

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 27 August 2014

### PRESENT

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

Cllrs	P N Aldis	Cllrs	K M Collins
	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  
Ms C Maudlin

Substitutes: Cllrs L Birt (In place of R D Berry)  
D Bowater (In place of Ms C Maudlin)

Members in Attendance: Cllrs C Hegley  
D McVicar  
Miss A Sparrow  
R C Stay  
Mrs P E Turner MBE  
R D Wenham,

Officers in Attendance:	Mr A Bunu	Senior Planning Officer
	Mrs M Clampitt	Committee Services Officer
	Mr A Davie	Head of Development Management
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Ms H Firth	Archaeologist
	Miss S Fortune	Planning Officer
	Miss A Gammell	Senior Planning Officer
	Ms A Lack	Planning Officer
	Mr D Lamb	Planning Manager East
	Mr R Preston	Team Leader, Highways Development Management
	Mr J Prosser	Conservation and Design Officer
	Miss D Wilcox	Planning Officer

DM/14/54. **Chairman's Announcements**

The Chairman advised the Councillors and members of the public that the first item of the meeting would be filmed and that should they not wish to be filmed they would need to leave the meeting for that item.

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 number of votes for and against an item. This provision makes it quite clear that the Chairman is entitled to vote on any item of business. There is no restriction or limitation on how the second or casting vote should be exercised nor is there a requirement that the right be exercised at all.

DM/14/55. **Minutes**

**RESOLVED**

**that the Minutes of the special meeting of the Development Management Committee held on the 21 July 2014 be confirmed and signed by the Chairman as a correct record and the minutes of the Development Management Committee held on 30 July 2014 be confirmed and signed by the Chairman as a correct record subject to the inclusion of Cllr P N Aldis, who was present at the meeting.**

DM/14/56. **Members' Interests**

(a) **Personal Interests:-**

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr S Clark	7	Knows speaker as financial director of association?	Present
Cllr P N Aldis	6	Knows speaker for political reasons	Present
Cllr N Young	10 & 11	Has had a number of phonecalls with speaker, letters and protest for saving of site	Present

Cllr A Shadbolt	14	Has had discussions with residents of 7 & 8 Hydrus Close	Present
All members of the Committee	7	Received letters from MATHS	Present
Cllr P N Aldis	9	On advice from a member of the legal team I am declaring an interest in Item 9 – the Timber Yard at Beeston which is in the Sandy Ward, which I represent. This is because an allegation of trespass on to their site has been made against me by the applicant’s solicitor and at the present time is still unresolved. I have strenuously denied this allegation however so as not in any way to prejudice the Council’s legal position in relation to the determination of the planning application I have decided to leave the Chamber when the matter is considered.	Absent

(b) **Personal and Prejudicial Interests:-**  
There were none made.

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

Member	Item	Parish/Town Council	Vote Cast
Cllr A Shadbolt	14	Leighton Buzzard Town Council	Did not vote

DM/14/57. **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/14/58. 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/14/59. Planning Application No. CB/14/02010/FULL**

**RESOLVED**

**That Planning Application No. CB/14/02010/FULL relating to 6 Lincoln way, Harlington LU5 6NA be approved as set out in the Schedule appended to these Minutes.**

**DM/14/60. Planning Application No. CB/14/01818/FULL**

**RESOLVED**

**That Planning Application No. CB/14/01818/FULL relating to Land Adjacent to The Guinea, Bedford Road, Moggerhanger be deferred for two cycles to allow discussions between the officers and the applicant regarding affordable housing options.**

**DM/14/61. 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 delegated to the Interim Assistant Director of Planning to refuse the application for the reasons as set out in the Schedule appended to these Minutes.**

**A motion to refuse the application was made by Cllr Chapman MBE and seconded by Cllr Nicols.**

**A request for a recorded vote, was made by Cllr Nicols.**

**Upon being put to the vote to refuse the application the following vote was recorded:**

**Councillors: Aldis, Birt, Bowater, Brown, Chapman, Clark, Collins, Nicols, Shadbolt and Young.**

**Voted in accordance with the proposal to refuse the application.**

**No Councillors voted against the recommendation to refuse the application.**

**Councillors: Blair, Shingler and Matthews abstained.**

**The recommendation was won 10 for, 0 against and 3 abstained.**

**Prior to consideration of Item 9 Cllr Aldis left the Council Chamber.**

**DM/14/62. Planning Application No.CB/14/02362/FULL**

**RESOLVED**

**That Planning Application No. CB/14/02362/FULL relating to 64 High Road, Beeston, Sandy SG19 1PB be approved as set out in the Schedule appended to these Minutes.**

**Prior to consideration of Item 10 Cllr Aldis returned to the Council Chamber**

**DM/14/63. Planning Application No.CB/14/002263/CA**

**RESOLVED**

**That Planning Application No. CB/14/00263/CA relating to The Norman King, Church Street, Dunstable LU5 4HN be approved as set out in the Schedule appended to these Minutes.**

**DM/14/64. Planning Application No.CB/14/01924/FULL**

**RESOLVED**

**That Planning Application No. CB/14/01924/FULL relating to The Norman King PH, Church Street, Dunstable LU5 4HN be approved as set out in the Schedule appended to these Minutes.**

**The Committee adjourned at 1.15pm**

**The Committee reconvened at 1.30pm**

DM/14/65. **Planning Application No.CB/14/02569/FULL**

**RESOLVED**

**That Planning Application No. CB/14/02569/FULL relating to Land rear of 100-114 Common Road, Kensworth be delegated to the Interim Assistant Director of Planning to refuse the application for the reasons set out in the Schedule appended to these Minutes.**

DM/14/66. **Planning Application No.CB/14/01693/ADV**

**RESOLVED**

**That Planning Application No. CB/14/01693/ADV relating to Roundabout at Grovebury Service Station, Billington Road, Leighton Buzzard be approved as set out in the Schedule appended to these Minutes.**

DM/14/67. **Planning Application No.CB/14/02527/FULL**

**RESOLVED**

**That Planning Application No. CB/14/02527/FULL relating to 20 Phoenix Close, Leighton Buzzard be approved as set out in the Schedule appended to these Minutes.**

DM/14/68. **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 Monday 22 September 2014.**

(Note: The meeting commenced at 10.00 a.m. and concluded at 3.10 p.m.)

Chairman .....

Dated .....



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**Item No. 06**

<b>APPLICATION NUMBER</b>	<b>CB/14/02010/FULL</b>
<b>LOCATION</b>	<b>6 Lincoln Way, Harlington, Dunstable, LU5 6NA</b>
<b>PROPOSAL</b>	<b>Change of use from "Sui Generis" Beauty Shop to A3 Cafe, with Deli &amp; Curiosities areas.</b>
<b>PARISH</b>	<b>Harlington</b>
<b>WARD</b>	<b>Toddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Costin &amp; Nicols</b>
<b>CASE OFFICER</b>	<b>Sarah Fortune</b>
<b>DATE REGISTERED</b>	<b>04 June 2014</b>
<b>EXPIRY DATE</b>	<b>30 July 2014</b>
<b>APPLICANT</b>	<b>Ms Cullen</b>
<b>AGENT</b>	
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Brought to Development Management Committee by Head of Development Management.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

**Recommendation**

That Planning Permission be approved subject to the following:

- 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 This permission does not extend to any form of food extraction or ventilation, no further means of ventilation shall be installed without prior written consent by the local planning authority..

Reason: For the protection of neighbouring amenities.

- 3 The premises shall only be used as a cafe (A3) and part A1 use and shall not be used for any other purposes within Class A3 of the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: For the avoidance of doubt, to safeguard the amenities of occupiers of neighbouring properties and to exclude the provisions of the said Use Classes Order and to ensure that the Local Planning Authority retains full control of the future use of the premises in view of the special circumstances of the case.

- 4 The premises shall only be open to customers between the hours of 9:00 hours to 17:00 hours Mondays to Saturdays and not at all on Sundays.

Reason: To safeguard the residential amenity which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC01, CBC2 and submission A.

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

### **Notes to Applicant**

1. 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))

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. Due to the layout of the building, the existing ventilation system may not be suitable for the cooking of some forms of food. Should additional ventilation be required contact should be made with the Local Authorities Public Protection Department to discuss appropriate measures.

**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.

[Note:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional consultation responses and information as follows:
  - a. The applicant provided a plan showing the fire safety arrangements approved by building control;
  - b. The applicant provided a photograph showing the signage for the windows should planning permission be granted;
  - c. A petition with 300 names of support;
  - d. A letter from the applicant addressed to the Committee Members which included a menu and a leaflet outlining the advantages to the village.
  - e. An email from a local resident who could not attend the meeting but supported the application.
  - f. An email from an objector who could not attend the meeting but asked the Committee to consider the following points:
    - i. Smells, parking issues, becoming a hot food takeaway and

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**Item No. 7**

<b>APPLICATION NUMBER</b>	<b>CB/14/01818/FULL</b>
<b>LOCATION</b>	<b>Land adjacent to The Guinea, Bedford Road, Moggerhanger</b>
<b>PROPOSAL</b>	<b>Erection of 18 dwellings with highway, services, hardstanding and external works</b>
<b>PARISH</b>	<b>Moggerhanger</b>
<b>WARD</b>	<b>Northill</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Mrs Turner</b>
<b>CASE OFFICER</b>	<b>Amy Lack</b>
<b>DATE REGISTERED</b>	<b>16 May 2014</b>
<b>EXPIRY DATE</b>	<b>15 August 2014</b>
<b>APPLICANT</b>	<b>Berwick Homes/Charles Wells Ltd</b>
<b>AGENT</b>	<b>Levitt Partnership Limited</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>Called in by Cllr Turner due to the concern of local residents regarding loss of amenity; over development; highway safety; and allocation of site.  Full Application - Granted</b>

See Minute No. DM/14/60 - Deferred Application

**That the application be deferred to enable the Officers to speak with the applicant regarding the type of affordable homes to be provided.**

[Note:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional consultation responses and comments and contained in the Late Sheet.]

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**Item No. 8**

<b>APPLICATION NUMBER</b>	<b>CB/14/02292/VOC</b>
<b>LOCATION</b>	<b>Three Star Caravan Park, Bedford Road, Lower Stondon</b>
<b>PROPOSAL</b>	<b>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.</b>
<b>PARISH</b>	<b>Stondon</b>
<b>WARD</b>	<b>Arlesey</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dalgarno, Drinkwater &amp; Wenham</b>
<b>CASE OFFICER</b>	<b>Mark Spragg</b>
<b>DATE REGISTERED</b>	<b>11 June 2014</b>
<b>EXPIRY DATE</b>	<b>06 August 2014</b>
<b>APPLICANT</b>	<b>Tingdene Parks</b>
<b>AGENT</b>	<b>GVA Hotels and Leisure</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>Cllr Richard Wenham – Impact on amenity of residents, overlooks adjoining properties.</b>
	<b>Variation of Condition - Recommended for approval</b>

See Minute No. DM/14/61 – Refused Application

That the Interim Assistant Director of Planning be delegated authority to refuse the application for the following reason:

The proposed mobile home would by reason of its siting and close proximity to the rear of the neighbouring properties within Birch Grove, be likely to result in an unacceptable loss of amenity to the occupants of those dwellings by reason of excessive noise and disturbance. As such the proposal is contrary to Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies.

[Note:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional information contained in the Late Sheet as follows:
  - a. A draft unilateral undertaking in respect of infrastructure had been received and accepted subject to Legal Services agreeing.
  - b. A further letter from the applicant had been received which advised that the one additional pitch would not increase surface water run off or foul water and also the existing mobile homes are connected to a private sewer network whilst surface water drains into soakaways and gullies.]

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**Item No. 9**

<b>APPLICATION NUMBER</b>	<b>CB/14/02362/FULL</b>
<b>LOCATION</b>	<b>64 High Road, Beeston, Sandy, SG19 1PB</b>
<b>PROPOSAL</b>	<b>Temporary siting for a period of 12 months for a timber clad office building at 64 High Road, Beeston.</b>
<b>PARISH</b>	<b>Sandy</b>
<b>WARD</b>	<b>Sandy</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Aldis, Maudlin &amp; Sheppard</b>
<b>CASE OFFICER</b>	<b>Amy Lack</b>
<b>DATE REGISTERED</b>	<b>27 June 2014</b>
<b>EXPIRY DATE</b>	<b>22 August 2014</b>
<b>APPLICANT</b>	<b>BG Timber</b>
<b>AGENT</b>	<b>DLP Planning Consultants</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Cllr Sheppard with regard to concerns relating to the highway safety and the use of the access from the A1 to reduce the impact upon The Green in Beeston; the impact upon the open countryside; and the commencement of a 12 month temporary period.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval recommended</b>

**Recommendation**

That temporary Planning Permission be approved subject to the following:

**RECOMMENDED CONDITIONS / REASONS**

- 1 This permission is limited to a temporary period of 12 months from the date of approval. Thereafter the building hereby approved shall be removed from the site and the land re-instated to its former condition, unless before that date the Local Planning Authority has granted permission for its retention.

Reason: To enable the Local Planning Authority to review the buildings when the permission expires, in the interests of visual amenities, in accordance with DM3 and DM4 of the Core Strategy and Development Management Policies (2009).

- 2 The development hereby temporarily permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers; PLOC01; PL01; PL02; PL03

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**

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.

**Item No. 10**

**APPLICATION NUMBER** CB/14/02263/CA  
**LOCATION** The Norman King, Church Street, Dunstable, LU5 4HN  
**PROPOSAL** Conservation Area Consent: For Demolition of remains of former Norman King building and removal of associated hard standing prior to redevelopment of the site as set out in a further application.  
**PARISH** Dunstable  
**WARD** Dunstable Icknield  
**WARD COUNCILLORS** Cllrs McVicar & Young  
**CASE OFFICER** Abel Bunu  
**DATE REGISTERED** 11 June 2014  
**EXPIRY DATE** 06 August 2014  
**APPLICANT** MGM Hotels Ltd  
**AGENT** David Lock Associates  
**REASON FOR COMMITTEE TO DETERMINE** Brought to Committee by the Interim Assistant Director for Planning due to the degree of public interest and member interest.

**RECOMMENDED DECISION** Full Application For Relevant Demolition - Recommended for Approval

**Recommendation**

That Planning Permission for Relevant Demolition in a Conservation Area be **GRANTED** subject to the following:

**RECOMMENDED 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 **Notwithstanding the details submitted with the application following the dismantling of the building hereby approved no part of the extant structural timber framing shall be removed from site or destroyed until inspected by an appropriate Officer of the Local Planning Authority, and appropriate disposal of the framing sections confirmed by the Local Planning Authority thereafter in writing. Full provision for the appropriate and safe storage of such structural items, and notification arrangements inviting Local Planning Authority inspection shall be confirmed in writing to, and approved by, the Local Planning Authority prior to the commencement of works of demolition on site, and the approved works of demolition shall thereafter be implemented strictly in accordance with the approved details.**

**Reason: To ensure the adequate recording and appropriate disposal of particular architectural details surviving in the extant building in**

accordance with paragraph 141 of the NPPF.

- 3 Notwithstanding the details submitted with the application, no works of demolition shall take place until a written method statement has been submitted to and approved in writing by the Local Planning Authority confirming arrangements for the complete protection, during and after the works of demolition hereby approved, of the extant stone frontage walling to be retained and incorporated in situ within any new building on the site. The approved works of demolition shall thereafter be implemented strictly in accordance with the approved details.

Reason: To control the appearance of the development in the interests of preserving and enhancing the character and appearance of the Conservation Area.

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

- 4 Notwithstanding the details submitted with the application, no works of demolition shall take place until drawn 'as existing' details in elevation and section, and at an appropriate scale between 1:10 and 1:20, as appropriate, showing in detail the existing stone walling to be incorporated in situ within any new building on the site, shall be submitted to and approved in writing by the Local Planning Authority, and the required works of wall protection shall thereafter be implemented strictly in accordance with the approved details.

Reason: To control the appearance of the development in the interests of preserving and enhancing the character and appearance of the Conservation Area.

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

- 5 No demolition or development shall take place until a method statement for a laser buildings survey has been submitted to and approved in writing by the Local Planning Authority. The results of the laser building survey shall also be submitted to and approved in writing by the Local Planning Authority before any demolition or development takes place.

Reason: To record and advance the understanding of the significance of the former designated heritage asset before it is lost in accordance paragraph 141 of the NPPF;

(Policies 43 & 45 DSCB)

- 6 No demolition or development shall take place until a written scheme of archaeological investigation, which reflects the final foundation design, has been submitted to and approved in writing by the Local Planning Authority.

The written scheme shall include details of the following components:

- A method statement for the investigation of any archaeological remains present at the site;
- A method statement for the preservation in situ of any significant archaeological remains present at the site;
- A outline strategy for post-excavation assessment, analysis and publication;
- A programme of community engagement

The said development shall only be implemented in full accordance with the approved archaeological scheme and this condition shall only be fully discharged when the following components have been completed to the satisfaction of the Local Planning Authority:

- The completion of the archaeological investigation, which shall be monitored by the Local Planning Authority;
- The implementation of a programme of preservation in situ of any significant archaeological remains present at the site.
- The submission within six months of the completion of the archaeological investigation (unless otherwise agreed in advance in writing by the Local Planning Authority) of a Post Excavation Assessment and an Updated Project Design, which shall be approved in writing by the Local Planning Authority.
- The completion within two years of the conclusion of the archaeological investigation (unless otherwise agreed in advance in writing by the Planning Authority) of the post-excavation analysis as specified in the approved Updated Project Design; preparation of site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of a publication report;
- The implementation within one year of the approval of the publication report (unless otherwise agreed in writing by the Local Planning Authority) of the programme of community engagement.”

**Reason:** To record and advance the understanding of the significance of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to make the record of this work publicly available in accordance with paragraph 141 of the National Planning Policy Framework and to give due consideration to the significance of the heritage assets with archaeological interest and ensure that any impact on the archaeological resource which takes place as a result of the development is appropriately mitigated.

**(Policies 43 & 45 DSCB)**

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers DRW SK10, 11,12 Rev. B,13Rev.A,14 Rev.A,15 Rev.A and 16.

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

**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 and during the determination of the application which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of amendments to the report contained in the Late Sheet.]

**Item No. 11**

**APPLICATION NUMBER** CB/14/01924/FULL  
**LOCATION** Former Norman King PH , Church Street,  
Dunstable, LU5 4HN  
**PROPOSAL** Demolition of remains of existing former Norman  
King PH and removal of plant equipment adjacent  
to the Old Palace Lodge, Erection of two storey  
building to accommodate 12 No. aparthotel rooms,  
thatched covered parking structure, alterations to  
hotel entrance, introduction of revised access, and  
associated works.  
**PARISH** Dunstable  
**WARD** Dunstable Icknield  
**WARD COUNCILLORS** Cllrs McVicar & Young  
**CASE OFFICER** Abel Bunu  
**DATE REGISTERED** 19 May 2014  
**EXPIRY DATE** 18 August 2014  
**APPLICANT** MGM Hotels Ltd  
**AGENT** David Lock Associates  
**REASON FOR  
COMMITTEE TO  
DETERMINE** Brought to Committee by the Interim Assistant  
Director for Planning due to the degree of public  
interest and member interest.

**RECOMMENDED  
DECISION** Full Application - Recommended for Approval

**Recommendation**

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

**RECOMMENDED 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 The aparthotel building hereby approved shall only be used in association with the Old Palace Lodge Hotel and for no other independent residential use (including any other purpose falling within Classes C3 and C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To exclude the provisions of the said Use Classes Order and thereby ensure the Local Planning Authority retains full control of the future use of the land and building in view of the combined parking provision with the hotel and in recognition of no requirement for planning obligations. (Policies 43 & 45, DSCB)

- 3 The carport building and parking spaces hereby approved shall only be used for the parking of vehicles in connection with the occupation of the aparthotel rooms and the Old Palace Lodge Hotel.

Reason: To ensure that adequate off street parking provision is made for the approved development.  
(Policies 27 & 43, DSCB)

- 4 The carport shall be erected in accordance with the details hereby approved and completed to the Local Planning Authority's satisfaction prior to the first occupation of the aparthotel rooms and thereafter permanently retained as such.

Reason : To ensure that the development reflects some of the characteristic features of the former Norman King Public House in the interests of preserving and enhancing the appearance of the Conservation Area.

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

- 5 **Notwithstanding the details submitted with the application no development shall take place until samples of external materials comprising wall brick, chimney brick, stone detailing, roof tile, carport framing and weatherboard cladding, RWG (gutter, down pipe and hopperhead) proposed to be used in 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 strict accordance with the approved details.**

**Reason: To control the appearance of the development in the interests of preserving and enhancing the character and appearance of the Listed Buildings and Conservation Area.**

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

- 6 **Notwithstanding the details submitted with the application no development shall take place until an external materials and finishes schedule comprising a written schedule of external materials and finishes proposed to be used in the development hereby approved, including colour schemes expressed as RAL Nos. or demonstrated by clearly labelled swatches, have been submitted to and approved in writing by the Local Planning Authority and the approved development shall thereafter be undertaken strictly in accordance with the approved details**

**Reason: To control the appearance of the development in the interests of preserving and enhancing the character and appearance of the Listed Buildings and Conservation Area.**

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

- 7 **Notwithstanding the details submitted with the application, the face brickwork of the development hereby approved shall be constructed in English Bond in a lime-based mortar, written details of the mix constituents and proportions of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The approved development shall**



thereafter be undertaken strictly in accordance with the approved details.

**Reason: To control the appearance of the development in the interests of preserving and enhancing the character and appearance of the Listed Buildings and Conservation Area.  
(Policies BE8, S.B.L.P.R and 43 & 45 DSCB)**

- 8 Notwithstanding the details submitted with the application, no development shall take place until a sample panel of face brickwork, demonstrating brick type, brick bond, mortar mix and mortar jointwork finish have been constructed and retained on site for the inspection and agreement in writing by the Local Planning Authority and the approved development shall thereafter be undertaken strictly in accordance with the approved details

**Reason: To control the appearance of the development in the interests of preserving and enhancing the character and appearance of the Listed Buildings and Conservation Area.  
(Policies BE8, S.B.L.P.R and 43 & 45 DSCB)**

- 9 Notwithstanding the details submitted with the application no works of demolition and development shall take place until drawn details in elevation and section, 'as existing' and 'as proposed', and at an appropriate scale between 1:10 and 1:20, as appropriate, which show in detail the proposed integration *in situ* of existing clunch stone walling in the front elevation of the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority and the required wall protection together with the approved development shall thereafter be undertaken strictly in accordance with the approved details

**Reason: To control the appearance of the development in the interests of preserving and enhancing the character and appearance of the Listed Buildings and Conservation Area.  
(Policies BE8, S.B.L.P.R and 43 & 45 DSCB)**

- 10 Notwithstanding the details submitted with the application and prior to the commencement of the approved development on site the thatched roof cover proposed to be installed as part of the development hereby approved shall be constructed using long straw and shall be given a plain flush ridge and hips in accordance with conservation good practice and as set out in the specifications of The East Anglian Master Thatchers Association, June 2009, and the roof cover so formed shall be maintained as such thereafter in perpetuity.

**Reason: To control the appearance of the development in the interests of preserving and enhancing the character and appearance of the Listed Buildings and Conservation Area.  
(Policies BE8, S.B.L.P.R and 43 & 45 DSCB)**

- 11 Notwithstanding the details submitted with the application and prior to the commencement of the approved development on site the windows proposed to be installed in the development hereby approved shall be of painted timber and expressly exclude trickle venting, unless otherwise agreed in writing by the Local Planning Authority and shall incorporate structural glazing bar elements and not applied or planted 'decorative' glazing bar elements, and shall be maintained as such thereafter in perpetuity.

Reason: To control the appearance of the development in the interests of preserving and enhancing the character and appearance of the Listed Buildings and Conservation Area.  
(Policies BE8, S.B.L.P.R and 43 & 45 DSCB)

- 12 Notwithstanding the details submitted with the application and prior to the commencement of the approved development on site details in elevation and section of the external doors and windows proposed to be installed in the development hereby approved, drawn at an appropriate scale between 1:10 and 1:20, as appropriate and including glazing bar profiles at a scale of 1:1, shall be submitted to and approved in writing by the Local Planning Authority and the approved development shall thereafter be undertaken strictly in accordance with the approved details.

Reason: To control the appearance of the development in the interests of preserving and enhancing the character and appearance of the Listed Buildings and Conservation Area.  
(Policies BE8, S.B.L.P.R and 43 & 45 DSCB)

- 13 Notwithstanding the details submitted with the application and prior to the commencement of the approved development on site rainwater goods (including gutter sections, downpipes and hopperheads) to be installed as part of the development hereby approved shall be of black-painted cast aluminium 'heritage range' type, samples and details of which shall be submitted to and approved in writing by the Local Planning Authority, and shall be maintained on the property as such thereafter in perpetuity.

Reason: To control the appearance of the development in the interests of preserving and enhancing the character and appearance of the Listed Buildings and Conservation Area.  
(Policies BE8, S.B.L.P.R and 43 & 45 DSCB)

- 14 Notwithstanding the details submitted with the application following the dismantling of the remains of the former Public House, no part of the extant structural timber framing shall be removed from site or destroyed until inspected by an appropriate Officer of the Local Planning Authority, and appropriate disposal of the framing sections confirmed by the Local Planning Authority thereafter in writing. Full provision for the appropriate and safe storage of such structural items, and notification arrangements inviting Local Planning Authority inspection shall be confirmed in writing to, and approved by, the Local Planning Authority prior to the commencement of works of demolition on site, and the approved works of demolition shall thereafter be implemented strictly in accordance with the approved details.

**Reason: To ensure the adequate recording and appropriate disposal of particular architectural details surviving in the extant building in accordance with paragraph 141 of the NPPF.**

- 15 **Notwithstanding the details submitted with the application, no works of demolition shall take place until a written method statement has been submitted to and approved in writing by the Local Planning Authority confirming arrangements for the complete protection, during and after the works of demolition hereby approved, of the extant stone frontage walling to be retained and incorporated in situ within any new building on the site. The approved works of demolition shall thereafter be implemented strictly in accordance with the approved details.**

**Reason: To control the appearance of the development in the interests of preserving and enhancing the character and appearance of the Conservation Area.**

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

- 16 **No demolition or development shall take place until a method statement for a laser buildings survey has been submitted to and approved in writing by the Local Planning Authority. The results of the laser building survey shall also be submitted to and approved in writing by the Local Planning Authority before any demolition or development takes place.**

**Reason: To record and advance the understanding of the significance of the former designated heritage asset before it is lost in accordance paragraph 141 of the NPPF;**

**(Policies 43 & 45 DSCB)**

- 17 **No demolition or development shall take place until a written scheme of archaeological investigation, which reflects the final foundation design, has been submitted to and approved in writing by the Local Planning Authority.**

**The written scheme shall include details of the following components:**

- **A method statement for the investigation of any archaeological remains present at the site;**
- **A method statement for the preservation in situ of any significant archaeological remains present at the site;**
- **An outline strategy for post-excavation assessment, analysis and publication;**
- **A programme of community engagement**

**The said development shall only be implemented in full accordance with the approved archaeological scheme and this condition shall only be fully discharged when the following components have been completed to the satisfaction of the Local Planning Authority:**

- **The completion of the archaeological investigation, which shall be monitored by the Local Planning Authority;**
- **The implementation of a programme of preservation in situ of**

- any significant archaeological remains present at the site.
- The submission within six months of the completion of the archaeological investigation (unless otherwise agreed in advance in writing by the Local Planning Authority) of a Post Excavation Assessment and an Updated Project Design, which shall be approved in writing by the Local Planning Authority.
- The completion within two years of the conclusion of the archaeological investigation (unless otherwise agreed in advance in writing by the Planning Authority) of the post-excavation analysis as specified in the approved Updated Project Design; preparation of site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of a publication report;
- The implementation within one year of the approval of the publication report (unless otherwise agreed in writing by the Local Planning Authority) of the programme of community engagement.

**Reason:** To record and advance the understanding of the significance of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to make the record of this work publicly available in accordance with paragraph 141 of the National Planning Policy Framework and to give due consideration to the significance of the heritage assets with archaeological interest and ensure that any impact on the archaeological resource which takes place as a result of the development is appropriately mitigated.  
(Policies 43 & 45 DSCB)

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

**Reason**

**In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.  
(Policy 43 DSCB).**

- 19 **Development shall not begin until the improvements to the junction of the vehicular access with Church Street have been approved by the Local Planning Authority and no building shall be occupied until the junction has been constructed in accordance with the approved details.**

**Reason**

**In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.  
(Policy 43 DSCB).**

- 20 **Visibility splays shall be provided from both accesses to the site. This vision splay shall be provided on each side of the access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the**

footway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason

To provide adequate visibility and make the accesses safe and convenient for the traffic which is likely to use them.  
(Policy 43 DSCB).

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

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).

- 22 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason

In the interests of the safety of persons using the access and users of the highway.  
(Policy 43 DSCB).

- 23 Any gates provided shall open away from the highway and be set back a distance of at least 5.0m 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).

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

Reason

In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.  
(Policy 43 DSCB).

- 25 **Development shall not begin until details of a refuse storage area and collection point have been approved by the Local Planning Authority and the aparthotel rooms shall not be occupied until the said storage and collection points have been constructed in accordance with the**

approved details.

**Reason**

To ensure the refuse collection bins do not cause a hazard or obstruction to the highway or parking area.  
(Policy 43 DSCB).

- 26 Development shall not begin until details of secure cycle storage for residents and cycle parking for visitors have been approved by the Local Planning Authority and the aparathotel rooms shall not be occupied until the said storage and parking have been constructed in accordance with the approved details.

**Reason**

In order to promote sustainable modes of transport.  
(Policies 24 and 43 DSCB).

- 27 No development shall commence until details of the method statement of preventing site debris from being deposited on the public highway have been submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be implemented throughout the construction period and until the completion of the development.

**Reason**

In the interests of highway safety and to prevent the deposit of mud or other extraneous material on the highway during the construction period.  
(Policies BE8 S.B.L.P.R and 43 DSCB).

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

**Reason**

To ensure adequate off street parking during construction in the interests of road safety.  
(Policy 43 DSCB).

- 29 No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:
- A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.
  - Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling.

- 30 No occupation of the permitted aparthotel rooms shall take place until

the following has been submitted to and approved in writing by the Local Planning Authority:

- **Where shown to be necessary by any Phase 2 Desk Study found to be necessary, a Phase 3 detailed remediation scheme and measures to be taken to mitigate any risks to human health, groundwater and the wider environment. 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.**

**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.**

- 31 **Prior to the commencement of the development and thereafter, all tree protection measures for all trees marked for retention shall be implemented in strict accordance with the Arboricultural Method Statement, produced by RGS Arboricultural Consultants (Ref CB/14/01924/FULL) dated July 2014 and any subsequent amendments.**

**REASON**

**To ensure satisfactory tree protection measures so as to secure the health and anchorage of all retained trees in order to maintain the visual amenity of the area.**

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

- 32 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers DRW SK10, DRW REF SK11, DRW REF SK12 Rev. B, DRW REF SK13 REV.A, DRW REF SK14 REV.A, DRW REF SK15 REV.A, DRW REF SK16, DRW REF SK20 REV.B, DRW REF WD1, DRW REF WD2, DRW REF WD3, DRW REF WD4, DRW REF WD5, DRW REF WD6, DRW REF WD7, DRW REF WD8, DRW REF WD10 & DRW REF WD11 Rev A.

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

**Notes to Applicant**

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

3. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Bedfordshire Highways, Streetworks Co-ordination Unit, County Hall, Cauldwell Street, Bedford MK42 9AP.
5. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
6. **The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.**
7. **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.**
8. **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 an Agency condition already forms part of this permission in order to protect human health and the environment.**
9. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:



- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments ([www.cae.org.uk](http://www.cae.org.uk))  
Central Bedfordshire Access Group ([www.centralbedsaccessgroup.co.uk](http://www.centralbedsaccessgroup.co.uk))

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

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

[Note:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of an amendment to the report and amendments to two conditions as follows:
  - a. Page 92 – South Bedfordshire Local Plan Review Policies – delete Policy TCS1 (Sustaining and Enhancing the District’s Town Centres);
  - b. Amended condition 2 under Reason: third line remove the word ‘having’;
  - c. Amended condition 32 revised drawing references should now read: DRW REFSK14 Rev. A and SK20 Rev. B.]

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**Item No. 12**

<b>APPLICATION NUMBER</b>	<b>CB/14/02569/FULL</b>
<b>LOCATION</b>	<b>Land rear of 100 -114 Common Road, Kensworth</b>
<b>PROPOSAL</b>	<b>Retention of building as constructed and change of use to offices (Resubmission of CB/14/01297)</b>
<b>PARISH</b>	<b>Kensworth</b>
<b>WARD</b>	<b>Caddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Collins &amp; Stay</b>
<b>CASE OFFICER</b>	<b>Abel Bunu</b>
<b>DATE REGISTERED</b>	<b>03 July 2014</b>
<b>EXPIRY DATE</b>	<b>28 August 2014</b>
<b>APPLICANT</b>	<b>Mr R Gill</b>
<b>AGENT</b>	<b>Mr L Butler</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Cllr Richard Stay for the following reasons : Development is wholly inappropriate in the Green Belt, detrimental to the AONB and contrary to the Neighbourhood Plan.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Recommended for Approval</b>

See Minute No. DM/14/65 – Refused Application

That the Interim Assistant Director of Planning be delegated authority to refuse the application for the following reasons:

1. The proposed commercial development would, because of the increase in traffic movements associated with the use of the premises, result in noise and general disturbance detrimental to residential amenity contrary to Policies BE8 of the South Bedfordshire Local Plan Review and 43 of the emerging Development Strategy for Central Bedfordshire and national advice within the National Planning Policy Framework.
2. The proposed commercial development would be out of character in this open countryside location and harmful to the visual appearance of the Green Belt, Chilterns Area of Outstanding Natural Beauty and Area of Great Landscape Value. The proposal would therefore be contrary to Policies BE8, NE12 and NE3 of the South Bedfordshire Local Plan Review, 36, 43, 50 & 52 of the emerging Development Strategy for Central Bedfordshire and national advice within the National Planning Policy Framework.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional consultation/publicity responses as follows:
  - a. Kensworth Parish Council submitted photos and affidavits supporting allegations of dumping of spurious materials on site.

- b. The Enforcement team confirmed that the changes to the level of the land did not warrant formal enforcement action.
- c. A letter from the solicitor for the owners of 92 Common Road wrote confirming that the drive is not shared and forms part of the legal title of 92 Common Road; the owner of the paddock has right of access; no signage would be allowed on their drive.
- d. A further submission from 92 Common Road stating that the drawing depicting the extent of access area to the proposed site has been grossly misrepresented and provided a copy of the document from the Land Registry showing the true extent of access;]



- 4 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- 5 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
- 6 Where any advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: Conditions 2-6: To comply with the provisions of Schedule 2 (Regulation 2 (1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 7 This consent relates only to the details shown on the submitted plans, numbers CBC/001, CBC/002, CBC/003, CBC/004.

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

#### **Notes to Applicant**

1. 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).

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional consultations received as follows:
  - a. A call-in was received from Cllr Mustoe due to the size of the signs being obtrusive and distracting to drivers.
  - b. Lee Baldry, Deputy Head of Highways confirmed he recommended the scale and positioning of the signs.]

**Item No. 14**

<b>APPLICATION NUMBER</b>	<b>CB/14/02527/FULL</b>
<b>LOCATION</b>	<b>20 Phoenix Close, Leighton Buzzard, LU7 3YW</b>
<b>PROPOSAL</b>	<b>Erection of first-floor rear extension (revised scheme CB/14/01075/FULL).</b>
<b>PARISH</b>	Leighton-Linslade
<b>WARD</b>	<b>Leighton Buzzard North</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Johnstone, Shadbolt &amp; Spurr</b>
<b>CASE OFFICER</b>	<b>Debbie Willcox</b>
<b>DATE REGISTERED</b>	<b>27 June 2014</b>
<b>EXPIRY DATE</b>	<b>22 August 2014</b>
<b>APPLICANT</b>	<b>Mr &amp; Mrs Honey</b>
<b>AGENT</b>	<b>Mr Rosser</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Councillor Shadbolt for the following reason: Due to siting, bulk and proximity to neighbouring boundary, appears over intrusive and overbearing to Nos 7 and 8 Hydrus Drive.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**Recommendation**

That Planning Permission be GRANTED 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 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 the existing building in the interests of the visual amenities of the locality.  
(Policies BE8 & H8, SBLPR and Policy 43, DSCB)
- 3 The first floor window in the rear elevation serving the en-suite bathroom within the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.

Reason: To safeguard the privacy of occupiers of adjoining properties (Policies BE8 & H8, SBLPR and Policy 43, DSCB)

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers RM 13 / 196.1 C.

Reason: To identify the approved plan and to avoid 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. **Will a new extension affect your Council Tax Charge?**

The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991.

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax.

If however you add an annexe to your property, the Valuation Office Agency may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.

The website link is:

[www.centralbedfordshire.gov.uk/council-and-democracy/spending/council-tax/council-tax-charges-bands.aspx](http://www.centralbedfordshire.gov.uk/council-and-democracy/spending/council-tax/council-tax-charges-bands.aspx)



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

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

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of a late representation contained in the Late Sheet from 8 Hydrus Drive which included photographs from her rear garden.]

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