

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 5 February 2014

### PRESENT

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

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

Apologies for Absence: Cllrs D Bowater  
Ms C Maudlin

Substitutes: Cllrs Mrs D B Gurney (In place of D Bowater)

Members in Attendance: Cllrs P A Duckett  
Mrs M Mustoe,  
J Murray

Officers in Attendance:	Mr D Ager	Highways Officer
	Miss H Bell	Committee Services Officer
	Mr M Cornell	Principal Highway Engineer
	Mrs V Davies	Principal Planning Officer
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Miss A Gammell	Senior Planning Officer
	Mr D Hale	Planning Manager South
	Mr J Spurgeon	Principal Planning Officer
	Mrs D Walker	Senior Planning Officer

### DM/13/72 **Chairman's Announcements**

The Chairman advised that Agenda Item 8, 1 White Horse Court, Hockliffe Street, Leighton Buzzard had been withdrawn from the agenda.

The Chairman asked all persons present to silence their phones for the duration of the meeting.

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

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

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

DM/13/73 **Minutes**

**RESOLVED**

**that the Minutes of the meeting of the Development Management Committee held on 8 January 2015 be confirmed and signed by the Chairman as a correct record.**

DM/13/74 **Members' Interests**

(a) **Personal Interests:-  
Member**

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr K C Matthews	7	Know Speaker in capacity as previous Portfolio Holder for Planning.	Present
Cllr A Shadbolt	7	Know Speaker in capacity as former Chairman of Development Management Committee	Present
Cllr N Young		In capacity as Portfolio Holder for Planning know some Speakers in attendance.	Present

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

None were declared.

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

<b>Member</b>	<b>Item</b>	<b>Parish/Town Council</b>	<b>Vote Cast</b>
Cllr M Blair	9	Amphill Council	Town Did not vote

DM/13/75 **Planning Enforcement Cases Where Formal Action Has Been Taken**

**AGREED**

**that the monthly update of planning enforcement cases as identified in the report where formal action had been taken were received.**

DM/13/76 **Late Sheet**

In advance of consideration of the following 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/13/77 **Planning Application No. CB/13/03597/OUT**

**RESOLVED**

**That Planning Application No CB/13/03597/OUT relating to Land at Frenchs Avenue, Dunstable be approved as set out in the schedule appended to these minutes.**

DM/13/78 **Planning Application No. CB/13/04368/FULL**

**RESOLVED**

**That Planning Application No CB/13/04368/FULL relating to Toddbury Farm, Slapton Road, Little Billington, Leighton Buzzard be approved as set out in the Schedule appended to these Minutes.**

DM/13/79 **Planning Application No. CB/13/04086/FULL**

**RESOLVED**

**That Planning Application No CB/13/04086/FULL relating to 1 White House Court, Hockliffe Street had been withdrawn from the agenda.**

DM/13/80 **Planning Application No. CB/13/04055/FULL**

**RESOLVED**

**That Planning Application No CB/13/04055/FULL relating to Russell Lower School, Amphill be approved as set out in the Schedule appended to these Minutes.**

DM/13/81 **Planning Application No. CB/13/04209/FULL**

**RESOLVED**

**That Planning Application No CB/13/04209/FULL relating to 22 The Grove, Biggleswade be approved as set out in the schedule appended to these Minutes.**

DM/13/82 **Planning Application No. CB/13/03796/FULL**

**RESOLVED**

**That Planning Application No CB/13/03796 relating to 9 Park Leys, Harlington be approved as set out in the Schedule appended to these Minutes.**

DM/13/83 **Bi Annual Update of Development Management Performance**

The Committee received and considered a report of the Assistant Director of Planning setting out the bi annual update of Development Management Performance.

The Committee recorded their gratitude to the Development Management department for their continued hard work.

**RESOLVED**

**That the six monthly update on Development Management Performance statistics as set out in the submitted report be noted.**

DM/13/84 **Site Inspection Appointment(s)**

**RESOLVED**

**that the following Members be appointed to conduct any site inspections to be undertaken in advance of the next meeting of this Committee to be held on Wednesday 5 March 2014**

**Chairman or (his nominee)**

**Vice-Chairman (or his nominee)**

**Cllrs P N Aldis**

**R Berry**

**A Bastable**

(Note: The meeting commenced at 10.00 a.m. and concluded at 12.45 p.m.)

Chairman .....

Dated .....

This page is intentionally left blank

**LATE SHEET****DEVELOPMENT MANAGEMENT COMMITTEE – 05.02.2014*****Item 6 (Pages 11 – 56) – CB/13/03597/OUT – Land at French's Avenue, Dunstable, LU6 1BJ*****Updated responses**

Dunstable Town Council (7/11/13)

No objections to redevelopment on the land for housing but the Council has serious concerns regarding access and egress to the potential development. The Council believes that the town's transport infrastructure simply cannot accommodate another housing development of the scale proposed. The existing access and distributory route for Frenchs Avenue is already at capacity. The adjoining A5 itself is also at or above capacity. The Council has further concerns that the development would have an impact on other areas of social infrastructure in the town.

Houghton Regis Town Council (5/11/13)

No objections to the enhancement of part of the County Wildlife Site, which lies within the Parish of Houghton Regis.

**Additional Comments**

Following comments by the applicant it is considered that a few clarifications in the report would assist consideration. References to page and location are given although this update can be read on its own. Firstly, the applicant is Ravenside Investments Ltd rather than Mr Robert Hardie.

Assessment of the application has been based on the proposed floorspace but the indicative limit of 223 dwellings has helped in this regard [p.15, end of 1<sup>st</sup> par.]. The parameter plans also include maximum and minimum sizes for building envelopes which would be tied into any permission by condition. The Environmental Assessment was based on these plans. SBLP Policy R14 should be added to the list on page 17. The Development Plan therefore comprises these saved policies and those saved in the 2005 Minerals and Waste LP.

In respect of the infrastructure contributions the applicant refers to par.122 of the CIL Regulations 2010, but the need to make sure planning obligations are necessary, related, and proportionate is also found at par.204 of the NPPF [p.33 (g); table on p.44]. The applicant suggests that p.33 (h) does not 'clearly identify' Green Belt policy. Reference to DS Policy 36 and the extensive treatment in the NPPF, of which Members are well aware, and the 'Green Belt' text on page 36, are considered sufficient to address what is an insignificant issue of use of land in this case.

He highlights the further responses from the Archaeologist and Landscape Officers relating to the reduction in height of the tallest buildings from 17.0 to 14.5m. They ask

that buildings are limited to 12m where they face outwards towards the countryside and that trees be planted on these frontages. The report notes that existing commercial buildings already screen most of the site but it is accepted that new development may be seen 'round the ends'. However, it is considered that such requirements by the consultees are not fully justified. Seeing new buildings of similar height to the side of the commercial buildings would not significantly increase the visual impact of the urban area. Furthermore, the higher parts of the taller buildings could be treated so as to reduce the visual impact over the scarp from the north-west. Large scale tree planting on the western frontage would also be difficult in view of the levels difference.

The report [p.41, penult. par] proposes that precise sustainable travel destinations for developer contributions are confirmed nearer the time of construction. For clarity, the present list of potential initiatives would include (a) improvements to footway/cycle links with Brewers Hill Road, (b) traffic calming to French's Avenue, (c) assistance towards provision of adequate bus service (no.74) to French's Avenue, (d) easier crossing of A5 to link with busway corridor walk/cycle route [the table on p.44 also refers]. By way of an update, the Council is now in receipt of an external grant towards service 74 for the remainder of this year but onward funding has yet to be secured.

For clarification, the remaining commercial land over which the indicative layout rolls out is in third party ownership and cannot be brought forward through the wishes of the applicant [p.46, 8 (third par)]. The application has been appraised alongside the relevant policies in the Development Plan and has considered all material considerations [p.46, 8 (after 5<sup>th</sup> par)]. Finally, the applicant seeks a statement that the proposal has been considered alongside the Development Plan and other material considerations. This is already set out in the 'Reasons for Recommendation' on page 13.

#### Infrastructure, planning obligations and viability

The appropriateness of applying a Review Mechanism to the contributions has been considered. This provides that, as the value of the development increases (if this proves to be the case) between the signing of the S106 and the roll-out of development, an increasing portion of the full infrastructure liability (according to the Council's SPD) is due. The base value is of course the £1.35m on page 45 of the Report. The applicant has been advised of this, agrees in principle to such a mechanism, and an oral report will be made at the Meeting.

#### **Amendments to conditions**

Amendments are proposed to the highway conditions. In view of the proposal to review infrastructure contributions with the roll-out of development, such as at Reserved Matters stage, condition 23 is no longer considered appropriate as it would commit the Council to this particular solution. It will be replaced by a Travel Plan condition. Following discussion with the highways officer and applicant it can be clarified that Condition 24 would only involve a small encroachment into the frontage so that larger vehicles could turn in French's Avenue. At the present a significant area of the factory forecourt is public highway, understood to have been provided to



enable buses to turn. Through an appropriate process, highway rights would be extinguished over that part of this area no longer needed for the new turning head.

Replacement condition 23:

Before the occupation of the first dwelling a residential travel plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of:

- Predicted travel to and from the site and targets to reduce car use;
- Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks;
- Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport;
- Timetable for implementation of measures designed to promote travel choice;
- Plans for monitoring and review utilising Central Bedfordshire Council's travel plan monitoring software, annually for a period of 5 years;
- Details of provision of cycle parking;
- Details of marketing and publicity for sustainable modes of transport to include site specific welcome packs. Welcome packs to include walking, cycling, public transport and rights of way information; and
- Details of the appointment of a travel plan co-ordinator.

The details of the Travel Plan shall be implemented solely as approved.

Reason: To reduce reliance on the private car by promoting public transport and sustainable modes of transport.

***Item 7 (Page 57- 58 ) – CB/13/04368/FULL – Toddbury Farm, Slapton Road, Little Billington, Leighton Buzzard***

**Additional Consultation/Publicity Responses**

Aylesbury Vale District Council – no comment.

Buckingham & River Ouzel Internal Drainage Board – As the site is outside of the Board's district, it is suggested that ground conditions are investigated and if found satisfactory the soakways constructed in accordance with the latest Building Research Establishment Digest 365.

5 letters of objection have been received since the report was written.

One of the objections was received from Andrew Selous MP who requested that his own objections be considered by the Development Management Committee. The reason for the objection is that Billington has more sites per head of settled population than almost any village in Central Bedfordshire if not any village in Bedfordshire.

The other 4 letters were received from nearby residents who raise objections for the following reasons:

- Seemingly endless incremental development to the Toddbury Farm area.
- The site was originally approved as an industrial site.
- Future development can only have a negative impact on the quality of life for the residents of Little Billington.
- Expect more noise from builders and residents in the future.
- More traffic on a very narrow road which cannot tolerate an increase in heavy traffic.
- Approving this application will set a precedent for housing further development in the villages of Great and Little Billington, to the detriment of current and future residents and would run counter to the Council's vision for the area.
- The numbers of travelling residents exceeds those of the settled community and CBC are minded to grant planning permission for even further increases in numbers.
- The site is not one of the proposed "official sites" in the CBC Plan.
- The Parish Council have in the past been given assurances that there will be no new sites & this site cannot be defended as an extension to an existing site.
- Waste water and raw sewage is pumped directly into ditches.
- Reiterated comments of Billington Parish Council and Slapton Parish Council.

### **Officer comments**

Concerns have been raised regarding the waste water and sewage being pumped into ditches. The existing site at Toddbury Farm has a foul drainage system the details of which were approved by the Council on the advise of the Environment Agency. The proposed additional pitch would also connect to the existing system and the Environment Agency has raised no objection subject to conditions. The Council is however aware of potential discharges into ditches from other Gypsy and Traveller sites in the vicinity.

All of the other points raised have been dealt with in the main report.

### **Other issues**

Please note that submitted plan BP-01 has now been removed from the application documents and that any permission granted would be on the basis of the submitted location plan and BP-02 only.

Billington Parish Council has raised concern that the plan contained within the agenda pack is different to the plans within the application and this may cause confusion. The plan in the agenda pack is broadly in line with the red line plan contained within the application, however it does lack the context of the wider Toddbury Farm site. The plans within the application which will be displayed at Committee are likely to be more helpful to Members in making their decision.

### **Additional Comments**

None

**Additional/Amended Conditions/Reasons**

None

***Item 8 (Page 79-98 ) – CB/13/04086/FULL – 1 White House Court, Hockliffe Street, Leighton Buzzard*****Additional Consultation/Publicity Responses**

None

**Additional Comments**

None

**Additional/Amended Conditions/Reasons**

None

***Item 9 (Page 99-114 ) – CB/13/04055/FULL – Russell Lower School, Queens Road, Ampthill, Bedford*****Additional Consultation/Publicity Responses:****Sustainable Transport Team Comments**

We have no comments on the site layout and design of the proposed extensions and alterations and welcome the addition of a new ramped access to the front entrance of the school. We do however have comments relating to the lack of recognition in the supporting information of the impact in the vicinity of the school of:

- Changes related to the new and existing footpaths and access shown on the drawings; and
- Increased travel activity that will be generated by the proposals;
- Safety issues in the adjacent streets

The planning application will effectively increase the potential capacity of the school by one-third from 300 to 450 pupils. Based on the information provided in 2011 when the last school travel surveys were done there were 201 pupils and there are currently 250. There was a 50% response rate to the 2011 survey indicating 36 pupils came to school by car and 64 walked. There were no staff or visitor surveys carried out at this time.

If travel choices to school do not change significantly in the next few years it is possible to estimate the likely level of pupil trips that a 450 pupil capacity school would generate:

- 100 pupils (50% sample) = 36 by car, 64 walk;
- 200 pupils (2011 pupil numbers) = 72 by car, 128 walk;
- 450 pupils (proposed pupil numbers) = 162 by car, 288 walk

The proposed increase in pupil numbers will therefore result in a 125% increase in pupil trips from 2011 levels.

In reality too as Russell Lower School accommodates children aged 5-9 this means that in terms of numbers there are likely to be at least double the number of people making trips to and from school than pupils because:

- All trips to and from school are likely to be accompanied;
- Although some parents may accompany more than one school age child, many will have younger siblings and other family members with them;
- Accompanying adults will make return trips too doubling their trips to that of the children.
- There are no staff or visitor trip figures included in any of the calculations.

This substantial increase in travel activity in and around the school area raises significant concerns because existing school and other parking and traffic problems have already been identified in the supporting information as causing pedestrian safety issues for parents and pupils. Based on the figures above there is no doubt that vehicle and pedestrian conflicts will increase, caused by the growth in numbers of people accessing the school site and the congestion this causes around it. For this reason it is considered the application and Travel Plan (TP) do not go far enough in recognising the responsibility of the proposals to address the environmental and safety impacts of the increases in travel on local residents, pupils, staff and others affected by the expansion of the school on the site.

On the 16<sup>th</sup> October 2013, at the request of the school on Nick Shaw (CBC Sustainable Transport Officer) met with the Head Teacher and a Governor on site to discuss existing concerns relating to traffic and pupil safety in the vicinity of the school. At this meeting it was made clear that there is currently no CBC funding available to deliver any highway or transportation improvements in this area. The 'Safer Routes to Schools' program (as referred in the TP) now forms an element of Central Bedfordshire's (CBC) Highways Capital Programme, allocated through Local Area Transport Plan (LATP) and this does not include any improvements in the Ampthill area in the plan period (up to 2015). Nick subsequently (17.10.2013) emailed through the details of the LATP and advised that Ampthill Town Council had applied to CBC's rural match funding scheme for £6,000 towards a series of double yellow line proposals at junctions in the town, one of which was Queen Street/Saunders Piece. It was advised that this would not however be of great benefit to the school as from site observations it was apparent that they would need a single yellow line along the whole of Queen Street timed to the start and end of the school day and further measures to improve safety, facilitate pedestrian, cycle and scooter trips. It was recommended that any proposals would need to be aligned to a funding source and that the most feasible one was the expansion of the school as it was assumed this would undoubtedly exacerbate the situation and so it would be essential that the existing concerns were addressed as part of this development process. Offers to be involved in this were made.

It is therefore disappointing that we are faced with the proposals as submitted. Para 1.4 of the TP itself explains the expansion of the school is required as a result of new residential development in the area. Impacts on travel directly resulting from the expansion should therefore not be the responsibility of CBC to resolve and there is no funding available to do this. Travel impact mitigation measures will therefore need to be addressed by the school expansion project itself.

It is also noted that there is a new footpath link and access point to the south of the site and a change in location of the existing entrance slightly north of its current position. The implications of changes in access points on travel patterns, particularly by pedestrians, to and from school are not addressed in any of the supporting information. There is a school safety zone on Queens Road which includes an access barrier, 'zig-zag' no stopping road markings and coloured surfacing outside the entrance. Any change in location of the existing access will require amendments to the barrier position, the new access will require similar barrier treatments and the safety zone will need to be extended potentially with other features to enhance safety and convenience. On-site measures to align with these accesses and the increased pedestrian activity will also need to be explored i.e. provision of additional cycle/scooter parking, its relocation to convenient locations and footpath widths appropriate to accommodate the likely levels of use and parents with pushchairs, accompanying children etc.

At the October 2013 meeting with the school it was explained that infrastructure is only part of the solution to traffic problems and the need for an effective Travel Plan, walking, cycling and scooting culture and ethos needs to be developed in the school in order to help prevent exacerbation of the situation currently seen along Queens Road and creation of it elsewhere. The TP currently falls short of this. Detailed comments are set out below:

#### **Section 2 Policy Review.**

- This does not refer to:
  - National Travel Plan Guidance (Delivering travel plans through the planning process 2009); or
  - CBC Travel Plan Guidance (available on the CBC website)

#### **Section 4 Travel Patterns.**

- The 2011 Travel Survey should be updated to support an application this size. If it is to be done pre occupation but post submission, measures to address increases in travel will still need to be identified and secured prior to this based on what information is available.
- Staff survey data will be required
- The document shows images of significant evidence of scooter parking, but this mode of travel is not recognised in the TP at all.
- The 'Hands Up' survey, although pupil sourced, could be used too
- There is no information about where staff and pupils come from i.e. home post code plots. This is required to seriously consider issues and propose measures
- More information is required to understand why if the preferred choice is for 82% to walk why this is not happening. What are the barriers and perceptions discouraging this now?

- There is no information on schools transport. Do any children get bused/taxied in? Is this likely to increase, can this be accommodated safely and within CBC schools Transport policy requirements?

#### **Section 5 Aims, Objectives and Targets**

- It would be helpful if 2004 surveys exist to use this as an indicator of progress over the period and evidence for target i.e. 2004 to 2011 = 4% change in 7 yrs = 0.6% change per year. 2014 data would further assist with this evidence based approach. A trend could be generated against which progress could be monitored in future years.

#### **Section 6 travel Plan Measures and Initiatives**

- Overall this section looks to repeat a previous TP. Is there any evidence/records that demonstrate any of these initiatives work, that they are or have been done successfully previously?
- 6.6 The School Council might be able to help identify issues and problems from a pupil perspective using maps etc.?
- 6.13 School gate parking issues identified but solutions not.
- 6.36 'Working with CBC' on footpath issues on Queens Road. See comments above re funding.
- 6.45 There is no specific 'Safer Routes to School' programme. Funds allocated through the LATP. See comments above.
- 6.37 Hazards identified need to be addressed. Same comments on funding as above.

In summary therefore based on the comments above it is considered that further discussions on this application will be necessary to:

- Identify physical measures to mitigate the immediate travel, environmental and safety impacts of increased travel generated by the extension proposals on the school and adjacent local communities; and
- Ensure a robust Travel Plan that will promote measures to encourage continuing increases in sustainable travel behaviours and mode shift to further reduce or minimise the travel impacts of the school in the future.

29/01/14

#### **Additional Comments**

None

#### ***Item 10 (Page 115-120 ) – CB/13/04209/FULL – 22 The Grove, Biggleswade***

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

None

#### **Additional Comments**

None

**Additional/Amended Conditions/Reasons**

None

***Item 11 (Page 121- 130 ) – CB/13/03796/FULL – 9 Park Leys Harlington***

**Additional Consultation/Publicity Responses**

None

**Additional Comments**

None

**Additional/Amended Conditions/Reasons**

None

This page is intentionally left blank



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

<b>APPLICATION NUMBER</b>	CB/13/03597/OUT
<b>LOCATION</b>	Land at Frenchs Avenue, Dunstable, LU6 1BJ
<b>PROPOSAL</b>	Outline : Demolition of existing buildings and redevelopment to provide up to 23,500 sq.m (GEA) of C3 (Residential) floor space (including flexibility for upto 100 sq.m (GEA) of A1/A3 (retail floor space) with associated vehicular access and landscaping enhancements.
<b>PARISH</b>	Dunstable
<b>WARD</b>	Dunstable Northfields
<b>WARD COUNCILLORS</b>	Cllrs Murray & Mrs Coleman
<b>CASE OFFICER</b>	Mr J Spurgeon
<b>DATE REGISTERED</b>	17 October 2013
<b>EXPIRY DATE</b>	06 February 2014
<b>APPLICANT</b>	Mr Robert Hardie
<b>AGENT</b>	Deloitte Real Estate
<b>REASON FOR COMMITTEE TO DETERMINE</b>	Ward Councillor considers the proposal to be significant in size and will have a material effect on the immediate vicinity
<b>RECOMMENDED DECISION</b>	Outline Application - Approval

### Reasons for Recommendation

The proposal will deliver a sustainable form of primarily residential development with the flexibility for up to 100m<sup>2</sup> (gross) of A1/A3 retail floorspace, together with associated access, landscaping 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, South Bedfordshire Local Plan Review (2004), Bedfordshire and Luton Minerals and Waste Local Plan Policies (2005), Planning Obligations (South) SPD, Design in Central Bedfordshire: A Guide to Development (2010) and Central Bedfordshire Local Transport Plan: Appendix F - Parking Strategy.

### Recommendation

It is recommended that subject to the satisfactory completion of a Section 106 Legal Agreement requiring contributions towards those matters set out in the report and provided no new issues are raised then **APPROVE** planning permission subject to the conditions detailed below. However, if there are any minor changes or adjustments to the conditions considered necessary by the Head of Development Management then it is requested that these changes be delegated to the Head of Development Management or a Planning Manager.

**RECOMMENDED CONDITIONS**

- 1 **Approval of the details of the appearance, landscaping, layout and scale of the development, (herein called ‘the reserved matters’) shall be obtained in writing from the Local Planning Authority before development is commenced. 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 The reserved matters submission shall be accompanied by a Design Statement developing the concepts set out in the Design and Access Statement so as to provide a basis and foundation for the reserved matters scheme as proposed. Such statement shall indicate facing materials, surfaces and internal boundary treatments and shall show how public art has been integrated into the scheme.

Reason: To ensure that the design of the scheme is of a high quality in itself.

- 3 Application for approval of the reserved matters, 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.

- 4 No more than 23,500 sq m (GEA) of C3 (Residential) floor space (including flexibility for up to 100 sq m (GEA) of A1/A3 (Retail) floorspace of the Town and Country (Use Classes) Order 1987 (as amended) shall be constructed on the site pursuant to this planning permission in accordance with the Development Parameter Plan No. A-P-001 Rev 01 submitted as part of planning application reference CB/13/03597/OUT validated on 17 October 2013.

Reason: For the avoidance of doubt and Policy 60 of the emerging Development Strategy for Central Bedfordshire Pre-Submission.

- 5 **No development shall take place until a scheme, based on an up-to-date reptile survey, to inform the future management of the site and protection measures, has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in full in accordance with a timetable agreed in writing by the Local Planning Authority.**

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

- 6 **No development shall take place until a written scheme of archaeological resource management that includes post excavation**

analysis and publication 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 scheme.

**Reason:** To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to secure the protection and management of archaeological remains which may be preserved in situ within the development site.

- 7 **No development shall take place until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved.**

**Reason:** To prevent environmental and amenity problems arising from flooding.

- 8 **No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas shall be constructed until the works have been carried out in accordance with the surface water strategy so approved.**

**Reason:** To prevent environmental and amenity problems arising from flooding.

- 9 **Infiltration systems for surface water drainage shall only be used where approved in writing by the Local Planning Authority and where it has been demonstrated to the Local Planning Authority's satisfaction that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval 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). (Environment Agency condition).

- 10 **No development shall take place until a drainage plan/map for the disposal of both foul and surface 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). (Environment Agency condition).

- 11 **No development shall commence until a Construction Environmental Management Plan (CEMP) for the site has been submitted to and approved in writing by the Local Planning Authority and which shall**

detail methods that all developers, contractors and sub-contractors will employ at all times during demolition, construction and other engineering operations on the site. The CEMP shall include:

1. Details on communications, standard construction hours for noisy works, access routes, equipment, the siting and appearance of any works compound, wheel washing facilities, hoardings, maintenance and details of any piling;
2. Measures to be used to control and suppress dust;
3. Measures to be employed to minimise the impact of noise and vibration arising from noise and vibration generating activities carried out on site in accordance with best practice set out in BS5228:2009 "Code of Practice for noise and vibration control on construction and open sites".

The development hereby approved shall only be undertaken in accordance with the agreed CEMP.

Reason: To safeguard the amenities of adjoining occupiers, to protect the surrounding countryside and prevent the deposit of materials on the highway.

- 12 No development shall commence until a detailed scheme for protecting the proposed dwellings and amenity areas from noise from the adjacent industrial area has been submitted to and approved by the Local Planning Authority. Any works and measures which form the approved scheme shall be completed and shown to be effective before any permitted dwelling is occupied unless an alternative period for completion is agreed by the Local Planning Authority.

Reason: To ensure that the amenities of occupiers are not prejudiced by excessive noise from the adjacent industrial area.

- 13 Noise resulting from the use of the plant, machinery or equipment in association with any A1 or A3 use shall not exceed a level of 5 dBA below the existing background level (or 10 dBA below if there is a tonal quality) when measured in accordance with BS 4142:1997, at a point one metre external to the nearest noise sensitive building.

Reason: To ensure that the amenities of neighbouring occupiers are not prejudiced by excessive noise.

- 14 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:

1. Supplementary Intrusive Site Investigation reports further documenting the contamination conditions of the site as recommended in Section 10.0 of the October 2013 'Ground Conditions Baseline Survey'. These reports must include further ground gas and groundwater investigations and additional infiltration studies to support any proposed mitigation of contamination on sustainable drainage measures, in accordance

with methodologies for such investigations and studies that have been agreed in writing by the Environment Agency.

2. Where shown to be necessary by point a) above, a detailed Phase 3 scheme for remedial works and measures to be taken to mitigate any risks to human health, and the wider environment.
3. Any works which form part of the Phase 3 scheme approved by the Local Planning Authority shall be completed in full before any permitted building is occupied unless an alternative period is approved in writing by the Authority. 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.

Where any topsoils are to be moved or traded then the requirements of the British Standard for Topsoil, BS 3882:2007 shall be adhered to.

Reason: To protect human health and the environment.

- 15 No development 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) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site;
2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM;
3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary;
4. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and 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). (Environment Agency condition).

- 16 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 detailing how this unsuspected contamination shall be dealt with and obtained written approval of that strategy 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). (Environment Agency condition).

- 17 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). (Environment Agency condition).

- 18 **No development shall take place until a scheme for the parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

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

- 19 **No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed waste audit scheme. The waste audit scheme shall include details of refuse storage and recycling facilities. The development of dwellings and/or commercial units 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.**

- 20 Before the occupation of the 101st dwelling on the site, or such other stage as may be agreed by the Local Planning Authority, a surfaced 'bring point' for the collection of recyclable materials shall be provided in a position to be indicated on the 'reserved matter' layout plan, to include anchor points for containers.

Reason: To ensure an appropriate scale of facility for recycling for the

development.

- 21 All dwellings on the site as shown in plan number 1950 A-P-001 rev 01 shall be required to reach achievement for Code for Sustainable Homes Level 3 (Fabric Only) and deliver 10% to Lifetime Homes Standards.

Reason: To ensure the future energy efficiency for the site and to provide homes for all.

- 22 **No development shall take place until details of the junction between the proposed estate road and the highway have been approved in writing 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.**

- 23 Before the occupation of the first dwelling a residential travel plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of:

- Predicted travel to and from the site and targets to reduce car use;
- Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks;
- Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport;
- Timetable for implementation of measures designed to promote travel choice;
- Plans for monitoring and review utilising Central Bedfordshire Council's travel plan monitoring software, annually for a period of 5 years;
- Details of provision of cycle parking;
- Details of marketing and publicity for sustainable modes of transport to include site specific welcome packs. Welcome packs to include walking, cycling, public transport and rights of way information; and
- Details of the appointment of a travel plan co-ordinator.

The details of the Travel Plan shall be implemented solely as approved.

Reason: To reduce reliance on the private car by promoting public transport and sustainable modes of transport.

- 24 **No development shall take place until details of a turning area within the confines of the public highway have been approved in writing by the Local Planning Authority and no building shall be occupied until that turning area has been constructed in accordance with the approved details.**

**Reason: In order to minimise danger, obstruction and inconvenience to**

users of the highway.

- 25 **Prior to the first residential occupation of the development hereby permitted a scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed only in accordance with the approved scheme in accordance with a timescale agreed in writing with the Local Planning Authority.**

**Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.**

- 26 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans: Site Plan No. 1950 A-P-004 rev. 00, Development Parameter Plan No. 1950 A-P-001 rev. 01, Landscape Parameter Plan No. 1950 A-P-002 rev.00, Proposed Site Access No. 130210-04.

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.
2. The applicant is advised that in order to comply with Condition 22 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.
3. The applicant needs to provide the following control measures within their application for reserved matters:

#### **Collection Points**

All individual dwellings will need to be able to present their bins for collection on the highway boundary, it may be necessary for communal collection points to be utilised. All bins will need to be returned to within the rear of the property boundary, in order to achieve this ease of ability for the residents will be required.

Communal dwellings are provided with a communal waste collection in the form of 1100litre bins, purpose built bin stores will need to be built in order to facilitate the storage of said bins. the bin store will need to be of sufficient size in order to accommodate the communal bins and allow for ease of use for both the residents and our collection crews when emptying. Bin stores



must be no more than 10 metres from the middle of the closest highway as there will be a requirement for our collection crew to retrieve said bins and then return them to the storage location.

### **Vehicle access**

The council will need to see full tracking for all access roads, any non through roads will need to have a sufficient turning head in order to allow collection vehicles the ability to access and exit all roads without the need to reverse for any greater distance than 5 metres.

With regards to communal collection points vehicle access would only be possible if roads leading up to waste collection points are completely free of parked cars in both directions, we therefore request that a condition should be made to lay double yellow lines on main access roads in the development, not only giving the collection crews space for manoeuvrability but also making visibility clearer. On street visitor parking will only be possible if access roads are sufficient width and allow for the manoeuvrability for collection vehicles, tracking will need to be provided with the application.

**All** roads on the estate should be created so that the vehicle is able to manoeuvre with ease and service all properties.

- Rounding off of corners is required for smooth transition of vehicle movements around the whole estate in order to service it efficiently, **all** corners should be tracked.
- The vehicle chassis should be allocated for an 6 x 4 32 ton non rear steer on the tracking. Vehicle tracking supplied needs to ensure no vehicles sweep over kerbs.

The Council will not be responsible for collecting any side or bulky waste, or bins that go missing or are stolen due to these collection points. If collection points are to be the only means of residents presenting their bins for emptying they must be as close to the kerbside as possible and large enough for at least two 240 litre bins from each property on collection day.

Mini recycling site (bring bank) - no provision has been made within this application. For the quantity of properties an area should be provided and an allocation of containers supplied. This should be addressed in future correspondence with the developer of the site. Although the HWRC is in close proximity, in order to prevent possible hazards with residents walking into the HWRC a bring bank will be required

It is noted that this application is for a mixed development, with highways, streets and public areas. Therefore consideration must be given for placement of waste receptacles for loose waste material i.e. litter. Central Bedfordshire Council has specific types and sizes of waste receptacles for litter and dog waste related items. These **MUST** conform to our recommendations for receptacle, in order for future maintenance of these items to be financially viable, if or when fully adopted by the Council.

In regards to the placement of waste receptacles for highways and lay-bys, and so that they meet our criteria and ensure they are in the best areas for need, emptying/cleansing schedules, please contact the Environmental Services department. Prior agreement from the Council is required for location of waste receptacles to ensure that no issues arise for future

maintenance and servicing. A cost may be charged for the provision of emptying said bins.

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 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. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

Anglian Water recommends that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.

Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

6. The layout for the Application for Reserved Matters shall demonstrate that the applicant has considered the Council's current Design Guide and the Protocol on Public Art.
7. Site layout and landscaping needs to be carefully co-ordinated at the Reserved Matters stage and supported through a BS 5837:2012 tree survey. This will allow the applicant to make an informed choice when considering which trees to retain, to incorporate their respective constraints and also to provide for sufficient space for new and effective tree and shrub planting.

**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 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 the consideration of the application the Committee were advised of:

- updated responses from Dunstable Town Council and Houghton Regis Town Council;
- detailed additional comments from the applicant;
- Amendments to condition 23.

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

This page is intentionally left blank

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

<b>APPLICATION NUMBER</b>	<b>CB/13/04368/FULL</b>
<b>LOCATION</b>	<b>Toddbury Farm, Slapton Road, Little Billington, Leighton Buzzard, LU7 9BP</b>
<b>PROPOSAL</b>	<b>Change of use of land to a mixed use of mobile home/vehicle repairs and sales (previously consented under CB/12/4383/Full) and a residential caravan site for one Gypsy/Traveller family. The site to contain one static caravan, one touring caravan on the existing hard standing.</b>
<b>PARISH</b>	<b>Billington</b>
<b>WARD</b>	<b>Eaton Bray</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Mrs Mustoe</b>
<b>CASE OFFICER</b>	<b>Vicki Davies</b>
<b>DATE REGISTERED</b>	<b>17 December 2013</b>
<b>EXPIRY DATE</b>	<b>11 February 2014</b>
<b>APPLICANT</b>	<b>Mr Nolan</b>
<b>AGENT</b>	<b>BFSGC</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Call-in by Cllr Mrs Mustoe for the following reasons:</b>
	<ul style="list-style-type: none"> <li>- industrial site to be used for residential purposes</li> <li>- the reason given that the extra pitch to be used for security purposes does not hold up as it is part of Toddbury Farm</li> <li>- this site is not on the official sites to be extended in the Central Bedfordshire Gypsy and Traveller Local Plan</li> <li>- to allow more pitches in the villages of Billington, Central Bedfordshire Council will have reneged on their promises</li> </ul>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

### Reasons for Recommendation

The principle of the business use of the site has previously been established and there is an extant consent which could be implemented. With regard to the residential use of the site, the application site is within the Green Belt and therefore very special circumstances need to be demonstrated to justify the development. The proposal would result in harm by reason of inappropriateness, however other harm by reason of adverse effect on openness and visual amenity are minimal due to the scale and nature of the development and the fall-back position of the business use. It is considered that the personal circumstances of the proposed occupier, along with the security benefits of the occupation, the continuing requirement for pitches to address the backlog and ongoing need met, in part, by windfall sites are such to, on balance, outweigh the limited harm to the Green Belt. Overall it is considered that there are very special circumstances which outweigh the limited harm to the Green Belt and that subject to conditions the proposal would be.

**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 The business use of the premises hereby permitted shall only be operated by those persons named on the permission hereby granted or on a relevant planning permission as being permitted to reside on the adjoining Toddbury Farm, Traveller Site.

Reason: The Local Planning Authority considers that the personal circumstances of the applicant and adjoining Traveller site override the planning objections which would normally compel the authority to refuse permission for the development hereby permitted.  
(Policy GT8 of the emerging Gypsy and Traveller Local Plan, 2013)

- 3 No caravan located on the Site shall be occupied for residential purposes by persons other than Gypsies and Travellers, as defined in annexe 1 of Planning Policy for Traveller Sites 2012.

Reason: To ensure that the occupation of the residential caravans on the site is restricted to Gypsies and Travellers.

- 4 The occupation of the residential caravans on the Site hereby permitted shall be limited to the following person and his dependant relatives:

Mr Patrick Nolan

Reason: In recognition of the location of the site in the Green Belt and the "very special circumstances" case accepted in accordance with the National Planning Policy Framework and Policy 36 D.S.C.B.

- 5 No caravan located on the site shall be occupied for residential purposes until the business use hereby permitted has been commenced.

Reason: In order to control the development and in light of the weight given to the relationship between the business and residential use.

- 6 In the event that the residential caravans shall cease to be occupied by those named in Condition 4 above the residential use hereby permitted shall cease and all residential caravans shall be removed from the Site within 28 days of that date.

Reason: In recognition of the location of the site in the Green Belt and the "very special circumstances" case accepted in accordance with the National Planning Policy Framework, Planning Policy for Traveller Sites and policy 36 DSCB.

- 7 **The uses hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the Local Planning Authority and the scheme has been implemented accordingly.**

**Reasons: To protect and prevent the pollution of controlled waters (particularly the Secondary aquifer and River Ouzel to the south of the site) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109, 120, 121), EU Water Framework Directive, Anglian River Basin Management Plan (RBMP) and Environment Agency Groundwater Protection (GP3:2012) position statements A4 to A6, D1 to D4 and N7.**

- 8 The business use hereby permitted shall not be undertaken outside the hours of 08:00 to 18:00 on Mondays to Fridays and outside the hours of 08:00 to 14:00 on Saturdays, Sundays, Bank and Public Holidays.

Reason: To protect the amenities of the area.  
(Policy BE8 S.B.L.P.R and policy 43 D.S.C.B).

- 9 The business premises shall only be used for vehicle, mobile home and caravan repairs with ancillary sales and no other purpose (including any other purpose falling within Class B2 or A1 of the Schedule to the Town and Country Planning (Use Classes) Order 2006), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To control the development in the interests of amenity.  
(Policy BE8 S.B.L.P.R and policy 43 D.S.C.B).

- 10 No vehicles, goods, waste or other materials shall be stored, stacked or deposited outside the buildings to a height exceeding 2 metres, excepting where the height of a single vehicle or mobile home is higher.

Reason: To safeguard the amenities of the area and Green Belt.  
(Policy BE8, SBLPR and policies 36 and 43 D.S.C.B).

- 11 The uses hereby permitted shall not commence until the parking arrangements for cars, commercial vehicles and mobile homes within the confines of the site shown on drawing no.1446-PL-010 Rev A of planning permission CB/12/04383/FULL, have been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and the parking shall thereafter be retained for such use.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway.  
(Policies BE8 & T10 S.B.L.P.R and 27 & 43 D.S.C.B).

- 12 Before the premises are occupied, details of surfacing for all on-site vehicular areas shall be submitted to and agreed in writing by the Local Planning Authority 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.

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

**Reason: To ensure a satisfactory standard of landscaping in this rural, Green Belt location.  
(Policy BE8, S.B.L.P.R and Policies 36 & 43 D.S.C.B).**

- 14 No more than 2 residentially occupied caravans shall be a mobile home, shall be located on the site of which no more than 1 and occupied for residential purposes.

Reason: In recognition of the location of the site in the Green Belt and having regard to the provisions of the National Planning Policy Framework and policy 36 DSCB.

- 15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number CBC/001 & BP-02.

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. 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 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 the consideration of the application the Committee were advised of additional consultation received from Aylesbury Vale District Council who had no comments to make, Buckingham & River Ouzel Internal Drainage Board suggesting ground conditions are investigated. 5 letters of objection.

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

This page is intentionally left blank

**Item No. 8**

<b>APPLICATION NUMBER</b>	<b>CB/13/04086/FULL</b>
<b>LOCATION</b>	<b>1 White House Court, Hockliffe Street, Leighton Buzzard, LU7 1FD</b>
<b>PROPOSAL</b>	<b>Change of use from B1 office to D1 nursery</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>Abel Bunu</b>
<b>DATE REGISTERED</b>	<b>02 December 2013</b>
<b>EXPIRY DATE</b>	<b>27 January 2014</b>
<b>APPLICANT</b>	<b>Aristotots Leighton Buzzard</b>
<b>AGENT</b>	<b>PJPC Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr Shadbolt, Ward Member Call in for the following reasons :</b> <ul style="list-style-type: none"><li>• <b>Parking and</b></li><li>• <b>Traffic implications</b></li></ul>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

Withdrawn Application - See Minute No DM/13/79

This page is intentionally left blank

<b>Item No. 9</b>
-------------------

<b>APPLICATION NUMBER</b>	<b>CB/13/04055/REG3</b>
<b>LOCATION</b>	<b>Russell Lower School, Queens Road, Ampthill, Bedford, MK45 2TD</b>
<b>PROPOSAL</b>	<b>Extensions and alterations to existing school building/site to provide 6no. additional class bases. Also to include the removal of an existing temporary classroom, the creation of additional car parking spaces, revised playground arrangements, a new pedestrian access and works to the fabric of the existing school.</b>
<b>PARISH</b>	<b>Ampthill</b>
<b>WARD</b>	<b>Ampthill</b>
<b>WARD COUNCILLORS</b>	<b>Clrs Duckett, Blair &amp; Smith</b>
<b>CASE OFFICER</b>	<b>Annabel Gammell</b>
<b>DATE REGISTERED</b>	<b>10 December 2013</b>
<b>EXPIRY DATE</b>	<b>04 February 2014</b>
<b>APPLICANT</b>	<b>Children's Services, Central Bedfordshire Council</b>
<b>AGENT</b>	<b>David Turnock Architects</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The application is on a school site, and an objection has been received.</b>
<b>RECOMMENDED DECISION</b>	<b>Regulation 3 - Granted</b>

**Reason for Committee to Determine:**

The application is on a school site, and an objection has been received.

**Summary of recommendation:**

The application is recommended for approval, the extensions and alterations to the school site, would be appropriate for the location, and would not significantly impact upon the residential amenity of the adjacent properties. The development is considered acceptable subject to conditions in highway terms. The extensions are required for the capacity requirements of the school site, to ensure the satisfactory running of the education provision in Ampthill and this is considered a sustainable form of development in accordance with the National Planning Policy Framework, and Central Bedfordshire Core Strategy.

**Recommendation**

That Planning Permission granted for the following 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 **No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been 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 building in the interests of the visual amenities of the locality. (Policy 43, DSCB)**

- 3 **No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have 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 in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping. (Policies 43 and 58, DSCB)**

- 4 The proposed development shall be carried out and completed in all respects in accordance with the on-site vehicular 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.

- 5 **No works to begin on site until a Construction Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in**

accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- Construction vehicle numbers, type, routing;
- Traffic management requirements;
- Construction and storage compounds (including areas designated for car parking);
- Siting and details of wheel washing facilities;
- Cleaning of site entrances, site tracks and the adjacent public highway;
- Timing of construction activities to avoid school pick up/drop off times;
- Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- Post construction reinstatement of any footway following removal of the trees at the Saunders Piece access.

**Reason:** In order to protect highway safety and the amenity of other users of the public highway and rights of way.

- 6 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 and manoeuvring of vehicles within the site.

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

- 7 Prior to the occupation of the proposed extension and alterations an updated Travel Plan for the school site will be required to reflect the proposed redevelopment, anticipated increase in numbers of staff and pupils. This should include:

- An action plan to mitigate the increased traffic flow
- Targets to reduce car use and increase walking and cycling;
- A timetable to monitor, implement any measures identified and review the travel plan.

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

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers AK0036, 2382.TPP, 2382.AIA, AP0201, AL0101, AK0033\_P01, AS0201, AS0202, AP202,AK0035\_P01, AK0034\_P01, AS0003\_P01, AS0032\_P01.

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.

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))

3. Highway Notes

Advice Note1/. The applicant is advised that in order to comply with 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 Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

AN2/. 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

AN3/. The applicant is advised that no highway surface water drainage system designed as part of the 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 Highways Development Control group, Development Management Division, Central Bedfordshire Council. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council.

AN4/. The applicant is advised that all cycle and scooter 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**

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.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of detailed consultation from the Sustainable transport Team as set out in the Late Sheet attached to these Minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

This page is intentionally left blank

<b>Item No. 10</b>
--------------------

<b>APPLICATION NUMBER</b>	<b>CB/13/04209/FULL</b>
<b>LOCATION</b>	<b>22 The Grove, Biggleswade, SG18 8JW</b>
<b>PROPOSAL</b>	<b>Single storey front and side extension</b>
<b>PARISH</b>	<b>Biggleswade</b>
<b>WARD</b>	<b>Biggleswade South</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Lawrence &amp; Woodward</b>
<b>CASE OFFICER</b>	<b>Samantha Boyd</b>
<b>DATE REGISTERED</b>	<b>02 December 2013</b>
<b>EXPIRY DATE</b>	<b>27 January 2014</b>
<b>APPLICANT</b>	<b>Ms V Cortell-Ibanez</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 - Recommended for Approval</b>

**Recommendation**

That Planning Permission be granted subject to the following:

**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 12431/1, 12431/6, 12431/7.

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**

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.

**DECISION**

.....  
.....

**Item No. 11**

<b>APPLICATION NUMBER</b>	<b>CB/13/03796/FULL</b>
<b>LOCATION</b>	<b>9 Park Leys, Harlington, Dunstable, LU5 6LY</b>
<b>PROPOSAL</b>	<b>Single storey front &amp; ground &amp; first floor side &amp; rear extensions</b>
<b>PARISH</b>	Harlington
<b>WARD</b>	<b>Toddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Costin &amp; Nicols</b>
<b>CASE OFFICER</b>	<b>Sarah Fortune</b>
<b>DATE REGISTERED</b>	<b>29 October 2013</b>
<b>EXPIRY DATE</b>	<b>24 December 2013</b>
<b>APPLICANT</b>	<b>Mr A Lawrence &amp; Miss M Ellis</b>
<b>AGENT</b>	<b>R A Hollowood</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:**

The proposal is for the erection of a single storey front extension and single storey and first floor side and rear extensions. The size, siting and design of these additions are considered to be acceptable in relation to the character of the house and the visual amenities of the street scene generally. There will not be an unduly adverse impact on the amenities of neighbours. The proposal is in conformity with policies CS1, DM3 and DM4 of the Core Strategy and Development Management Planning Document dated 2009 and policies 4, 38, 43 in the emerging Development Strategy for Central Bedfordshire dated 2013.

**Recommendation**

That Planning Permission be granted subject to the following:

**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 Before the development hereby approved 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 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 uses of the premises and ensure satisfactory parking of vehicles outside highway limit.

- 4 The development hereby approved shall not be occupied until such time that the existing vehicle access has been widened to allow access to the on-site parking as shown on the approved plan number 131631/4/Proposed.

Reason: To secure a satisfactory access and off-road parking provision appropriate to the development, in the interest of public safety and convenience.

- 5 Notwithstanding the details shown on the submitted plan the garage hereby permitted shall be provided with electronically operated roller shutter or other similar non protruding doors in accordance with details to be submitted and approved in writing by the Local Planning Authority.

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

- 6 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 previously agreed in writing by the Local Planning Authority.

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.

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 131631 (amended 01/2014), 131631/1 and 131631/5

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 9BA quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

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

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

**DECISION**

This page is intentionally left blank