision 1.
- Conditions 2 and 4 have been amended as written above.]

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<b>Item No. 10</b>
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<b>APPLICATION NUMBER</b>	<b>CB/13/02731/FULL</b>
<b>LOCATION</b>	<b>Crooked Oak, Bridle Way, Toddington, Dunstable, LU5 6HS</b>
<b>PROPOSAL</b>	<b>Two storey front/side extension and single storey rear extension.</b>
<b>PARISH</b>	Toddington
<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>19 August 2013</b>
<b>EXPIRY DATE</b>	<b>14 October 2013</b>
<b>APPLICANT</b>	<b>Mr &amp; Mrs Laird</b>
<b>AGENT</b>	
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Applicant is a member of staff</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

### Summary of Recommendation

In conclusion, the scheme by reason of its site, design and location would not harm the character and appearance of the area or have an adverse impact on the residential amenity of neighbouring properties. As such the proposal is in conformity with Policy BE8, H8 and H13 of the South Bedfordshire Adopted Local Plan Review Policies 2004; Policies 36 and 43 of the Emerging Development Strategy for Central Bedfordshire 2013 and National Planning Policy Framework. It is further in conformity with the Design in Central Bedfordshire: A Guide for Development - *Design Supplement 4: Residential Alterations and Extensions* (2009). It is therefore considered **acceptable** and that planning permission should be granted subject to conditions.

### Recommendation

That Planning Permission be granted subject to the following conditions / reasons:

### 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(s) and the visual amenities of the locality.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2, 3a, 4a, 6 B, 7, 8.

Reason: For the avoidance of doubt.

### **Notes to Applicant**

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

### **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 proactively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted proactively 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: In advance of consideration of the application the Committee were advised that Toddington Parish Council had no objection to the application.]

<b>Item No. 11</b>
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<b>APPLICATION NUMBER</b>	<b>CB/13/02862/FULL</b>
<b>LOCATION</b>	<b>3 Kestrel Road, Flitwick, Bedford, MK45 1RB</b>
<b>PROPOSAL</b>	<b>Single Storey front extension and associated alterations</b>
<b>PARISH</b>	Flitwick
<b>WARD</b>	<b>Flitwick</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Chapman, Gomm &amp; Turner</b>
<b>CASE OFFICER</b>	<b>Dee Walker</b>
<b>DATE REGISTERED</b>	<b>16 August 2013</b>
<b>EXPIRY DATE</b>	<b>11 October 2013</b>
<b>APPLICANT</b>	<b>Mr &amp; Mrs Swannell</b>
<b>AGENT</b>	<b>S &amp; S Surveying &amp; Design</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Applicant is a Member of Staff</b>

<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>
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### Summary of Recommendation

In conclusion, the scheme by reason of its site, design and location would not harm the character and appearance of the area or have an adverse impact on the residential amenity of neighbouring properties. As such the proposal is in conformity with Policy DM3 of the Central Bedfordshire Adopted Core Strategy and Development Management Policies 2009; Policy 43 of the Emerging Central Bedfordshire Development Strategy 2013 and National Planning Policy Framework. It is further in conformity with the Design in Central Bedfordshire: A Guide for Development - *Design Supplement 4: Residential Alterations and Extensions* (2009). It is therefore considered **acceptable** and that planning permission should be granted subject to conditions.

### Recommendation

That Planning Permission be granted subject to the following conditions/reasons:

### 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(s) and the visual amenities of the locality.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 01.

Reason: For the avoidance of doubt.

### **Notes to Applicant**

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

### **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 proactively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted proactively 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: In advance of consideration of the application the Committee were advised that Flitwick Town Council supported the application.]