

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 19 November 2014

PRESENT

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

Cllrs P N Aldis
R D Berry
M C Blair
A D Brown
K M Collins

Cllrs Ms C Maudlin
T Nicols
I Shingler
J N Young

Apologies for Absence: Cllrs Mrs C F Chapman MBE
Mrs S Clark

Substitutes: Cllrs D Bowater (In place of Mrs S Clark)

Members in Attendance: Cllrs A R Bastable
C C Gomm
Mrs M Mustoe
B Saunders
B J Spurr
Mrs P E Turner MBE,

Officers in Attendance:	Miss H Bell	Committee Services Officer
	Miss S Boyd	Senior Planning Officer
	Mr A Bunu	Senior Planning Officer
	Mrs P Craggs	Conservation Officer, West Area
	Mr A Davie	Development Infrastructure Group Manager
	Mike Duffett	Principal Minerals and Waste Officer
	Mr J Ellis	Planning Manager West
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Mr D Lamb	Planning Manager East
	Chris Perry	Planning Enforcement Officer
	Mr R Preston	Team Leader, Highways Development Management
	Mrs A Robinson	Senior Planning Officer
	Mr S Robinson	Planning Officer
	Mrs J Selley	Major Applications Manager

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

The Chairman advised that the order of business would be varied and considered in the following order: 6,7,9,10,8 and 11,12, 13 and 14.

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/14/95. **Minutes**

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on 22 October 2014 be confirmed and signed by the Chairman as a correct record subject to the deletion of Cllr A D Brown having declared an interest under Prior Local Council Consideration of Applications.

DM/14/96. **Members' Interests**

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

	Item	Nature of Interest	Present or Absent during discussion
Cllr Aldis	9	Know of Public Speaker	Present
Cllr Collins	8	Discussed application with applicant	Present
Cllr Collins	7&10	Known to Public Speakers	Present
Cllr Shadbolt	7	Know Public Speaker	Present
Cllr Blair	9	Use to know Architect	Present
Cllr Young	6	Met with	Present

		Developers in capacity as Executive Member for Planning		
Cllr Matthews	6,7 &9	Know Speakers	Public	Present
Cllr Brown	7&9	Know Speakers	Public	Present

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

None declared

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

Member	Item	Parish/Town Council		Vote Cast
Cllr Collins	8	Caddington Council	Parish	Did not vote
Cllr Blair	11	Clophill Council	Parish	Did not vote
Cllr Matthews	7	Hulcote & Parish Council	Salford	Did not vote

DM/14/97. **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/14/98. **Late Sheet**

In advance of consideration of the following Planning Applications the Committee received a Late Sheet advising 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/14/99. **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 approved as set out in the Schedule appended to these Minutes.

DM/14/100. **Planning Application No. CB/14/03426/FULL**

RESOLVED

that Planning Application no. CB/14/03426/FULL relating to Land adjacent to 17 Wavendon Road, Salford be approved as set out in the Schedule appended to these Minutes.

DM/14/101. Planning Application No. CB/14/03040/FULL

RESOLVED

that Planning Application no. CB/14/03040/FULL relating to Fen Industrial Estate, Fen End, Stotfold be refused as set out in the Schedule appended to these Minutes.

DM/14/102. Planning Application No. CB/14/03858/FULL

RESOLVED

that Planning Application no. CB/14/03858/FULL relating to Land at 2 Totternhoe Road, Eaton Bray, Dunstable be approved as set out in the Schedule appended to these Minutes.

DM/14/103. Planning Application No. CB/14/03075/FULL

RESOLVED

that Planning Application no. CB/14/03075/FULL relating to Land at The Gateway (Former BTR site) London Road, Dunstable be approved as set out in the Schedule appended to these Minutes.

DM/14/104. Planning Application No. CB/14/01694/ADV

RESOLVED

that Planning Application no. CB/14/01694/FULL relating to Roundabout on the A507 in Clophill be approved as set out in the Schedule appended to these Minutes.

DM/14/105. Exclusion of the Press and Public

RESOLVED

that in accordance with Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 7 and 12 of Part I of Schedule 12A of the Act.

DM/14/106. Planning Enforcement case recommending further formal action for non

compliance with Section 215 Untidy Land Notice

The Committee received and considered a report of the Director of Regeneration and Business seeking decision on further formal action in relation to the non compliance of Section 215,Untidy Land Notice.

RESOLVED

that options for further course of action as detailed at Appendix A of the submitted report be deferred for one cycle

DM/14/107. **Site Inspection Appointment(s)**

RESOLVED

that under the provisions of the Members Planning Code of Good Practice all members and substitutes of the Committee be invited to attend site inspections to be held on Tuesday 16 December 2014.

(Note: The meeting commenced at 10.00 a.m. and concluded at 1.32 p.m.)

Chairman

Dated

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LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE
19th November 2014

Item 6 (Pages 13-36) – CB/14/01818/FULL– Land adj. to The Guinea, Bedford Road, Moggerhanger

Corrections to report:

The report incorrectly cites the applicants as being: 'Berwick Homes/Charles Wells Ltd'. This should read 'Bewick Homes/Charles Wells Ltd'.

Additional Consultation/Publicity Responses

The following letter addressed to Councillor Nigel Young and David Lamb was received on 11 November 2014 from Professor Richard Parish as Chairman of the Residents association Moggerhanger Action Together for Housing and Safety (MATHS):

11th November 2014

Dear Councillor Young and Mr. Lamb,

Planning Application CB/14/01818/FULL

Thank you again for your time when you met Chris Smith, Carolyn Lister, and myself, together with Cllr. Turner. We appreciated the fact that you were willing to engage in a dialogue with us.

We have now had an opportunity to seek legal opinion and also discuss the situation with a Planning Consultant, an expert who regularly advises the Planning Inspectorate. We have also taken soundings within the village as to our options should the DMC approve this application.

Firstly, let me deal with the matter of the water supply and drainage. We understood that you were intending to **consult further with Anglian Water** and we would be interested to learn the outcome of those discussions. We would be most grateful if you could advise us of the situation.

Given the very considerable evidence that we have from a variety of sources – official documents, customer complaints, recorded incidents, interviews with staff, etc – we were very surprised to see that the recommendation from officers is still to approve the planning application adjacent to The Guinea. As I think you know, we can point to numerous documents which refer to these problems, including citing

them as reasons or partial reasons for refusing planning applications in the past. Indeed, I believe Carolyn Lister has already forwarded some examples to you. Residents at the top end of St. John's Road and on Park Road are often unable to secure the necessary water pressure to operate their showers and other domestic equipment, while at the bottom end of Blunham Road residents on occasions experience sewage and waste water backwash into their properties. Neither situation can be viewed as acceptable in a civilised country such as the UK, to say nothing of the potential public health consequences.

A significant number of dwellings have been added to the village since these issues were first raised over ten years ago and a further 18 properties next to The Guinea will only exacerbate the situation further. There was a clear acceptance of the water supply and drainage issues when we met and, indeed, CBC representatives acknowledged the many complaints about these matters, hence our surprise at the recommendation from officers to approve.

You indicated that **you would ask your own engineers to investigate** the ongoing difficulties and we would be most grateful if you would advise us of the outcome of this exercise. As you know, we have clear evidence that the current infrastructure, both supply and drainage, is completely inadequate for the current size and population of the village, never mind further expansion.

You also indicated at the meeting that the A603 was not a material consideration in relation to this planning application. We have now identified further information, all from official documents (either Bedfordshire County Council or Central Bedfordshire Council), which add additional weight to our concerns about the A603 and the impact upon or effect of the proposed development next The Guinea.

By way of example, in reviewing various developments concerned with Waste and Mineral sites in Bedfordshire during 2011, comments were made about the A603 by the Highways Agency, the Highways Development Control Team, and Central Bedfordshire and Bedford Borough Strategic Transport Planning Teams. These were consolidated into a number of documents concerning local traffic flow and the impact this has on the residents of Moggerhanger. These points, all drawn from local official documents or internal Council memoranda, can be summarised as follows:

- Linking (the A421) to the A1 via the A603 “would involve poor quality rural roads and disbenefit to residential properties”.
- In relation to the proposed Mineral Site development at Willington Lock, the paper comments that “Access onto the A421 is the key issue The A603 is classified as a **secondary freight route** within the DFRN and so is **predominantly for access only**”.

(King, B. May 2011)

In a further memorandum dated 14th June 2011 from Bedford Borough Council to CBC, the following statement was made:

- “The A603 has already been the focus of concerns from residents of Willington and Moggerhanger in relation to its use by goods vehicles. The **A603 has secondary freight route status** and the preferred route would be to use the A1 and A421.”

(Macleaod, M. June 2011)

The above paper makes reference to an even earlier memorandum from the Bedfordshire County Council Planning and Transport Group (author Morbey, C, August 2006), which, in considering potential mineral site developments, makes the following observations:

- “..the A603 at points can be quite narrow and dangerous.”
- “Further consideration needs to be given to the amount of traffic using the A603 as this route can be narrow in some points and would **create safety implications for local communities and existing traffic.**”
- “..vehicles travelling to or from the site (Octagon Farm South) towards the A1 would need to travel along the A603 and pass through the residential developments of Willington and **Moggerhanger leaving safety implications...**”
- Among the most telling, the document (in relation to Land North of Bedford Road and East of Willington) states “.....traffic management, **noise and safety implications this would have on local residents** and the safety implications of the increased number of vehicles using the A603.”
- Referring to the proposed development at Cople, the paper comments “traffic passing through this route would pass through Willington and **Moggerhanger creating negative noise, safety and traffic effects for local residents.**”

Our argument in making these points is that the traffic not only causes an increasing problem for existing residents, but will have a similar impact on the residents of any new properties build adjacent to the A603. Moreover, the increased volume of traffic using the Blunham Road/A603 junction as a result of any development next to The Guinea will merely exacerbate these problems. Any increase in traffic movements on to or from the A603 will merely create additional pressure on what is widely acknowledged as already being a grossly overstretched road. As you know, the Local Authority has a duty to assess the safety implications of any planning proposal and ensure that public safety and welfare are protected.

We now have a mountain of documents referring to the systematic failure to address the infrastructure problems in Moggerhanger, both traffic and water. The traffic issues relating to the A603 are further emphasised in the recent *Central Bedfordshire Local Transport Plan* covering Sandy, Biggleswade and the surrounding area. This clearly states that the A603 is designated a “**Secondary Freight Route**” for “**access and deliveries**” (p 35 of the Local Area Transport Plan, 2013).

In addition to the noise, safety and environmental issues highlighted in so many local publications and papers, I would strongly wish to emphasise the health implications as well. The local authority has a legal responsibility to promote and protect the health of its communities as a result of the Health and Social Care Act, which came into effect in April 2013.

The conclusions reached in so many local policy documents are meaningless unless applied to planning decisions such as the development adjacent to The Guinea.

You kindly indicated that you would **check the powers available to the Local Authority** regarding traffic restrictions on the A603 and we would be interested to know the outcome of such deliberations.

In making our argument to reject this application, please also refer to the previous papers and documents we have submitted. Throughout, we have made the case for refusing this application by reference to previous CBC and Mid Bedfordshire decisions, your own criteria, and independent evidence.

I mentioned at the start of this letter that we have sought legal and planning advice in order to understand the options available to us. In the spirit of openness, I should say that we have been advised that there would be little merit at this stage in attempting to challenge the LDF itself, as this has now been through the process of sign-off and approval. This confirms your view, Councillor Young, and I feel that we should acknowledge that this is the case.

Nevertheless, we have been told that this would not in any way inhibit us from using all the evidence, CBC criteria, and expert opinion submitted during the process of preparing the LDF, and that we would be able to call upon all such submissions as part of a legal challenge in the event that this application is approved by the DMC. To reiterate, we have been informed that all such evidence would be admissible, should The Guinea application be approved, even if such advice, evidence and criteria were ignored in approving the LDF itself. In other words, the criteria highlighted by CBC in various planning documents, together with the expert opinion and evidence submitted during the LDF planning process, remain valid and relevant to this specific application.

Should the DMC approve this planning application, we have been advised that we cannot appeal to the Inspector. Such an appeal is only open to the applicant and, as such, we do not have the same rights as the developer. This has led us to consider other options. The first of these is Judicial Review, and this remains open to us as an option. We have even considered how we would fund such action. However, the advice we have received is that the most appropriate course of action would be to submit a complaint to the Ombudsman for Maladministration. We have been advised that the Ombudsman enjoys similar powers to the High Court and that we would have a strong case, based on the evidence already available. The grounds for such a submission to the Ombudsman broadly would be:

- A failure to consistently apply policy and criteria;
- A failure to respond appropriately to the concerns and complaints of residents
- Inadequate or inappropriate consultation in relation to the criteria used to inform a policy (the LDF) used subsequently to justify approval of The Guinea Planning Application
- A failure to follow the Authority's own procedures and guidance

We have been further advised that the Ombudsman has the necessary powers to investigate how the Local Authority reached its decision and why any relevant evidence was dismissed or rejected.

It is with a sense of considerable sadness that we have reached the conclusion that such action would be necessary in the event of a decision to approve the application. We have only ever wanted to work in collaboration with CBC to ensure the sustainable and appropriate development of our village. Unfortunately, we feel that

we have been pushed to such a decision as a result of pressure from the developers, indicating that they would appeal to the Inspector, if the decision goes against them. In the event that the DMC rejects the application, resulting in a subsequent appeal by the developers to the Inspector, I reiterate again that we would immediately file a Section 6 application, thereby enabling us in effect to provide CBC with its defence to the appeal and to emphasise the democratic justification for such a decision.

Given all the evidence and the strong views of residents, we are dismayed at the decision by officers to once again recommend approval of this application. We recognise, of course, that Elected Members have the final say. Should the DMC approve the application, it is with regret that I must inform you that we are completely resolved to file a complaint with the Ombudsman and that we have more than enough villagers prepared to support such action. It is with genuine regret that I must bring this to your attention, but we are confident that we have sufficient, indeed considerable, evidence to make our case.

We feel that our village has suffered considerably in recent years from unsustainable development and that the infrastructure issues remain unresolved despite being a matter of record for many years. As the local body elected to represent the interests of our community, we respectfully ask you to reflect the overwhelming views of Moggerhanger residents and reject this application.

Yours sincerely,

Professor Richard Parish, CBE,
Chair, Moggerhanger Action Together for Housing and Safety (MATHS)

cc Paul Petrie, Chair Moggerhanger and Chalton Parish Council
Cllr, Tricia Turner, MBE
MATHS Group

Additional Comments

The following response has been received from Anglia Water:

14/11/2014

Dear Amy,

further to our telephone conversation this afternoon and to clarify the position relating to the foul network capacity to serve this development site I can confirm there is capacity to accommodate the foul flows.

To explain the Amber rating that we advised some time ago in response to the site allocation consultation; at this stage the assessment is at a high level to provide the Council with an indication of possible constraints and the ease at which the sites can be served. Amber means that there is no significant constraint and there may be a need for upgrades but this will require further assessment to confirm. At planning application stage we carried out that

further assessment and are satisfied that there is capacity within the existing network without the need for upgrades.

I trust this satisfies the concerns raised,

Regards

Sue Bull
Planning Liaison Manager

The following response has been received from Council Officer Steve Thomas, a Senior Engineer in Flood Risk Management:

04/11/14

I can't really comment on why there was a contradiction in AW's responses. There are two elements to the foul sewerage system – the pipework and the treatment works – but AW's latest response says there is capacity in both - so not sure where the original comment came from.

I would think AW development control do a simple calculation based on pipe size, gradient and number of connected properties to determine capacity. They probably don't take into account any maintenance problems which can affect any system at any time – which is understandable.

The existing system may well have problems – perhaps prone to blockages or ingress of surface water during heavy rain - but I expect AW will say that they monitor all their catchments and carry out improvement works based on priorities across the whole of their region. So, Moggerhanger may well need improving but may not be a priority compared with other catchments in the area.

Additional/Amended Conditions/Reasons

The following standard informative is recommended and should have been included following the recommended conditions under the heading *Notes to Applicant* (p.35):

4. 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.

Item 7 (Pages 37 – 52) – CB/14/03426/FULL – Land adjacent to 17 Wavendon Road, Salford

Revised suggested resolution

A further consultation period was entered into, to ensure that the development was advertised in the newspaper, the consultation period does not expire until 5th December it is suggested that the resolution, if members were minded to grant planning permission could be to “grant planning permission subject to no new issues being raised as part of the consultation process.”

Additional Consultation/Publicity Responses

Responses received to 2nd consultation (development without the basement)

Additional Individual letters:

2 further letters of Objection received from 8 and 10 Wavendon Road:

Both neighbours wish to reiterate the opposition to the development, with the basement removed, on the grounds of overdevelopment, and matters raised during the original consultation.

1 letter received from the Incumbent Rector of St Mary The Virgin, Salford:

Stated concern for the “continually changing application” and the difficulty in understanding the development.

Expressed concern that the dwelling would constitute overdevelopment of the plot and wish to support comments made by English Heritage.

Concern raised at use of area adjacent to the application site (blue line), the concern is that this area will also be built on/used for garden.

English Heritage

Responded to the revised consultation stating that they had “no further comments”.

Additional Comments

Response to Rectors Concerns:

The Rectory of St Marys Church expressed concern at the use of the land adjacent to the application site. It is considered that this is not garden land, and does not form part of this application. Should the applicant wish to use this area of ground for “a garden” then a further planning application would be required to change the use. It is outside the application site, and therefore is not being considered as part of this development.

Additional/Amended Conditions

No additional or amended conditions.

**Item 8 (Pages 53-72) – CB/14/03075/FULL – Land at The Gateway
(former BTR site) London Road, Dunstable, Beds LU6 3DX**

Corrections to report:

1. Site Location, paragraph 3. Page 56.

Replace with:

“The site is located within an area predominantly made up of residential properties. The northern area of the former BTR site is currently being developed for 64 dwellings. To the west is a residential area which includes a recently constructed apartment building (Brockwell Place), which reaches **three** storeys in height. To the east of the site lies a recently constructed hotel (Holiday Inn), which reaches approximately **four** storeys in height.”

2. Section 3, paragraph 5. Page 66.

Remove “seven” and replace with “four”

Additional consultation responses:

1. Dunstable Town Council.

Dunstable Town Council has responded to the revised design of the Care Home, simply stating “no objection”.

2. Environment Agency.

“The Environment Agency have identified that they consider that that surface water can be managed appropriately. They have stated that planning permission could be granted, subject to conditions. These conditions would relate to the agreement of a surface water drainage scheme, completion of the works identified in the remediation strategy and regarding the consideration of contamination risks.”

3. Neighbours.

An additional response has been received from No.10 Brockwell Place, who previously commented on the application. This response has raised no further material considerations.

Amended and Additional conditions:

As a result of the late comments received from the Environment Agency and a further response from Highways the following conditions are recommended:

- 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, including the external brick walls, rendered walls and tiled roof, 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 in accordance with Policy BE8 of the South Bedfordshire Local Plan and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

- 3 **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 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 in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

- 4 **No development shall commence until details of substantial protective fencing for trees on the north western boundary of the site have been submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected on a scaffolding framework, constructed with uprights and cross members, being well braced to resist impact, with the vertical poles driven firmly into the ground. The approved fencing shall remain in position for the entire duration of development shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.**

Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 59 of the emerging Development Strategy for Central Bedfordshire.

- 5 **No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing**

by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 58 of the emerging Development Strategy for Central Bedfordshire.

- 6 No development shall take place until details of the method of disposal of foul water drainage has been submitted to and agreed in writing by the Local Planning Authority, including any land drainage system. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 44 of the emerging Development Strategy for Central Bedfordshire.

- 7 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. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The scheme shall be implemented as approved. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include finalised details of the following:

- Full calculations detailing the existing surface water runoff rates for the QBAR, Q30 and Q100 storm events;
- Full storm event simulation results with appropriate inputs and parameters demonstrating the surface water runoff rates for the QBAR, Q30, Q100 and Q100 plus climate change storm events, of the critical storm season and duration;
- Full results of proposed drainage system modelling in the above-referenced storm events, inclusive of all collection, conveyance, storage, flow control and disposal elements, together with an assessment of the system performance;
- Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions, and pipe reference numbers;

- **Full details of the proposed attenuation and flow control measures, including dimensions, design and water levels, gradients and – where a vortex flow control is used – the manufacturer’s design flow curve;**
- **Details of overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites;**
- **Full details of the maintenance and/or adoption of the system inclusive of all collection, conveyance, storage, flow control and disposal elements.**

Reason: To ensure that surface water drainage is provided and that existing and future land drainage needs are protected in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 44 of the emerging Development Strategy for Central Bedfordshire.

- 8 Prior to the occupation of the development a verification report demonstrating completion of works set out in the approved remediation strategy (ref LC321-85A/NJW dated 12 September 2011) and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority.
The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
Reasons: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.
- 9 Prior to the occupation of the development 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: 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 acceptable parking of vehicles outside highway limits in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.
- 10 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 in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

- 11 The development hereby permitted shall not be brought into use until a scheme for the parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

- 12 The development hereby permitted shall not be brought into use until a scheme for noise attenuation measures has been submitted to and approved in writing by the Local Planning Authority. The noise attenuation measures will ensure that internal noise levels from external road traffic noise sources shall not exceed 35 dB LAeq, 07:00 - 23:00 in any habitable room or 30 dB LAeq 23:00-07:00 and 45 dB LAmax 23:00-07:00 inside any bedroom, and that noise levels from external inside any bedroom, and that noise levels from external inside any bedroom, and that noise levels from external road traffic noise sources shall not exceed 55 dB LAeq, (1hr) in outdoor amenity areas. Any works which form part of the scheme approved by the Local Planning Authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the Local Planning Authority in writing, before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Local Planning Authority.

Reasons: To protect the amenity of neighbouring residents in accordance with Policy BE8 of South Bedfordshire Local Plan Review and Policy 43 of the emerging Central Bedfordshire Development Strategy.

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

Reason: To ensure that the residential amenity of neighbouring occupiers is not prejudiced by excessive noise in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 44 of the emerging Development Strategy for Central Bedfordshire.

- 14 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

- 15 This approval relates only to the details shown on the submitted plans, numbers LU6 3DX-A-01, LU6 3DX-A-02A, LU6 3DX-A-03, LU6 3DX-A-04A and LU6 3DX-A-05A.

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

Amended and Additional informatives:

As a result of the late comments received from the Environment Agency the following informatives are recommended:

- 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.
- 2 The Environment Agency have no objection to the use of soakaways on this site following our review of a site investigation report in October 2012 in relation to planning permission CB/09/06991.
- 3 Condition 13d of CB/09/06991/OUT (contamination verification report) has not been discharged and is therefore relevant to this application and will need to be discharged following completion of the development.
- 4 Contamination can still be missed by an investigation and this condition gives the Local Planning Authority the ability to require a new, or amendments to an existing, remediation strategy to address any previously unexpected contamination

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Item No. 6

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

Reason for recommendation of approval

This application was originally before the Development Management Committee at the meeting on 27 August 2014. Members resolved to defer the application to allow discussions with the applicant regarding affordable housing options for the site.

The Council has found there to be no specific evidence to demonstrate a need for the provision of affordable bungalow units. Accordingly, with a lack of justification to require such provision Members are recommended to approve the application as set out to the Development Management Committee at their meeting in August.

The land allocated for residential development under local plan policy HA26 to the rear of the Guinea Public House, Moggerhanger for development with 18no. dwellings is considered acceptable.

The scheme is considered to present buildings appropriate in their design, scale and mass to the character and context of the surrounding village setting. The scheme will not unduly impact upon the residential amenity currently enjoyed by neighbouring properties, nor will it have any significant adverse impact upon highway safety and any impacts on existing local infrastructure will be acceptably mitigated by the securing of S106 contributions.

The proposal is it considered acceptable and in accordance with policies CS1, CS2, CS5, CS13, CS14, DM2, DM3 and DM4 of the Core Strategy and Development Management Policies (2009), Central Government guidance contained within the National Planning Policy Framework (2012) and with supplementary planning guidance in the form of Central Bedfordshire Council's Design Guide (2014).

Recommendation

:That planning permission be granted subject to the completion of a satisfactory legal agreement as detailed and 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 **No development shall commence until such time as a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development hereby approved shall only be implemented in full accordance with the approved archaeological scheme, including the full provision of the post-excavation analysis and publication.**

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development (Policy DM13 of the Core Strategy and Development Management Policies 2009).

- 3 Prior to first occupation of the dwelling houses hereby approved, all access and junction arrangement serving the development shall be completed in full accordance with the approved plans and constructed to the specification of the Highway Authority satisfaction to be agreed in writing with the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, all of the garage accommodation on the application 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).

- 5 The development hereby approved shall be carried out and completed in all respects in accordance with the access, siting and layout, passing bay, and visitor parking space as illustrated on the approved drawing no. 12353-70 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 from 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 DM3 Core Strategy and Development Management Policies 2009)

- 6 **No development shall commence until such time as full details of the materials to be used for the external finishes of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.**

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 7 Notwithstanding any provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no further windows or other openings shall be formed on the external elevations above ground floor level of the dwelling houses hereby approved.

Reason: To protect the amenities of occupiers of neighbouring properties (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 8 **No development shall commence until such time as details of the final ground and slab levels of the dwellings 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 a satisfactory relationship results between the new development and adjacent buildings and public areas (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 9 **No development shall commence until such time as a scheme for protecting the proposed dwellings from noise from the road traffic and mechanical plant has been submitted to and approved in writing by the local planning authority. None of the dwellings shall be occupied until such the scheme has been implemented in accordance with the approved**

details, and shown to be effective, and it shall be retained in accordance with those details thereafter in perpetuity.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 10 **Prior to the first occupation of the residential development hereby approved a scheme for the installation of equipment to control the emissions of fumes and smell from the use of the Guinea Public House shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed and operational prior to the first occupation of the residential development hereby approved and shall be retained thereafter in full operational condition.**

Reason: To safeguard the residential amenity of the prospective occupiers adjacent to the existing public house (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 11 All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 12 **No development shall commence until such time as full details of a scheme for the drainage of surface water, and foul sewerage have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.**

Reason: To ensure that the development will not increase the risk of flooding on the site or elsewhere (Policy CS13 of the Core Strategy and Development Management Policies 2009).

- 13 Prior to the first occupation of the development hereby approved full details of a revised position of the existing 'Give Way' marking at the public highway

junction where Blunham Road intersects Bedford Road (A603) shall be submitted to and approved in writing by the local planning authority. Thereafter and prior to the first occupation of any dwelling house hereby approved the agreed arrangements for the junction layout shall be implemented and remain in perpetuity unless agreed otherwise with the express written consent of the local planning authority.

Reason: In the interests of highway safety (policy DM3 of the Core Strategy and Development Management Policies 2009).

- 14 Prior to the first occupation of the development hereby approved a plan shall be submitted to and agreed in writing by the local planning authority which demarcates the repositioned location of the existing boundary fencing to the south of the public house building. Thereafter the repositioning of the fencing as agreed shall implemented prior to the first occupation of the residential development approved and the area between the boundary of the public highway (Bedford Road/A600) and the repositioned fencing shall thereafter be maintained free of all obstruction to visibility.

Reason: In the interests of highway safety (policy DM3 of the Core Strategy and Development Management Policies 2009).

- 15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 12353/12; 12353/70/A; 12353/71/A; 12353/72; 12353/73; 12353/74; 12353/75; 12353/76; 12353/77; 12353/78; 12353/79; 12353/80/A; 12353/81; 12353/82; 12353/83; 12353/84; 12353/85; 12353/86/B

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

Notes to Applicant

1. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development 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.
2. The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. 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.

3. 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.
4. 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

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

NOTES

- (1) In advance of the consideration of the application the Committee were advised of a correction to the report and additional consultation responses as set out in the Late Sheet attached to these minutes. The Committee noted an additional to The applicant, Note 4.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

Item No. 07

APPLICATION NUMBER	CB/14/03426/FULL
LOCATION	Land adjacent to 17 Wavendon Road, Salford, Milton Keynes, MK17 8BB
PROPOSAL	Erection of two storey, 4 bedroom detached dwelling with attached double garage and associated external works (resubmission following refusal of CB/14/01471/FULL)
PARISH	Hulcote/Salford
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Bastable, Matthews & Mrs Clark
CASE OFFICER	Annabel Robinson
DATE REGISTERED	10 September 2014
EXPIRY DATE	05 November 2014
APPLICANT	Gleworks Ltd
AGENT	DLA Town Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Ward Cllr Bastable called the application in on grounds stated by the Parish Council, these are: 1. Sunken patio and basement - significant removal of earth - concerned about the construction of a retaining wall near grave yard. The footprint has not increased significantly, the cubic capacity of the development has increased significantly. 2. Strain on limited parking, 2 spaces for 4 bedroom property. 3. Not in keeping with the rural character of the village. 4. Negative impact upon St Mary's Church (a Listed Building). 5. Opposed by both English Heritage and CPRE.
RECOMMENDED DECISION	Full Application - Approval

Summary of Recommendation:

A further consultation period was entered into, to ensure that the development was advertised in the newspaper, the consultation period does not expire until 5th December therefore planning permission be granted subject to no new issues being raised as part of the consultation process.

Recommendation

That Planning Permission be granted subject to the following conditions:

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **No works to commence on site until a scheme has been submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external walls and roof. The development shall be carried out in accordance with the approved scheme.**

Reason: To protect the visual amenities of the building and of the area generally.

- 3 **No development shall take place until the applicant or developer has secured the implementation of a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in accordance with the scheme thereby approved.**

Reason: To record and advance understanding of the significance of the heritage assets with archaeological interest before they are lost and to conserve, enhance, protect and promote the enjoyment of the historic environment. This is in line with policy 46 of the Submitted *Development Strategy for Central Bedfordshire (2014)*.

- 4 **No works shall commence on site until, a landscaping scheme to include boundary treatment, planting, any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**

Reason: To ensure a satisfactory standard of landscaping.

- 5 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.

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 13117(D)097A, 13117(D)099D, 13117(D)114D, 13117(D)115D.

Reason: For the avoidance of doubt.

Notes to Applicant

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

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

Planning permission has been granted for this proposal. The Council acted 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

- (1) In advance of the consideration of the application the Committee were advised of a revised suggested resolution and additional consultation responses as set out in Late Sheet attached to these Minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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Item No. 9

APPLICATION NUMBER	CB/14/03040/FULL
LOCATION	Fen End Industrial Estate, Fen End, Stotfold, Hitchin, SG5 4BA
PROPOSAL	Proposed demolition of existing factory unit to build two number five bed houses and one number four bed house with associated garages, car parking and external works. Change of use from general industrial to residential.
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Clarke, Saunders & Saunders
CASE OFFICER	Samantha Boyd
DATE REGISTERED	08 September 2014
EXPIRY DATE	03 November 2014
APPLICANT	Mr T Saunders
AGENT	Levitt Partnership Limited
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	The applicant is related to an elected Member Full Application - Refusal Recommended

Reasons for Recommendation

The application site is allocated for employment use under Policy E1 of the Site Allocations Development Plan Document (2011), Policy E1 and Policy CS10 of the Core Strategy and Development Management Policies Document (2009) seek to safeguard the site for employment use therefore the proposal for three new dwellings would result in the loss of a safeguarded employment site which is unacceptable.

The proposal also is considered to result in an harmful visual impact on the character and appearance of the surrounding area given the proposed layout of the site which includes a significant area of hard standing to the frontage of the site and detached double garages to the front which would appear unduly prominent within the street scene and given the siting and design of the dwellings, the proposal would result in an adverse impact upon the amenities of the future occupiers of the site by way of significant overlooking from the adjacent industrial building.

Furthermore, the applicant has failed to demonstrate that the proposal would not result in significant impact from noise, smoke and fumes from the industrial units which would result in loss of amenity to future occupants of the properties.

Finally, the application qualifies for contributions in accordance with the adopted Planning Obligations Strategy. A draft Unilateral Undertaking has been submitted to the Council's Legal Team however a signed version has not been approved at the time of preparing this Committee report. Without a signed approved Unilateral Undertaking in place, the development fails to provide contributions towards local infrastructure in accordance with the Planning Obligation Strategy and Policy CS2.

The proposal is therefore contrary to Policies CS2, CS10 and DM3 of the Core Strategy and Development Management Policies Document (2009) and the Site Allocations Development Plan Document (2011).

Recommendation

That Planning Permission be REFUSED for the following reasons:

RECOMMENDED REASONS

- 1 The application site is allocated for employment use under Policy E1 of the Site Allocations Document (Adopted 2011), Core Strategy and Development Management Policy CS10 (adopted 2009) and Policy E1 seeks to safeguard the site for employment use therefore the proposal for three new dwellings would result in the loss of a safeguarded employment site which is unacceptable. The proposal is therefore contrary to Policy CS10 of the Core Strategy and Development Management Policies Document (2009) and Policy E1 of the Site Allocations Document (2011).
- 2 The proposal is considered to result in a harmful visual impact on the character and appearance of the surrounding area given the proposed layout of the site which includes a significant area of hard standing to the frontage of the site and detached double garages to the front which would appear unduly prominent within the street scene. The proposal is therefore considered to be contrary to Policy DM3 of the Core Strategy and Development Management Policies Document (2009)
- 3 The proposal, given the siting and design of the dwellings, is considered to result in an adverse impact upon the amenities of the future occupiers of the site by way of significant overlooking from the adjacent industrial building. Furthermore, the applicant has failed to demonstrate that the proposal would not result in significant impact from noise, smoke and fumes from the industrial units which would result in loss of amenity to future occupants of the properties. The proposal is therefore considered to be contrary to Policy DM3 of the Core Strategy and Development Management Policies Document (2009)
- 4 The application contains insufficient information in the form of a completed Unilateral Undertaking in order to secure financial contributions towards infrastructure in the local area and mitigate the impact the proposal would have on community facilities and infrastructure; as such the proposal is contrary to Policy CS2 of the Central Bedfordshire Council Core Strategy and Development Management Policies Development Plan Document (2009) and the Central Bedfordshire Council Planning Obligations Supplementary Planning Document (Reviewed November 2009).

Statement required by the Town and Country Planning (Development

Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Refusal of this proposal is recommended for the clear reasons set out. The Council acted pro-actively through early engagement with the applicant at the pre-application stage. The negative advice given on the proposal has however not been followed and the Council remains of the view that the proposal is unacceptable. The applicant was invited to withdraw the application but did not agree to this. The requirements of the Framework (paragraphs 186 and 187) have therefore been met in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

NOTE

In advance of the consideration of this application the Committee received representations made under the Public Participation Scheme.

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Item No. 10

APPLICATION NUMBER	CB/14/03858/FULL
LOCATION	Land at 2 Totternhoe Road, Eaton Bray, Dunstable, LU6 2BD
PROPOSAL	Construction of 1x 4-bed house with garage
PARISH	Eaton Bray
WARD	Eaton Bray
WARD COUNCILLORS	Cllr Mrs Mustoe
CASE OFFICER	Abel Bunu
DATE REGISTERED	01 October 2014
EXPIRY DATE	26 November 2014
APPLICANT	Stockgrove Homes Ltd
AGENT	BHD Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in by Ward Cllr Mrs Mustoe for the following reasons : <ul style="list-style-type: none">• Overdevelopment of site• Double amount of traffic – leaving and entering a narrow access/near sharp bend in road• Increased drainage/flooding concerns
RECOMMENDED DECISION	Full Application - Recommended for Approval

Reasons for Recommendation:

The proposed development is acceptable in principle as it represents infill development. Furthermore, the development would deliver the following benefits :

- Enhancing or preserving the character and appearance of the Conservation Area
- Increasing the housing stock in the village
- Ensuring the efficient use of land and
- Make adequate financial contributions towards infrastructure provision

Furthermore, the development would, subject to appropriate conditions, not be harmful to residential amenity and would not be prejudicial to highway safety thereby conforming to the development plan comprising Policies BE8, SD1, and T10 of the South Bedfordshire Local Plan Review, Policies 27, 43, 45 and 59 of the emerging Development Strategy for Central Bedfordshire and national advice contained within the National Planning Policy Framework and the revised supplementary planning guidance, 'Design in Central Bedfordshire, A Guide for Development', 2014.

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 **No development shall take place until samples of the materials to include suitable 'heritage range' cast-aluminium rainwater goods 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.
(Policies BE8 SBLPR and 43 and 45 DSCB)**

- 3 Before the approved development is brought into use, details of the modified vehicular access which shall have a minimum width of 4.1m with a horizontal clearance margin of 0.3m either side of the access shall be submitted to and approved in writing by the Local Planning Authority and no building shall be occupied until the junction has been modified in accordance with the approved details. The modified access shall thereafter be retained as such.

Reason: In the interest of road safety and for the avoidance of doubt.
(Policy 43 DSCB)

- 4 Visibility splays shall be provided at the junction of the access with the public highway before the approved development is brought into use. The minimum dimensions to provide the required splay lines shall be 2m measured along the centre line of the access from its junction with the channel of the public highway and 43m measured from the centre line of the 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 access and to make the access safe and convenient for the traffic which is likely to use it.
(Policy 43 DSCB)

- 5 The proposed vehicular access shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a minimum distance of 5m into the site, measured from the highway boundary, before the premises are occupied. Arrangement 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 the highway.
(Policy 43 DSCB)

- 6 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)

- 7 The turning space for vehicles illustrated on the approved Plan (No PL-01 Rev. B) shall be constructed before the development is first brought into use and thereafter retained as such for that purpose.

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

- 8 **No development shall commence until details of a method statement to prevent and deal with 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 works 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.
(Policy 43 DSCB)**

- 9 A scheme for the parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority and the scheme so approved shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.
(Policies 24 and 43 DSCB)

- 10 Details of bin storage/collection points shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwelling and thereafter retained for that purpose.

Reason: To avoid the long term storage of refuse containers on the highway so as to safeguard the interest of highway safety.
(Policy 43 DSCB)

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

**Reason: To ensure adequate off street parking during construction in the interests of road safety.
(Policies BE8 S.B.L.P.R and 43 DSCB)**

- 12 **Prior to the commencement of the development hereby approved, the dwelling at Number 2 Totternhoe Road shall be re-configured as shown on Drawing Number PL -002 or in accordance with details to be agreed in writing with the Local Planning Authority.**

**Reason: To protect the residential amenity of the occupiers of this property and the approved dwelling.
(Policies BE8 & H2 SBLPR and 43 DSCB)**

- 13 **No development shall take place until a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme.**

**Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development.
(Policies 43 & 45 DSCB)**

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number PL-01 Revision B.

Reason: To identify the approved plan/s 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 Buckingham & River Ouzel Internal Drainage Board advise that it is essential that ground conditions be investigated and if found satisfactory, the soakaways constructed in accordance with the latest Building Research Establishment Digest.
In the event that ground conditions are found not to be suitable for soakaway drainage, any direct discharge to the nearby watercourse will require the Board's prior consent. Please contact the Internal Drainage Board at Cambridge House, Cambridge Road, Bedford, MK42 0LH - Telephone (01234 354396) - E-mail contact@idbs.org.uk

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 Street Works Co-ordinator, Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8049.
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 applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".
7. To assist in the correct selection of external materials and finishes, the applicant is advised of the traditional standard dimensions for traditional weatherboard, namely 175mm (7") board width with sectional thicknesses of 25mm (1") at the lower, exposed edge, tapering down to 6mm (1/4") at the top edge. Black stain or black tar paint are both acceptable finishes.
8. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.
9. The Council does not accept materials at their offices. Where there is a requirement for materials to be submitted to and approved in writing by the Local Planning Authority, please contact the Case Officer to arrange for them to be viewed, usually this will be on site.

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

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

NOTE

In Advance of the consideration of the application the Committee received representations made under the Public Participation scheme.

Item No. 8

APPLICATION NUMBER	CB/14/03075/FULL
LOCATION	Land at The Gateway (former BTR site) London Road, Dunstable, LU6 3DX
PROPOSAL	Proposed 66 bed care home for older people with associated car parking and landscaping
PARISH	Caddington
WARD	Caddington
WARD COUNCILLORS	Cllrs Collins & Stay
CASE OFFICER	Stuart Robinson
DATE REGISTERED	14 August 2014
EXPIRY DATE	13 November 2014
APPLICANT	Ideal Carehomes
AGENT	LNT Construction Ltd
REASON FOR COMMITTEE TO DETERMINE	Departure from the adopted Development Plan.
RECOMMENDED DECISION	Full Application – Recommended for Approval

Reasons for Granting

The site, which is designated a Main Employment area, has been thoroughly marketed for over nine years and has no reasonable prospect of being developed for employment uses. Although the development would not comply with Policy E1 of the South Bedfordshire Local Plan Review, it would provide some form of employment land and the principle of development would comply with Policy CS7 of the emerging Development Strategy and the principles of the National Planning Policy Framework, to which greater weight can be achieved. On balance the principle of development is considered acceptable.

The proposed design of the development would complement the local character and would comply with Policy BE8 of the South Bedfordshire Local Plan Review and Policy CS43 of the emerging Development Strategy for Central Bedfordshire. The design would accord with the Central Bedfordshire Council Design Guide and the principles of the National Planning Policy Framework. As such the development is considered acceptable.

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 **No development shall take place until samples of the materials to be used in the construction of the external surfaces, including the external brick walls, rendered walls and tiled roof, 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 in accordance with Policy BE8 of the South Bedfordshire Local Plan and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

- 3 **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 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 in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

- 4 **No development shall commence until details of substantial protective fencing for trees on the north western boundary of the site have been submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected on a scaffolding framework, constructed with uprights and cross members, being well braced to resist impact, with the vertical poles driven firmly into the ground. The approved fencing shall remain in position for the entire duration of development shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.**

Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 59 of the emerging Development Strategy for Central Bedfordshire.

- 5 **No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance**

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

Reason: To ensure an acceptable standard of landscaping in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 58 of the emerging Development Strategy for Central Bedfordshire.

- 6 No development shall take place until details of the method of disposal of foul and / or surface water drainage have been submitted to and agreed in writing by the Local Planning Authority, including any land drainage system. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 44 of the emerging Development Strategy for Central Bedfordshire.

- 7 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. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The scheme shall be implemented as approved. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include finalised details of the following:

- Full calculations detailing the existing surface water runoff rates for the QBAR, Q30 and Q100 storm events;
- Full storm event simulation results with appropriate inputs and parameters demonstrating the surface water runoff rates for the QBAR, Q30, Q100 and Q100 plus climate change storm events, of the critical storm season and duration;
- Full results of proposed drainage system modelling in the above-referenced storm events, inclusive of all collection, conveyance, storage, flow control and disposal elements, together with an assessment of the system performance;
- Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions, and pipe reference

numbers;

- **Full details of the proposed attenuation and flow control measures, including dimensions, design and water levels, gradients and – where a vortex flow control is used – the manufacturer’s design flow curve;**
- **Details of overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites;**
- **Full details of the maintenance and/or adoption of the system inclusive of all collection, conveyance, storage, flow control and disposal elements.**

Reason: To ensure that surface water drainage is provided and that existing and future land drainage needs are protected in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 44 of the emerging Development Strategy for Central Bedfordshire.

- 8 Prior to the occupation of the development a verification report demonstrating completion of works set out in the approved remediation strategy (ref LC321-85A/NJW dated 12 September 2011) and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority.
The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
Reasons: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire
- 9 Prior to the occupation of the development 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: 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 acceptable parking of vehicles outside highway limits in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

- 10 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 in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

- 11 The development hereby permitted shall not be brought into use until a scheme for the parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

- 12 The development hereby permitted shall not be brought into use until a scheme for noise attenuation measures has been submitted to and approved in writing by the Local Planning Authority. The noise attenuation measures will ensure that internal noise levels from external road traffic noise sources shall not exceed 35 dB L_{Aeq} , 07:00 - 23:00 in any habitable room or 30 dB L_{Aeq} 23:00-07:00 and 45 dB L_{Amax} 23:00-07:00 inside any bedroom, and that noise levels from external inside any bedroom, and that noise levels from external inside any bedroom, and that noise levels from external road traffic noise sources shall not exceed 55 dB L_{Aeq} , (1hr) in outdoor amenity areas. Any works which form part of the scheme approved by the Local Planning Authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the Local Planning Authority in writing, before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Local Planning Authority.

Reasons: To protect the amenity of neighbouring residents in accordance with Policy BE8 of South Bedfordshire Local Plan Review and Policy 43 of the emerging Central Bedfordshire Development Strategy.

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

Reason: To ensure that the residential amenity of neighbouring occupiers is not prejudiced by excessive noise in accordance with Policy BE8 of the

- South Bedfordshire Local Plan Review and Policies 43 and 44 of the emerging Development Strategy for Central Bedfordshire
14. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

15. This approval relates only to the details shown on the submitted plans, numbers LU6 3DX-A-01, LU6 3DX-A-02A, LU6 3DX-A-03, LU6 3DX-A-04A and LU6 3DX-A-05A.

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.

Informatives

- 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.
- 2 The Environment Agency have no objection to the use of soakaways on this site following our review of a site investigation report in October 2012 in relation to planning permission CB/09/06991.
- 3 Condition 13d of CB/09/06991/OUT (contamination verification report) has not been discharged and is therefore relevant to this application and will need to be discharged following completion of the development.
- 4 Contamination can still be missed by an investigation and this condition gives the Local Planning Authority the ability to require a new, or amendments to an existing, remediation strategy to address any previously unexpected contamination

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

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

NOTES

(1) In advance of the consideration of the application the Committee were advised of corrections to the report, additional consultation responses and amended conditions as set out in the Late Sheet attached to these Minutes.

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

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Item No. 11

APPLICATION NUMBER	CB/14/01694/ADV
LOCATION	Roundabout on the A507 in Clophill, Bedford, MK45 4AD
PROPOSAL	4 sign boards which are free standing, post mounted with text graphic details to front of signs and powder coated to the back
PARISH	Clophill
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Smith
CASE OFFICER	James Clements
DATE REGISTERED	02 May 2014
EXPIRY DATE	27 June 2014
APPLICANT	Central Bedfordshire Council
AGENT	Immediate Solutions
REASON FOR COMMITTEE TO DETERMINE	Objections have been received, the Council is the Applicant.
RECOMMENDED DECISION	Advertisement - Granted

Summary of recommendation:

Approval is recommended for this application. The application is for four advertisement signs located on a roundabout. No objections have been received from the Highways Officer, and it is considered that there would be no significant harm to amenity, given the design and limited size of the signs. It is considered that the development would accord with local and national planning policies and is therefore acceptable.

Recommendation

That Advertisement Consent be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 This consent is limited to a period of five years from the date of this decision.

Reason: To comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 2 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

- 3 No advertisement shall be sited or displayed so as to-
- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

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

DECISION

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