

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 30 July 2014

PRESENT

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

Cllrs	P N Aldis	Cllrs	Ms C Maudlin
	M C Blair		T Nicols
	A D Brown		I Shingler
	Mrs C F Chapman MBE		J N Young
	Mrs S Clark		

Apologies for Absence: Cllrs R D Berry
K M Collins

Substitutes: Cllrs D Bowater (In place of K M Collins)
B J Spurr (In place of R D Berry)

Members in Attendance: Cllrs A M Turner
M A G Versallion
R D Wenham,
R W Johnstone

Officers in Attendance:	Miss H Bell	Committee Services Officer
	Miss S Boyd	Senior Planning Officer
	Mr J Ellis	Planning Manager West
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Mr D Hale	Planning Manager South
	Mr D Lamb	Planning Manager East
	Mr R Preston	Team Leader, Highways Development Management
	Mrs D Walker	Senior Planning Officer

DM/14/1. **Chairman's Announcements**

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

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

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

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

DM/14/2. **Minutes**

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on 2 July 2014 be confirmed and signed by the Chairman as a correct record.

DM/14/3. **Members' Interests**

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

	Item	Nature of Interest	Present or Absent during discussion
Cllrs Bowater Shadbolt, Shingler, Spurr, Nicols & Young	8	Know applicant in his former capacity as South Beds District Councillor	Present
Cllr Young	6	Had conversation with applicant on Three Counties Radio	Present

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

	Item	Nature of Interest	Present or Absent during discussion
Cllr Maudlin	6	Live in close proximity to application	Absent
Cllr Spurr	10, 11 & 12	Have been involved with the applications in capacity as Executive Member	Absent

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

No interests declared.

DM/14/4. 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/14/5. 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/14/6. Planning Application No. CB/14/01026/FULL

RESOLVED

That planning application No. CB/14/01026/FULL relating to 1A Hatch, Sandy be delegated to the Interim Assistant Director of Planning to approve as set out in the Schedule appended to these minutes.

DM/14/7. Planning Application No. CB/14/02292/VOC

RESOLVED

That planning application No. CB/14/02292/VOC relating to Three Star Caravan Park, Bedford Road, Lower Stondon be deferred for the reasons as set out in the Schedule appended to these Minutes.

DM/14/8. Planning Application No. CB/14/2051/FULL

RESOLVED

That planning application No. CB/14/2051/FULL relating to Land West of 71 Woburn Road, Heath and Reach, Leighton Buzzard be delegated to the Interim Assistant Director of Planning to approve the application as set out in the Schedule appended to these minutes.

DM/14/9. Planning Application No. CB/14/01360/FULL

RESOLVED

That planning application No. CB/14/01360/FULL relating to 95 High Street, Henlow be approved as set out in the Schedule appended to these Minutes.

DM/14/10. **Planning Application No. CB/14/01967/REG3**

RESOIVED

That planning application No. CB/14/01967/REG3 relating to Flitwick Leisure Centre, Steppingley Road, Flitwick be approved as set out in the Schedule appended to these Minutes.

DM/14/11. **Planning Application No. CB/14/02174/REG3**

RESOLVED

That planning application No. CB/14/02174/REG3 relating to Flitwick Leisure Centre, Steppingley Road, Flitwick be approved as set out in the Schedule appended to these Minutes.

DM/14/12. **Planning Application No. CB/14/01384/REG3**

RESOLVED

That planning application No. CB/14/01384/REG3 relating to Land to the North West of Maulden Road, South of A507, Flitwick be approved as set out in the Schedule appended to these Minutes.

DM/14/13. **Site Inspection Appointment(s)**

RESOLVED

That under the provisions of the Members Planning Code of Good Practice all Members of the Committee and Substitutes are invited to attend the Site Inspections on Tuesday 26 August 2014.

(Note: The meeting commenced at 10.00 a.m. and concluded at 12.12 p.m.)

Chairman

Dated

LATE SHEET**DEVELOPMENT MANAGEMENT COMMITTEE – 30 JULY 2014*****Item 6 (Pages 11-20) – CB/14/01026/FULL – 1a Hatch, Sandy, SG19 1PT*****Additional Consultation Responses**

Northill Parish Council – No objections proportionate in scale and would improve area.

Internal Drainage Board – No objections

Additional Comments

Revised plans received amending red line of the application site boundary so that it meets the boundary with the public highway

The Unilateral Undertaking has not been approved.

Additional/Amended Conditions/Reasons

Amended Drawing Number Condition – to reflect revised plans numbered 13-076-101C, 20-2013-106

Item 7 (Pages 21-30) – CB/14/02292/VOC – Three Star Caravan Park, Bedford Road, Lower Stondon**Additional Consultation/Publicity Responses**

None

Additional Comments

The following note has been omitted from the end of the report:

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 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.

Additional/Amended Conditions/Reasons

None

Item 8 (Pages 31-46) – CB/14/02051/FULL – Land West of 71 Woburn Road, Heath And Reach, Leighton Buzzard, LU7 0AP**Additional Consultation/Publicity Responses**

The mother of the applicant has submitted the following comments:

“I am writing in support of my son and daughter-in-law's application. Richard, Sara and their son live with me, my husband Bob and my youngest daughter Emily at Kingswood Farm .Richard now manages the family business for us as my husband and I are trying to retire. A kennels and cattery require someone to be on site 24hrs a day. If Richard is not allowed to build a home for his family ,my husband, my daughter and myself would be forced to leave our home. We have lived her since we saved the farm house from a demolition order placed on it in 1975.We worked long and hard to make our family home and hoped to stay as long as possible. Every redundant farm building within a mile of us has been changed to residential use and sold to strangers. We have the support of all our neighbours who wish to see a family home built here. My son has lived her for 33 of his 36 years.”

A further letter of support has been received from the occupier of 16 Reach Green. The application is supported for the following reasons:

- The restoration would be tasteful and would bring a useless building back into productive use.
- The government is constantly stating that more housing is required.
- The proposal would provide housing for a young married couple and their new baby.
- The site is close to the applicant's workplace and it is beneficial to his employer if he resides on site.
- The nearby trees are leylandii and a pest.
- Wheel washing facilities during the building works seems unnecessary; a hose would be adequate. The nearby quarry does not properly use wheel wash facilities.
- No need to provide access for refuse collection as it is a short distance from the proposed house to the property entrance on Woburn Road.

Additional Comments

None

Additional/Amended Conditions/Reasons

None

Item 9 (Pages 47-58) – CB/14/01360/FULL – 95 High Street, Henlow SG16 6AB**Additional Consultation/Publicity Responses**

None to report

Additional Comments

- The application has been called to Development Management Committee by Cllr Wenham. The request was made because the proposal is considered to be: contrary to the Central Bedfordshire Design Guidance with respect to extensions; to result in a loss of residential amenity to the neighbouring owners/occupiers at No.97 High Street; overbearing by virtue of a significant increase in roof height that is out of line with neighbouring properties; and because the proposal alters the existing building line.

Additional/Amended Conditions/Reasons

- The final paragraph of the application description (page 52) incorrectly reads 'the existing single storey rear projection to the south of the building'. The error underlined should read 'west';
- Under Section 2. *Residential amenity of neighbouring occupiers* of the report the second sentence of the third paragraph (page 56) incorrectly reads 'The openings provided on the front (east) and rear (south) elevations'. The error underlined should read 'west';
- Contrary to the final point of the summarised representations (page 53) the eaves of the garage will not overhang the neighbouring property at No.97; and
- Under Section 2. *Residential amenity of neighbouring occupiers* of the report the fourth paragraph (page 56) reports the representation received from the owners/occupiers of No.97 as stating that the Council's design guidance recommends a separation distance of at least 1.2 metres between extensions from the boundary with another property. This is not a recognised Central Bedfordshire Council Design Guide standard.

Item 10 (Pages 59-82) – CB/14/01967/REG3 – Flitwick Leisure Centre, Steppingley Road, Flitwick, Bedford, MK45 1TH**Additional Consultation/Publicity Responses**

Flitwick Town Council – application is supported

Additional Comments**Tree & Landscape**

Section 4 paragraph 4.7 –further landscape details have been received however, the Tree & Landscape Officer still has concerns with regards to the proposed paths and

the existing mature trees. Therefore a condition has been recommended to deal with this matter.

Public Protection Contaminated Land

Following the submission of an updated ground investigations report, the Public Protection Officer has confirmed that development can proceed securely on that basis

Additional/Amended Conditions/Reasons

Additional Conditions

No development shall take place until a detailed management scheme for areas of wildflower meadow planting have been submitted to and approved in writing by the Local Planning Authority. The details shall include seed mixes and cutting regime.

Reason: To ensure the full ecological value of the proposed planting is achieved.
(Policy 57, DSCB)

No development shall take place until a detailed landscaping scheme for the front section of the site along Steppingley Road has been submitted to and approved in writing by the Local Planning Authority. The details shall include the proposed paths, their location and final construction.

Reason: To safeguard the existing mature trees on the site in the interest of visual amenity.
(Policy 43, DSCB)

Note to Applicant

The Tree & Landscape Officer strongly suggests setting up an onsite meeting to discuss the landscaping condition in detail.

Item 11 (Pages 83-96) – CB/14/02174/REG3 – Flitwick Leisure Centre, Steppingley Road, Flitwick, Bedford, MK45 1TH

Additional Consultation/Publicity Responses

Flitwick Town Council – application is supported

Additional Comments

None

Additional/Amended Conditions/Reasons

Additional Condition

No development shall take place until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard

standing areas to 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.

Amended Condition 1

No development shall take place until a Section 106 agreement has been entered into to secure financial contributions towards local infrastructure, open space maintenance and affordable housing, substantial on the form of the draft attached hereto.

Reason: To secure appropriate contributions towards the maintenance and running costs of the social and community infrastructure needs of the local community. (Policies 21 and 34, DSCB)

Item 12 (Pages 97-108) – CB/14/01384/REG3 – Flitwick Leisure Centre, Steppingley Road, Flitwick, Bedford, MK45 1TH

Additional Consultation/Publicity Responses

None

Additional Comments

None

Additional/Amended Conditions/Reasons

None

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Item No. 6

APPLICATION NUMBER	CB/14/01026/FULL
LOCATION	1A Hatch, Sandy, SG19 1PT
PROPOSAL	Erection of two attached dwellings following demolition of existing bungalow.
PARISH	Northill
WARD	Northill
WARD COUNCILLORS	Cllr Mrs Turner
CASE OFFICER	Samantha Boyd
DATE REGISTERED	09 June 2014
EXPIRY DATE	04 August 2014
APPLICANT	Mr & Mrs Westwood
AGENT	Aragon Land & Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Cllr Call in. Cllr T Turner - Reasons i) significant improvement to the site, ii) housing needed in the hamlet.
RECOMMENDED DECISION	Full Application - Refusal Recommended

Reason for Granting

The proposal would not have a negative impact on the character of the surrounding area as the building would contribute to the rural setting in terms of scale and appearance and would replace an existing dwelling in the open countryside. The proposal would also not have an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety. The proposal also makes provision for Planning Obligations towards local infrastructure requirements. Therefore by reason of its size, design and location, the proposal is in conformity with Policies 50 and 52 of the Draft Development Strategy, Policy CS2 of the adopted Core Strategy and Development Management Policies Document (2009); and The National Planning Policy Framework. It is further in conformity with the technical guidance Design in Central Bedfordshire, 2014.

Recommendation

That the Interim Assistant Director of Planning be delegated to approve the application subject to the following conditions:

- 1 The development hereby permitted 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 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.

- 3 A visibility splay shall be provided at the junction of the vehicular access of plot 2 before the development is brought into use. The splay shall extend in a southerly direction to the limits of the site's highway frontage at plot 1 (where it abuts the public highway and the boundary of no. 3) from a point on the centre line of the access measured 2.0m back from the road channel. The required vision splay shall for the duration of the development remain free of any obstruction to visibility.

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

- 4 Before development commences details of the parking provision for plot 1, located outside of the required visibility splay, shall be submitted to and approved in writing by the local planning authority and the development shall not be brought into use until the parking provision has been constructed in accordance with the approved plans.

Reason: To provide adequate on site parking without obstruction to driver/driver intervisibility

- 5 The proposed vehicular access shall be surfaced in bituminous or other similar durable material as may be approved in writing by the Local Planning Authority for a distance of 5.0m into the site, measured from the highway boundary, before the premises are occupied. 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 into the highway so as to safeguard the interest of highway safety.

- 6 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

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

- 7 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the parking provision on the site shall not be used for any purpose, other than as parking provision, 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.

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans 13-076-101C, 20-2013-102A, 13-076-103A, 13-076-104C, 13-076-105A, 20-2013-106

Reason: To identify the approved plan/s and to avoid doubt.

NOTES

(i) In advance of the consideration of the application the Committee were advised of additional consultation received as follows:

Northhill Parish Council – no objections proportionate in scale and would improve are.

Internal Drainage Board – No objections.

The Committee noted that revised had been received amending the red line of the application site boundary so that it meets the boundary with the public highway.

An amended Drawing Number Condition had been made to reflect revised plans numbered 13-076-101C, 20-2013-106.

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

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Item No. 7

APPLICATION NUMBER	CB/14/02292/VOC
LOCATION	Three Star Caravan Park, Bedford Road, Lower Stondon
PROPOSAL	Variation of Condition no. 6 on planning application MB/08/02355/FULL to allow the siting of a mobile home within a distance of 11m from the east site boundary.
PARISH	Stondon
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Mark Spragg
DATE REGISTERED	11 June 2014
EXPIRY DATE	06 August 2014
APPLICANT	Tingdene Parks
AGENT	GVA Hotels and Leisure
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Cllr Richard Wenham – Impact on amenity of residents, overlooks adjoining properties. Variation of Condition - Recommended for approval

Recommendation

That the application be deferred to enable the consultation period with Stondon Parish Council to expire on 31 July 2014.

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Item No. 8

APPLICATION NUMBER	CB/14/02051/FULL
LOCATION	Land West of 71 Woburn Road, Heath And Reach, Leighton Buzzard, LU7 0AP
PROPOSAL	Conversion, alteration and extension of barn to form single dwelling. Creation of basement under barn. Erection of secure bin/cycle store. Construction of passing bay
PARISH	Heath & Reach
WARD	Heath & Reach
WARD COUNCILLORS	Cllr Versallion
CASE OFFICER	Debbie Willcox
DATE REGISTERED	05 June 2014
EXPIRY DATE	31 July 2014
APPLICANT	
AGENT	Jeffrey Charles Emmett Planning Consultancy
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Councillor Versallion called the application in as he disagrees with officer recommendation. Full Application - Recommended for refusal

Reason for Granting:

Subject to the appropriate restricted occupancy condition, it is considered that the Very Special Circumstances demonstrated by the applicant, namely that there is a functional, unmet need for a dwelling upon the site to provide on-site accommodation for a worker for the Kingswood Kennels and Cattery business, would outweigh the harm that would be caused to the Green Belt by reason of inappropriateness and the limited loss of openness. The design of the proposal would be sympathetic and of high quality. The proposal would not have a detrimental impact upon neighbouring amenity or highway safety. Contributions have been agreed in accordance with the Council's Planning Obligations Strategy. The proposal is therefore in accordance with the National Planning Policy Framework, Policies BE8, H10, T10 and NE12 of the South Bedfordshire Local Plan Review, Policies 3, 19, 25, 27, 36, 43, 50, 52, 54 and 59 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

That the Interim Assistant Director of Planning be delegated to approve the application subject to the following conditions:

- 1 The development hereby permitted 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 take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved 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 BE8, S.B.L.P.R. and Policy 43, DSCB)

- 3 Existing facing bricks, stone and roofing tiles shall be retained and re-used in the conversion of the existing building hereby approved and any alternative materials required shall first be approved in writing by the Local Planning Authority.

Reason: To ensure that the development is in keeping with the existing building in the interests of the visual amenity of the locality. (Policy BE8, S.B.L.P.R. and Policies 43 & 52 DSCB)

- 4 The dwelling hereby approved shall only be occupied by a person solely or mainly employed, or last employed at the Kingswood Farm Kennels and Cattery, Heath and Reach, including dependants of such a person residing with them, or a widow or widower of such a person.

Reason: To retain control of the occupation of the dwelling in association with the Kennels and Cattery business at the site in recognition of the functional need for such a dwelling and the Green Belt location of the site where a dwelling or dwelling conversion of this size would otherwise be contrary to policy. (Policies 36 & 54 D.S.C.B.)

- 5 The development hereby approved shall be carried out in full accordance with the submitted Ecology Report and Appraisal dated 17th February 2014, proposed mitigation measures at Section 5, including the provision of bat crevices beneath ridge tiles, additional roost opportunities through 2 bat boxes; a toolbox talk to contractors to advise on avoidance of harm to bats; use of the National England fast track system to apply for a derogation licence; and the provision of a sparrow terrace box.

Reason: In order to protect the wildlife and wildlife habitats associated with the existing building. (Policy 57 D.S.C.B.)

- 6 Before any other part of the development hereby permitted is commenced visibility splays shall be provided on each side of the access road at its junction with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the access road from its junction with the channel of the public highway and 43m measured from the centre line of the access road along the line of the channel of the public highway. The required vision splay shall, on land in the applicant's control, be kept free of any obstruction to visibility exceeding a height of 600mm above the adjoining carriageway level.

Reason: To provide adequate visibility between the existing highway and the proposed means of access and to make the access safe and convenient for the traffic that is likely to use it. (Policy 43 D.S.C.B.)

- 7 Before the development hereby permitted is first occupied or brought into use, the scheme for the internal access drive including the passing bay, together with the scheme for parking and manoeuvring, all as shown on Drawing No. 1100/2/A shall be laid out, drained and surfaced in accordance with the details previously submitted to and approved in writing by the Local Planning Authority and those areas shall not thereafter be used for any other purpose.

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. (Policy 43 D.S.C.B.)

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1C, 2A, 3, A2014-E, A2014-F, A2014-T.

Reason: To identify the approved plan/s and to avoid doubt.

Informatives

- 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 You are advised that this permission extends only to the conversion of the existing building and does not extend to any demolition and reconstruction of part or all of the building other than any such works indicated on the plans hereby approved.
- 3 The developer and applicant are advised that any works in connection with this development should avoid the bird nesting season of March to August inclusive and if this is not possible then the site should first be assessed for nesting birds.
- 4 The developer and applicant are advised that if work does not commence within two years of the date of this permission then an updated bat survey will be required to ensure the status of the building has not changed.
- 5 The applicant is advised that in order to achieve the vision splays in condition 6 of the permission it may be necessary for vegetation overhanging the public highway to be removed. Prior to the commencement of work the applicant is advised to contact Central Bedfordshire Council's Customer Contact Centre on 0300 300 8308 to request the removal of the overhanging vegetation on the public highway.
- 6 The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with Central Bedfordshire Council's "Cycle

Parking Guidance – August 2006”.

- 7 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.
- 8 The development is subject to a Unilateral Undertaking Section 106 of the Town and Country Planning Act 1990.

Notes

- (i) In advance of the consideration of the application the Committee were advised of consultation received from the mother of the applicant setting out comments in support of the application and a further letter of support from an adjacent occupier.
- (ii) In advance of the application the Committee received representations made under the public participation scheme.

Item No. 9

APPLICATION NUMBER	CB/14/01360/FULL
LOCATION	95 High Street, Henlow, SG16 6AB
PROPOSAL	Extensions and alterations to existing dwelling
PARISH	Henlow
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Amy Lack
DATE REGISTERED	25 April 2014
EXPIRY DATE	20 June 2014
APPLICANT	c/o Agent
AGENT	Pure Town Planning
REASON FOR COMMITTEE TO DETERMINE	Called-in to Development Management Committee by Cllr Wenham.

RECOMMENDED DECISION	Full Application - Approve
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Full Application - Approval Recommended

Summary of recommendation:

The proposed extensions and alterations to the dwelling are considered acceptable. The proposed development is considered in keeping and in character with the prevailing residential use of this part of the High Street in Henlow. The position of the extended and altered building back from the site boundary with the highway with the benefit of mature planting to the frontage which softens the impact of the development and subject to the use of high quality materials and detailing are considered works that enhance this part of the street and its context within the wider surrounding Conservation Area.

It is accepted that the proposals will have an impact upon the residential amenities currently enjoyed by those closest immediate neighbouring properties. However, the proposal is considered to have responded successfully to the constraints presented by these relationships and it is not considered to have any significant adverse impact that would warrant the refusal of the application. Accordingly the proposal is considered to comply with policies DM3 and DM13 of the Core Strategy and Development Management Policies (2009) and guidance provided the National Planning Policy Framework (2012) and Central Bedfordshire Design Guide (2014).

Approval is recommended.

Recommendation

It is recommended that Planning Permission be approved subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby permitted 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/work begins and notwithstanding the details submitted with the application, details of the materials to be used for the external windows, doors, walls, roofs and rainwater goods of the extended and altered building hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development/work shall be carried out only in accordance with the approved details.**

Reason: To ensure that the development/work is in keeping with the existing building (policy DM3 and DM13 of the Core Strategy and Development Management Policies 2009).

- 3 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, all 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 (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:001/A; 002; 003; 004/A; 005/A; 006/A; 007/A.

Reason: To identify the approved plan/s and to avoid doubt.

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

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

NOTES

- (I) In advance of the consideration of the application the Committee were advised of amendments to the report as set out in the Late Sheet as attached to these schedules. The Committee were also advised of the reason for Cllr Wenham's request of the application to Committee.
- (II) In advance of the consideration of the application the committee received representations made under the Public Participation Scheme.

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Item No. 10

APPLICATION NUMBER	CB/14/01967/REG3
LOCATION	Flitwick Leisure Centre, Steppingley Road, Flitwick, Bedford, MK45 1TH
PROPOSAL	FULL APPLICATION: Construction of a new leisure centre, external multi-use games area, landscaping and associated parking with 265 bays (including accessible parking) on the existing playing field adjacent to the existing leisure centre. Leisure centre facilities include; 25m 8 lane pool with spectator seating, 13x8m learner pool, wet change village, 120 station fitness suite, 4 court sports hall with changing facilities, 3No. dance studios, cafe with pool views and external seating.
PARISH	Flitwick
WARD	Flitwick
WARD COUNCILLORS	Cllrs Mrs Chapman, Gomm & Turner
CASE OFFICER	Dee Walker
DATE REGISTERED	30 May 2014
EXPIRY DATE	29 August 2014
APPLICANT	Central Bedfordshire Council
AGENT	B3 Architects
REASON FOR COMMITTEE TO DETERMINE	CBC is the applicant, is a major development and brought to Committee by the Head of Development Management.
RECOMMENDED DECISION	Full Application - Granted

Summary of Recommendation:

The proposal is not considered to result in a detrimental impact upon either existing residential development or potential future residential development and would not have an adverse visual impact on the character and appearance of the area. Furthermore, it would not result in an adverse impact in functional terms of important open space. Therefore the proposal conforms with the National Planning Policy Framework; Policies DM3 and DM5 of Central Bedfordshire Council's Core Strategy and Development Management Policies (2009) and Policies 22 and 43 of the emerging Development Strategy for Central Bedfordshire (2014).

Recommendation

It is recommended that planning permission be **GRANTED** 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 / REASONS

- 1 The development hereby permitted 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 take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 years. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event.**

The scheme shall also include:

- Detailed drainage calculations that demonstrate that there will be no increase in surface water runoff rates and volumes from the current Greenfield conditions
- Detailed drainage plan demonstrating the location and capacity of the required attenuation facilities
- Infiltration test results and methodology used within the drainage calculations
- Details of how the scheme shall be maintained and managed after completion

Reason: To prevent the increased risk of flooding, both on and off site. (Policy 49,DSCB)

- 3 **No development shall take place 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 and 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; and**
- **Post construction restoration/reinstatement of any damage caused to the existing public highway, including footways and verges, during the construction period.**

**Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.
(Policy 43, DSCB)**

- 4 **Prior to the commencement of development a scheme shall be submitted to and approved by the Local Planning Authority to demonstrate that noise from fixed plant, machinery and equipment shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality or distinguishable characteristics) when measured or calculated according to BS4142:1997, at a point one metre external to the nearest noise sensitive building.**

**Reason: To prevent nuisance from noise and vibration and to safeguard the residential amenity of neighbouring occupiers.
(Policies 43 and 44, DSCB)**

- 5 **Prior to the commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority to ensure that noise from the proposed use of the venue (classes, music, etc.) is adequately controlled. The scheme hereby approved shall thereafter be implemented and maintained at all times.**

**Reason: To prevent nuisance from noise and vibration and to safeguard the residential amenity of neighbouring occupiers.
(Policies 43 and 44, DSCB)**

- 6 **Acoustic barriers shall be installed as detailed at Figure 1 of AEC Report: P2920/R1c/AGB at heights of 4m to the West of the MUGA and 2m to the East of the MUGA and form the perimeter of the pitch. They shall have a minimum surface mass of 10kg/m², be imperforate and sealed at the base and include impact reduction netting as specified. Such shall be installed prior to the pitches being first being brought into use, maintained accordingly and shall remain in-perpetuity.**

**Reason: To prevent nuisance from noise.
(Policies 43 and 44, DSCB)**

- 7 **The MUGA hereby approved shall only be open between the hours of 10.00hrs to 22.00hrs Monday to Saturday and 10.00hrs to 18.00hrs Sundays and Public Holidays.**

Reason: To safeguard the residential amenity of neighbouring properties.
(Policies 43 and 44, DSCB)

- 8 The development hereby permitted shall not be commenced until the replacement facilities on the Flitwick Football Centre permitted by planning permission CB/13/02796/REG3 dated 08.11.2013 has been implemented and made available for use unless otherwise agreed in advance and in writing by the Local Planning Authority in consultation with Sport England.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use of facilities.
(Sport England condition)

- 9 The proposed development shall be carried out and completed in all respects in accordance with the access arrangement and 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.
(Policy 43, DSCB)

- 10 All on-site vehicle areas shall be surfaced in tarmacadam or similar durable, porous but bound material and 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: To avoid the carriage of extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.
(Policy 43, DSCB)

- 11 Unless agreed otherwise by the Local Planning Authority, before any part of the premises are open to the public all the on site vehicular parking spaces shown on the approved plan shall provided 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.
(Policy 43, DSCB)

- 12 No occupation of the building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

- As shown necessary by the Listers Geotechnical Report of 2008, PBET testing of Arsenic Bioavailability showing levels of Arsenic are acceptable for the proposed use of the site.

Reason: To protect human health and the environment.
(Policy 44, DSCB)

- 13 Prior to the first occupation of the building hereby approved, 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 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 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)

- 14 All external works hereby permitted shall be carried out in materials as detailed in plan nos. G2-EL-201 A, G2-EL-202 A.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to complement the existing building and the visual amenities of the locality.
(Policy 43, DSCB)

- 15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers G2-GA-001 G, G2-GA-002 G, G2-GA-003 C, G2-GA-100, G2-GA-101 N, G2-EL-201 A, G2-EL-202 A, G2-SE-301 A, G2-SE-302 A, 636-00-01 P2, 682-00-01 P2, L1691/D01 2, L1691/D02 S.

Reason: To identify the approved plan/s and to avoid doubt.

- 16 No development shall take place until a detailed management scheme for areas of wildflower meadow planting have been submitted to and approved in writing by the Local Planning Authority. The details shall include seed mixes and cutting regime.

Reason: To ensure the full ecological value of the proposed planting is achieved. (Policy 57, DSCB)

- 17 No development shall take place until a detailed landscaping scheme for the front section of the site along Steppingley Road has been submitted to and approved in writing by the Local Planning Authority. The details shall include the proposed paths, their location and final construction.

Reason: To safeguard the existing mature trees on the site in the interest of visual amenity. (Policy 43, DSCB)

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. 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.
3. 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 undertaken within the existing public highway. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
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, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
5. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
6. The applicant is advise that parking for contractors vehicles and the storage of materials associated with this development should take place within the site and not extend within the public highway without authorisation from the highways authority. If necessary the applicant is advised to contact Central Bedford shire Council's Highway Help desk on 0300 300 8049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.

7. With regards to condition 9:

There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

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

8. The Tree & Landscape Officer strongly suggests setting up an onsite meeting to discuss the landscaping condition in detail.

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

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

NOTE

In advance of the consideration of the application the Committee were advised of additional consultation received as follows;

Flitwick Town Council – In support of the application

Tree and Landscape Officer – Further landscape details have been received, however the Tree and Landscape Officer still has concerns with regards to the proposed paths and the existing mature trees. Therefore a condition has been recommended to deal with this matter.

Public Protection Contaminated Land – Following the submission of an updated ground investigations report, the Public Protection Officer has confirmed that development can proceed securely on that basis.

The Committee were advised of two additional Conditions and a Note to Applicant as set out in the Late Sheet appended to these Minutes.

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Item No. 11

APPLICATION NUMBER	CB/14/02174/REG3
LOCATION	Flitwick Leisure Centre, Steppingley Road, Flitwick, Bedford, MK45 1TH
PROPOSAL	OUTLINE APPLICATION: 72 no. dwelling units and associated roads, areas of play and regrading of open space.
PARISH	Flitwick
WARD	Flitwick
WARD COUNCILLORS	Cllrs Mrs Chapman, Gomm & Turner
CASE OFFICER	Dee Walker
DATE REGISTERED	05 June 2014
EXPIRY DATE	04 September 2014
APPLICANT	Central Bedfordshire Council
AGENT	B3Architects
REASON FOR COMMITTEE TO DETERMINE	CBC is the applicant, it is a major development and a departure
RECOMMENDED DECISION	Outline Application - Granted

Summary of Recommendation:

The site is within the settlement envelope and the development is considered to be commensurate with the size of the settlement. The proposal is not considered to result in a detrimental impact upon either existing residential development or potential future residential development and would not have an adverse visual impact on the character and appearance of the area. Furthermore, it would not result in an adverse impact in functional terms of important open space. Therefore the proposal conforms with the National Planning Policy Framework; Policies CS1, CS2, CS7, DM3, DM4, DM5 and DM17 of Central Bedfordshire Council's Core Strategy and Development Management Policies (2009) and Policies 19, 22, 27, 36, 38, 39 and 43 of the emerging Development Strategy for Central Bedfordshire (2014).

Recommendation

It is recommended that the planning permission be **GRANT** 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 / REASONS

- 1 **No development shall take place until a Section 106 agreement has been entered into to secure financial contributions towards local infrastructure, open space maintenance and affordable housing substantial on the form of the draft attached hereto.**

**Reason: To secure appropriate contributions towards the maintenance and running costs of the social and community infrastructure needs of the local community.
(Policies 21 and 34, DSCB)**

- 2 **No development shall take place until approval of the details of the appearance, landscaping, layout and scale of the development [and any other details required i.e. the landscaping adjoining it] within that area (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

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

- 3 Application for the approval of the reserved matters shall be made to the Local Planning Authority within five years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

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 Any subsequent reserved matters application shall include the following;
 - An estate road junction onto Steppingley Road having a minimum width of 5.5m, 6.0m kerb radii and 2.4m x 43.0m visibility splays;
 - Estate roads within the site designed and constructed to a standard appropriate for adoption as public highway;
 - Vehicle parking and garaging in accordance with the councils standards applicable at the time of submission;
 - Cycle parking and storage in accordance with the councils standards applicable at the time of submission;
 - A Construction Traffic Management Plan detailing access arrangements

for construction vehicles, routing of construction vehicles, on-site parking and loading and unloading areas;

- Materials Storage Areas;
- Wheel cleaning arrangements; and
- A Residential Travel Plan.

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times.

- 5 The residential development hereby permitted shall not be commenced until the replacement leisure centre on the adjoining site is completed and operational.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use of facilities.

- 6 This permission shall not extend to the indicative layout and associated engineering details submitted in support of the application.

Reason: For the avoidance of doubt.
(Policy 43, DSCB)

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers G2-GA-100, G2-GA-R107, G2-GA-R108, 20227-Location Plan.

Reason: To identify the approved plans and to avoid doubt.

8. No development shall take place until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard standing areas to 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.

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 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 any 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.

3. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
4. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

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

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

NOTES

- (i) In advance of the consideration of the application the Committee were advised of an additional and amended Condition.

Item No. 12

APPLICATION NUMBER	CB/14/01384/REG3
LOCATION	Land to North West of Maulden Road, South of A507, Flitwick
PROPOSAL	CHANGE OF USE: A change of use from agricultural land to country park with associated access and parking provision
PARISH	Flitwick
WARD	Flitwick
WARD COUNCILLORS	Cllrs Mrs Chapman, Gomm & Turner
CASE OFFICER	Dee Walker
DATE REGISTERED	10 April 2014
EXPIRY DATE	10 July 2014
APPLICANT	Central Bedfordshire Council
AGENT	B3 Architects
REASON FOR COMMITTEE TO DETERMINE	CBC is the application and brought to Committee by the Head of Development Management.
RECOMMENDED DECISION	Full Application - Granted

CBC is the applicant and brought to Committee by the Head of Development Management

Summary of Recommendation:

The proposal would not be considered inappropriate development within the Green belt and would preserve the openness therefore conforming with the National Planning Policy Framework; Policies DM3 and DM16 of Central Bedfordshire Council's Core Strategy and Development Management Policies (2009) and Policies 23, 56 and 65 of the emerging Development Strategy for Central Bedfordshire (2014).

Site Location:

The application site is land situated off Maulden Road in Flitwick. It is bound to the north-north west by the Anglian Water Sewerage Treatment Works, north by the A507, east by Maulden Road and south by the public right of way (Bridleway No. 2) with further agricultural land beyond. The site is wholly owned by Central Bedfordshire Council but under a short term rent to a local farmer. The site is currently farmed and has rapeseed oil growing on it at the time of the site visit.

The Application:

This application seeks permission for the change of use of the land from agricultural to country park including associated access and parking provision.

RELEVANT POLICIES:**National Planning Policy Framework 2012**

Section 8	Promoting health communities
Section 9	Protecting Green Belt land
Section 11	Conserving and enhancing the natural environment

Central Bedfordshire Council's Core Strategy and Development Management Policies 2009

Policy CS17	Green Infrastructure
Policy DM3	High Quality Development
Policy DM16	Green Infrastructure

Central Bedfordshire Council's Emerging Development Strategy 2014

Policy 3	Green Belt
Policy 22	Leisure and open space provision
Policy 23	Public Rights of Way
Policy 56	Green Infrastructure
Policy 65	North East of Flitwick Strategic Allocation

Having regard to the National Planning Policy Framework, some weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is currently out to public consultation and due to be submitted to the Secretary of State in late 2014.

Supplementary Planning Guidance

None

Relevant Planning History

None

**Representations:
(Parish & Neighbours)**

Flitwick Town Council	No comments received
Nearby Occupiers	No comments received

Consultations/Publicity responses

CBC Archaeology	No objection
CBC Contaminated	No comments to make

Land Officer	
CBC Ecology	No objection
CBC Highways	No objection subject to relevant conditions being attached to any permission granted
CBC Public Protection Officer	No comments to make
CBC Rights of Way Officer	No comments received
I.D.B	No objections
The Greensand Trust	The Greensand Trust welcomes provision of a Country Park at this location and supports the application for a change of use to facilitate this. Though smaller in size, the application area is in a location consistent with the Flitwick Country Park proposals developed several years ago by the Trust, the then County Council and others.
Site Notices posted	17.04.2012 located lamppost adjacent to A507/Maulden Road roundabout; bridleway signpost at Maulden Road crossing, signpost at FP9/BW2 interjunction and signpost at The Ridgeway/BW2 merge
Newspaper Advert	18.04.2014

Determining Issues

The main considerations of the application are;

1. Policy and Principle
2. The visual impact and impact on the residential amenity of neighbouring properties
3. Parking and Access
4. Any other implications of the proposal
 - *Archaeology*
 - *Drainage*
 - *The Greensand Trust*
 - *Human Rights*
 - *Equalities Act 2010*

Considerations

1. Policy and Principle

- 1.1 The application site covers approx. 24.01ha of arable land and is located within the open countryside and the designated South Bedfordshire Green Belt.
- 1.2 The National Planning Policy Framework (NPPF) in section 9 sets out the importance of Green Belt and the fundamental aim to prevent urban sprawl and retain their openness and their permanence. Inappropriate development should not be approved as it is considered harmful to the Green Belt. Paragraph 81 of the NPPF sets out that opportunity such as outdoor recreation should enhance the beneficial use of the Green Belt and such the proposed country park is considered to be appropriate.

- 1.3 The Core Strategy and Development Management Policies 2009 emphasises in Policy DM3 that proposals shall '*contribute positively to creating a sense of place and respect local distinctiveness ...*' and given that this application is solely to change the use of the land to a more informal public green space it will constitute appropriate development within the Green Belt and retain a physical separation between the two settlements of Flitwick and Ampthill.
 - 1.4 With regard to the emerging Development Strategy for Central Bedfordshire, the application site forms part of the North East of Flitwick Strategic Allocation, this has been identified as a suitable location of an employment site and Country Park. It states within the preamble that the vision for the Country Park is to provide accessible informal open space which enhances the area, remains within the Green Belt and ensures the retained separation of Flitwick and Ampthill. Policy 65 sets out the delivery of this together with a wider scope of employment expansion but the latter are not under consideration within this application.
 - 1.5 It is therefore considered that the proposed change of use of the land would be in accordance with current and emerging policies.
 - 1.6 Given the change in use proposed for the site, an indicative access and car parking location was provided to support the application at the request of the Highways Officer. In policy terms this is acceptable subject to a suitably worded condition be attached to any planning permission granted to ensure the appropriate finishes/materials are used in this Green Belt location.
- 2. Visual impact and Impact on the residential amenity of neighbouring properties**
- 2.1 Although the proposal is primarily for the change of use of the land, it does provide for an access off the Maulden Road and car park provision for this future use. Details of the surfacing and general facilities around the car park can be required as a condition to ensure appropriate finishes within this Green Belt location. The actual use of the land as a Country Park is not considered to result in any adverse visual impact or impact on the residential amenity of neighbouring properties.
- 3. Parking and access**
- 3.1 The Highways Officer was consulted on the initial proposal and requested that an indicative access and location of parking be provided in order for them to assess the proposed use on the impact on the local road network. As such an indicative plan was submitted showing the location of access from Maulden Road. Following this submission the Highways Officer considered the indicative details acceptable but requested conditions be attached to any permission granted for further details on the vehicular access, visibility splays, surfacing, parking & turning area layout, cycle parking and construction period control on mud and workers parking.

4. Any other implications

4.1 Archaeology

The Archaeology Officer has advised that the proposed development site lies within an area that has produced a palimpsest of significant archaeological remains dating from the prehistoric through to the medieval period (for example HER 15311, 918 and 919). Under the terms of the National Planning Policy Framework these are heritage assets with archaeological interest. However, the nature of the proposals are such that there will be no impact upon any surviving archaeological remains and therefore the Officer raises no objections to this application on archaeological grounds.

4.2 Drainage

The Internal Drainage Board (IDB) was consulted on the proposal and advised that providing there is to be both no change to the existing storm water drainage arrangements and no increase in the impervious area of this site, no objections are raised.

4.3 The Greensand Trust

The Bedfordshire Strategic Green Infrastructure (GI) Plan (2007), the Mid Bedfordshire GI Plan (2008), the Flitwick GI Plan (2010) and the Ampthill GI Plan (2010) have all reflected the need for such a facility in this location, to serve the needs of the significantly expanding local population and the reduce pressure on existing sites such as Ampthill Park and Coopers Hill SSSI.

- While only at the change of use stage, it is useful to embed key principles:
- As a minimum we suggest the Country Park is designed to meet the standards required for Country Park Accreditation through the scheme developed by Natural England;
- The Country Park should be easily accessible on foot, cycle, horse and public transport;
- The Country Park should include a range of habitats reflecting the local area, supporting Biodiversity Action Plan targets where appropriate;
- The Country Park should be integrated with the adjacent greenspace being developed at the Warren Farm development, including a safe crossing of the A507; and
- Appropriate screening should be used to reduce obtrusion from industrial buildings, the A507 and the sewage works, in keeping with the local landscape.

The Greensand Trust wishes to be consulted at relevant future stages, including design/masterplanning as this scheme develops.

Further comments have been received, with regards to potential pedestrian/cycle access points towards Ampthill as well as Flitwick. This provision does not form part of this application and may be considered within a subsequent further application.

It is considered that the proposal can consider the above requirements through the submission of more detailed proposals.

4.4 Human Rights

The development has been assessed in the context of human rights and would have no relevant implications.

4.5 The Equalities Act 2010

The development has been assessed in the context of the Equalities Act 2010 and would have no relevant implications.

Recommendation

It is recommended that planning permission be **GRANTED** subject to the conditions detailed below.

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby permitted 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 take place until details of the layout and surfacing of the parking areas in the location shown as hatched on plan no. GA101A has been submitted to and approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system. The parking layout and surfacing shall be constructed in accordance with the approved details before the country park is first brought into use and retained thereafter.**

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.

(Policy 43, DSCB)

- 3 **Notwithstanding the details shown, no development shall take place until details of the junction of the proposed vehicular access with the highway have been submitted to and approved in writing by the Local Planning Authority. The country park shall not be brought into use until the junction has been constructed in accordance with the approved details.**

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

(policy 43, DSCB)

- 4 **No development shall take place until a scheme for the secure parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the country park is first brought into use and thereafter retained for this purpose (See Notes to Applicant)**

**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.
(Policy 43, DSCB)**

- 5 **No development shall take place until 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.
(Policy 43, DSCB)**

- 6 **No development shall take place until details of wheel-cleaning facilities at all site exits have been submitted to and approved in writing by the Local Planning Authority. No development shall take place until the approved facilities have been installed and made operational and the Site Developer(s) shall ensure that these are used by all vehicles exiting the site until the development has been substantially completed or until the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).**

**Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.
(Policy 43, DSCB)**

- 7 **The development shall not be brought into use until details of a turning space for vehicles within the curtilage of the site have been submitted to and approved in writing by the Local Planning Authority and the approved turning space has been constructed.**

**Reason: To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles on to the highway.
(Policy 43, DSCB)**

- 8 Visibility splays shall be provided at the junction of the vehicular access with the public highway before the development is first brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 215.0m to the south and to the junction with the A507 to the north, measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall be maintained thereafter free of any obstructions to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them.

(Policy 43, DSCB)

- 9 Any gates provided shall open away from the highway and be set back a distance of at least 8.0m from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable vehicles to draw off the highway before the gates are opened.

(Policy 43, DSCB)

- 10 Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all lorries leaving the site.

Reason: To minimise the impact of construction vehicles and to improve the amenity of the local area.

(Policy 43, DSCB)

- 11 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/001, GA 101 A.

Reason: To identify the approved plans and to avoid 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. 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.
3. The applicant is advised that this permission extends only to the change of use of the land and does not extend to any further works. Confirmation of the need for planning permission should first be obtained prior to the implementation of any works.
4. 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 approval from the Local Planning Authority for details of the proposed vehicular access junction in accordance with condition 3. Upon formal approval of details, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the planning application number. 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 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. To fully discharge condition 3, the applicant should provide evidence to the Local Planning Authority that Bedfordshire Highways have undertaken the construction in accordance with the approved plan, before the development is first brought into use.

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

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

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