

Central Bedfordshire  
Council  
Priory House  
Monks Walk  
Chicksands,  
Shefford SG17 5TQ

**This meeting  
may be filmed.\***



**Central  
Bedfordshire**

**please ask for** Helen Bell  
**direct line** 0300 300 4040  
**date** 18 December 2014

## **NOTICE OF MEETING**

### **DEVELOPMENT MANAGEMENT COMMITTEE**

Date & Time

**Wednesday, 14 January 2015 10.00 a.m.**

Venue at

**Council Chamber, Priory House, Monks Walk, Shefford**

Richard Carr  
**Chief Executive**

To: The Chairman and Members of the DEVELOPMENT MANAGEMENT COMMITTEE:

Cllrs K C Matthews (Chairman), A Shadbolt (Vice-Chairman), P N Aldis, R D Berry,  
M C Blair, A D Brown, Mrs C F Chapman MBE, Mrs S Clark, K M Collins,  
Ms C Maudlin, T Nicols, I Shingler and J N Young

[Named Substitutes:

L Birt, D Bowater, Mrs B Coleman, I Dalgarno, R W Johnstone, D Jones and  
B J Spurr]

All other Members of the Council - on request

***MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS  
MEETING***

**N.B. The running order of this agenda can change at the Chairman's  
discretion. Items may not, therefore, be considered in the order listed.**

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# AGENDA

1. **Apologies for Absence**

Apologies for absence and notification of substitute members

2. **Chairman's Announcements**

If any

3. **Minutes**

To approve as a correct record, the Minutes of the meeting of the Development Management Committee held on 17 December 2014.

(previously circulated)

4. **Members' Interests**

To receive from Members any declarations of interest including membership of Parish/Town Council consulted upon during the application process and the way in which any Member has cast his/her vote.

## REPORT

<b>Item</b>	<b>Subject</b>	<b>Page Nos.</b>
5	<b>Planning Enforcement Cases Where Formal Action Has Been Taken</b> To consider the report of the Director of Sustainable Communities providing a monthly update of planning enforcement cases where action has been taken covering the North, South and Minerals and Waste.	7 - 14

## Planning and Related Applications

To consider the planning applications contained in the following schedules:

**Planning & Related Applications - to consider  
the planning applications contained in the  
following schedules:**

<b>Item</b>	<b>Subject</b>	<b>Page Nos.</b>
6	<p><b>Planning Application No. CB/14/03678/VOC</b></p> <p><b>Address :</b> Motorcycle Track South of, Stanbridge Road, Great Billington</p> <p>Application to vary conditions 3, 4 &amp; 5 of permission reference SB/TP/95/0176 to allow operation of the site during the following periods 1 October to 30 April (winter months) Fridays, Saturdays and Sundays from 10am till 1pm and 1.30pm till 4pm (3 days per week) and bank holidays from 10am till 2pm and the increase in the number of bikes on site at any given time from 7 to a maximum of 18.</p> <p><b>Applicant :</b> Dunstable MX</p>	To Follow
7	<p><b>Planning Application No. CB/14/04070/FULL</b></p> <p><b>Address :</b> The Red Lion, 1 Station Road, Potton, Sandy, SG19 2PZ</p> <p>Change of use from public house (A4) to one residential unit (C3).</p> <p><b>Applicant :</b> Mr D Blundell</p>	15 - 24
8	<p><b>Planning Application No. CB/14/04511/FULL</b></p> <p><b>Address :</b> River House, 6 Firs Path, Leighton Buzzard, LU7 3JG</p> <p>First floor side extension and extension to rear balcony.</p> <p><b>Applicant :</b> Mr Brian Carter</p>	25 - 32



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**Meeting:** Development Management Committee  
**Date:** 14<sup>th</sup> January 2015  
**Subject:** Planning Enforcement cases where formal action has been taken  
**Report of:** Director of Regeneration and Business  
**Summary:** The report provides a monthly update of planning enforcement cases where formal action has been taken.

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**Advising Officer:** Director of Sustainable Communities  
**Contact Officer:** Sue Cawthra Planning Enforcement and Appeals Team Leader  
(Tel: 0300 300 4369)  
**Public/Exempt:** Public  
**Wards Affected:** All  
**Function of:** Council

#### **CORPORATE IMPLICATIONS**

##### **Council Priorities:**

This is a report for noting ongoing planning enforcement action.

##### **Financial:**

1. None

##### **Legal:**

2. None.

##### **Risk Management:**

3. None

##### **Staffing (including Trades Unions):**

4. Not Applicable.

##### **Equalities/Human Rights:**

5. None

##### **Public Health**

6. None

##### **Community Safety:**

7. Not Applicable.

**Sustainability:**

8. Not Applicable.

**Procurement:**

9. Not applicable.

**RECOMMENDATION(S):**

**The Committee is asked to:**

1. **To receive the monthly update of Planning Enforcement cases where formal action has been taken at Appendix A**
- 2.

**Background**

10. This is the update of planning enforcement cases where Enforcement Notices and other formal notices have been served and there is action outstanding. The list does not include closed cases where members have already been notified that the notices have been complied with or withdrawn.
11. The list at Appendix A briefly describes the breach of planning control, dates of action and further action proposed.
12. Members will be automatically notified by e-mail of planning enforcement cases within their Wards. For further details of particular cases in Appendix A please contact Sue Cawthra on 0300 300 4369. For details of Minerals and Waste cases please contact Roy Romans on 0300 300 6039.

**Appendices:**

Appendix A – Planning Enforcement Formal Action Spreadsheet



## Planning Enforcement formal action (DM Committee 14th January 2015)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	CB/ENC/10/0037	Land at 6 Sutton Road, Potton, SG19 2DS	Enforcement Notice - siting of mobile home for independent residential accommodation	31-Aug-12	01-Oct-12	01-Dec-12			Partial compliance	No confirmation that the mobile home has been sold or removed, further site visit to be made & if not removed discuss with legal.
2	CB/ENC/10/0172	Land at 10-12 High Street, Shefford. SG17 5DG	Enforcement Notice - construction of an unauthorised wooden extension	19-Jun-13	19-Jul-13	19-Aug-13			Virtually complied	Planning permission ref CB/11/00047/Full for brick built structure which is almost complete. Further visit to be made to see if full compliance has been achieved.
3	CB/ENC/11/0267	Land and grain store building at White Gables Farm, Blunham Road, Moggerhanger. MK44 3RA	Enforcement Notice 4 - change of use of land and grain store building to storage of materials and vehicles for haulage business	20-Nov-13	20-Dec-13	20-Jan-14	Appeal received			Inspectors site visit carried out on 10/12/14. Await outcome of appeal.
4	CB/ENC/11/0402	Land adjoining Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	2 Enforcement Notices 1 - unauthorised encroachment onto field 2 - unauthorised hard standing, fence and buildings	15-Oct-12	12-Nov-12	10-Dec-12			Not complied	Direct action to be taken
5	CB/ENC/11/0499	Land at Erin House, 171 Dunstable Road, Caddington, Luton. LU1 4AN	Enforcement Notice - unauthorised erection of a double garage.	03-Sep-13	01-Oct-13	01-Dec-13	Appeal received Sept 2013	27-Sep-14	Not complied	Prosecution case being progressed. Await court date.
6	CB/ENC/11/0613	Land at Taylors Nursery, Taylors Road, Stotfold, Hitchin. SG5 4AQ	Enforcement Notice - change of use of the land for siting of a mobile home for residential purposes.	14-Nov-13	14-Dec-13	14-Jan-14 & 13-Apr-14			Not complied	Planning application ref: CB/14/04187/Full for the conversion of the mobile home to boiler and plant room and hydroponics management suite with ancillary welfare accommodation and erection of 3 polytunnels is due to be determined. The removal of the mobile home has therefore been deferred until the application has been determined.

## Planning Enforcement formal action (DM Committee 14th January 2015)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
7	CB/ENC/12/0079	Woodstock Cottage, 44 High Street, Flitton, MK44 5DY	Listed Building Urgent Works Notice - works to Listed Building	04-Feb-14	11-Feb-14	31-Mar-15			Partial compliance	Due to correspondence between the council and the contravenors solicitor giving her intention to carry out and complete the overhaul to the thatch, it has been agreed that due to the time of year, the works be completed by the 31st March 2015. No further action will be taken in the meantime.
8	CB/ENC/12/0098	Land at 22-28 Station Road, Arlesey	Two S215 Notices - Untidy land storage of materials and motor parts	(1) 15-May-13 (2) 4-Sep-14	(1) 15-May-13 (2) 4-Oct-14	(1) 12-Jun-13 (2) 4-Nov-14			Not complied	Direct action to be taken.
9	CB/ENC/12/0161	Hawthorns, Leighton Road, Eggington, Leighton Buzzard, LU7 9NE	Enforcement Notice, change of use to a mixed use of agriculture and the sale and storage of motor vehicles	7-Jul-14	8-Aug-14	10-Oct-14	Appeal submitted 7/8/14			Await outcome of appeal
10	CB/ENC/12/0174	Land at 15 St Andrews Close, Slip End, Luton, LU1 4DE	Enforcement notice - unauthorised conversion of dwelling house to four separate self-contained units	29-Oct-14	29-Oct-14	28-May-15				Check compliance 28/05/15
11	CB/ENC/12/0199	Plots 1 & 2 The Stables, Gypsy Lane, Little Billington, Leighton Buzzard LU7 9BP	Breach of Condition Notice Condition 3 SB/TP/04/1372 named occupants	15-Oct-12	15-Oct-12	12-Nov-12				Occupied temporarily, await outcome of appeal for Kingswood Nursery.
12	CB/ENC/12/0330	Land to rear of The Farmers Boy PH, 216 Common Road, Kensworth, Dunstable LU6 2PJ	Enforcement Notice - raising and levelling of the land by the importation of waste material	08-Aug-12	10-Sep-12	10-Nov-12	Appeal dismissed 19/7/13		Part complied	Problems identifying how much spoil there is remaining on the land. A further site meeting has been requested with the owners to clarify the position.
13	CB/ENC/12/0505	The Pine Corner, 141 High Street North, Dunstable, LU6 1JW	S215 Notice - untidy land	30-Oct-14	30-Nov-14	30-Jan-15				Check compliance 30/01/15
14	CB/ENC/12/0508	Land at Site C, The Stables, Stanbridge Road, Great Billington, Leighton Buzzard, LU7 9JH	Enforcement Notice- Unauthorised creation of new access and erection of gates.	17-Nov-14	15-Dec-14	15-Mar-15 & 15-June-15				Check compliance 15/03/15 and 15/06/15

## Planning Enforcement formal action (DM Committee 14th January 2015)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
15	CB/ENC/12/0521	Random, Private Road, Barton Le Clay, MK45 4LE	Enforcement Notice - Without planning permission alterations and extensions to create a new dwelling.	16-Aug-13	16-Aug-13	16-Oct-13	Joint Planning & Enforcement Appeal submitted.		Enforcement Appeal quashed.	Enforcement notice appeal considered with planning appeal CB/13/01746 for retrospective permission for the extension works carried out. Notice quashed and planning appeal allowed. CBC successfully challenged reasoning in PINS decision letter. PINS to re-consider the appeals. Await outcome of re-considered appeals.
16	CB/ENC/12/0599	Millside Nursery, Harling Road, Eaton Bray, Dunstable, LU6 1QZ	Enforcement Notice - change of use to a mixed use for horticulture and a for a ground works contractors business	01-Sep-14	02-Oct-14	02-Jan-15				Check compliance 2/1/15
17	CB/ENC/12/0633	Land at Plot 2, Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	Enforcement Notice - construction of timber building and the laying of hard standing.	17-Jan-13	14-Feb-13	14-Mar-13			Not complied	Costs of direct action to be obtained, await joint site visit.
18	CB/ENC/13/0276	Land at Motorcycle track, south of, Billington Road, Stanbridge	Breach of Condition Notice - No more than 7 motorcycles shall use the track at anyone time	09-Apr-14	09-Apr-14	09-May-14				Continue monitoring site, planning application to vary conditions received October 2014.
19	CB/ENC/13/0336	The Stables, Dunstable Road, Toddington, Dunstable, LU5 6DX	2 Enforcement Notices - Change of use from agriculture to a mixed use of agriculture, residential and retail sales and building works for commercial purposes	11-Jul-14	15-Aug-14	15-Oct-14	Appeal submitted 14/8/14			Appeals the subject of a joint hearing on 24/02/15. Statements and final comments submitted to PINS.
20	CB/ENC/13/0412	Land at 19a High Street South, Dunstable. LU6 3RZ	Enforcement Notice - Change of use offices to bedsits	20-Jan-14	20-Feb-14	20-Aug-14				Planning permission approved on the 28th November 2014- Compliance check of the requirements of the enforcement notice arranged for 28th January 2015.
21	CB/ENC/13/0413	Land at the rear of 37 Church Street, Clifton, Shefford SG17 5ET	Enforcement Notice - summer house, terrace, pond and swimming pool.	09-Dec-13	10-Jan-14	10-Mar-14	Appeal dismissed. 16/07/14	16/01/15		Appeal dismissed, compliance period extended to six months. Check compliance 16/01/15.

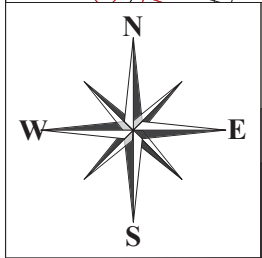
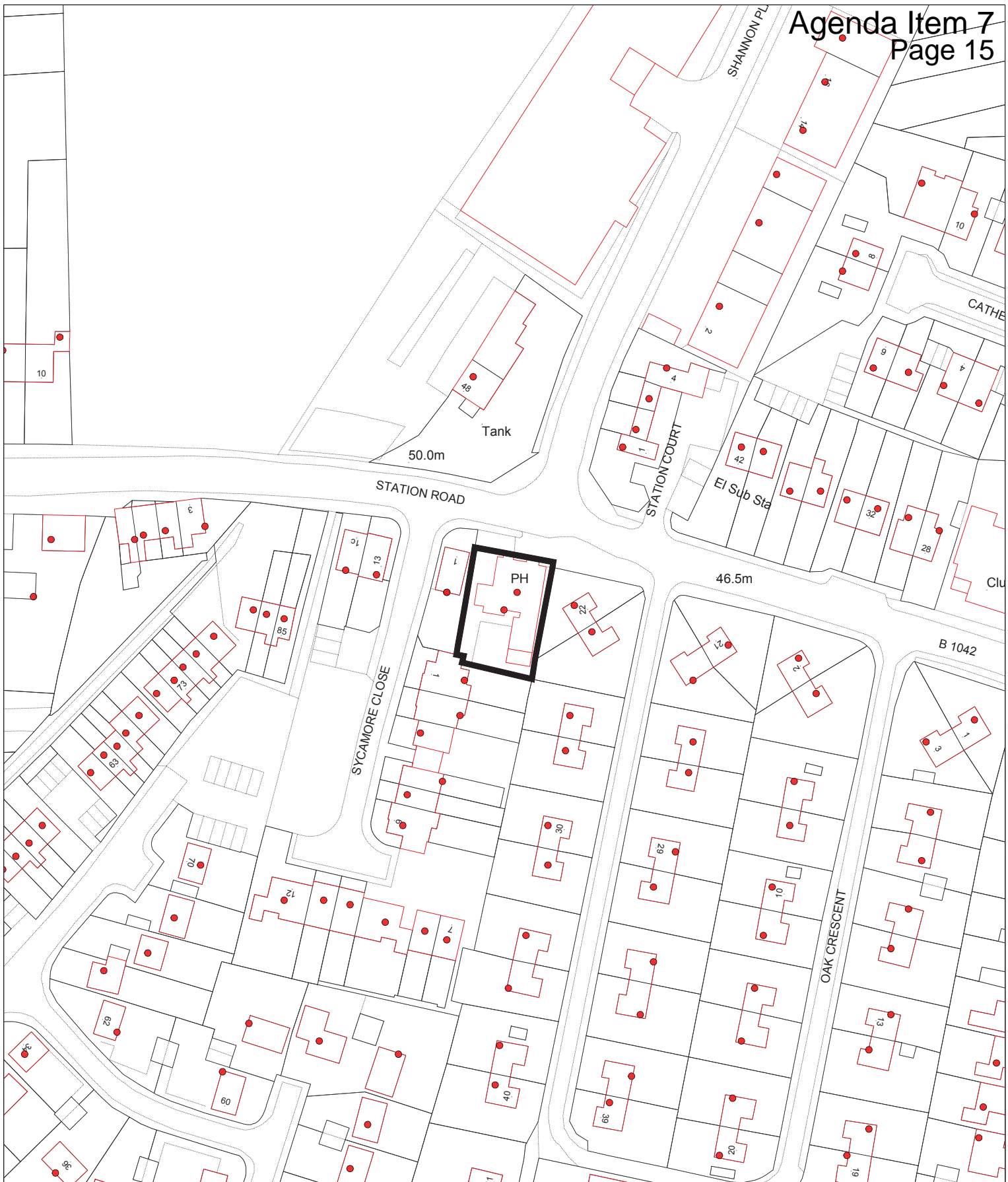
## Planning Enforcement formal action (DM Committee 14th January 2015)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
22	CB/ENC/13/0492	Land at Long Lake Meadow, High Road, Seddington, Sandy, SG19 1NU	Enforcement Notice - change of use of the land to a gypsy and traveller site and unauthorised creation of hardstanding	06-Mar-14	06-Apr-13	06-Jun-14	Appeal split decision	05-Nov-14		Non compliance re removal of hardcore areas from field remains. Further site inspection to check full compliance Jan 2015.
23	CB/ENC/13/0596	14 Sutton Avenue, Biggleswade, SG18 0NZ	S215 Notice - untidy front garden	30-Jun-14	29-Jul-14	29-Aug-14			Not complied	Direct action to be taken
24	CB/ENC/14/0006	Plot 1, Magpie Farm, Hill Lane, Upper Caldecote, Biggleswade, SG18 9DP	Breach of Condition Notice - Condition 6 planning permission ref: MB/05/01478/FULL and CB/13/01378/VOC	27-Jan-14	24-Feb-14	24-Mar-14				Appeal hearing held on 28/10/14. Costs application made by the appellant. Await outcome of appeal from PINS.
25	CB/ENC/14/0166	59 Russell Way, Leighton Buzzard, LU7 3NF	Untidy Land - S215	09-May-14	11-Jun-14	11-Aug-14				Legal services instructed to prosecute - awaiting confirmation of court date.
26	CB/ENC/14/0206	24 Cherry Trees, Lower Stondon, Henlow, SG16 6DT	Enforcement Notice - two storey extension	01-Sep-14	02-Oct-14	02-Jan-15				Check compliance 2/1/15
27	CB/ENC/14/0306	Garage at Hinton Walk, Houghton Regis, Dunstable, LU5 5RB (Garage 1)	S215 Notice -untidy land	13-Aug-14	13-Sep-14	13-Oct-14				Direct action to be taken.
28	CB/ENC/14/0351	105 High Street South, Dunstable, LU6 3SQ	Enforcement Notice - the erection of a second storey rear extension	13-Aug-14	13-Sep-14	13-Dec-14	Appeal received 12/09			Await outcome of appeal
29	CB/ENC/14/0360	Land at Glebeland, Sharpenhoe Road, Streatley, Luton, LU3 3PS	Tree replacement notice - Felling of a sycamore tree	03-Oct-14	03-Nov-14	03-Mar-15	Appeal received 26/11			Await outcome of appeal
30	CB/ENC/14/0376	6 Denbigh Close, Marston Moretaine, Bedford, MK43 0JY	Enforcement Notice - change of use of the Land from a residential dwelling to a mixed use of office and residential	13-Aug-14	12-Sep-14	12-Dec-14	Appeal received 11/09 joint appeal with Planning			Await outcome of appeal
31	CB/ENC/14/0378	25 High Street, Sandy, SG19 1AG	Enforcement Notice - the installation of roller shutters	13-Aug-14	12-Sep-14	12-Oct-14	Appeal received 11/09 joint appeal with Planning			Await outcome of appeal

## Planning Enforcement formal action (DM Committee 14th January 2015)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
32	CB/ENC/14/0381	Garage at Hinton Walk, Houghton Regis, Dunstable, LU5 5RB (Garage 1)	S215 Notice -untidy land	13-Aug-14	13-Sep-14	13-Oct-14				Direct action to be taken.
33	CB/ENC/14/0414	Land at Asda Store, Church Street, Biggleswade, SG18 0JS	Breach of condition notice - Hours of delivery	10-Oct-14	10-Oct-14	10-Nov-14				No further complaints regarding deliveries, notice being complied with at the moment. Notice will remain in force.
34	CB/ENC/14/0423	Land to the rear of, 197 Hitchin Road, Arlesey, SG15 6SE	Breach of Condition Notice - Condition 1 not complied with - attached to planning permission 12/03535- use of land as a caravan site by any persons other than gypsies and travellers.	05-Dec-14	05-Dec-14	05-Jan-15				Check compliance 05/01/15
35	CB/ENC/14/0505	The Bell Public House, 10 Market Square, Leighton Buzzard, LU7 1EY	S215 Notice -untidy land	07-Nov-14	07-Dec-14	07-Jan-15				Check compliance 07/01/15
36	CB/ENC/14/0539	6 Bedford Road, Moggerhanger, MK44 3RR	Enforcement Notice - Materials used affecting the appearance of the dwelling	10-Nov-14	10-Dec-14	10-Jan-2015 & 10-Feb-2015	Appeal received 03/12			Temporary Stop Notice Expired on the 08/12/14. Application to vary external appearance of extension 14/0744 to weather boarding received App 14/04603 on 24/11/14. Await outcome of enforcement appeal.
37	CB/ENC/14/0550	The Winston Churchill, Church Street, Dunstable, LU5 4RP	Enforcement Notice - non compliance of condition 5 attached to 13/00090/Full - Windows on the first floor shall be of a fixed type and fitted with obscure glass.	24-Nov-14	24-Dec-14	24-Jan-15				Check compliance 24/01/15
38	CB/ENC/14/0550	The Winston Churchill, Church Street, Dunstable, LU5 4RP	Breach of Condition Notice - Breach of condition 3 attached to 13/00090/Full - Extraction of fumes and smells.	24-Nov-14	24-Nov-14	24-Dec-14				Check compliance 24/12/14
39	CB/ENC/14/0552	Land at 28 Royce Close, Dunstable, LU6 2NT	Enforcement Notice - Construction of a raised terrace and fence.	10-Nov-14	10-Dec-14	10-Feb-15				Check compliance 10/02/15

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Date: 16:December:2014  
Map Sheet No

Planning App No.  
CB/14/04070/FULL

Scale: 1:1250

Red Lion, 1 Station Road, Potton, Sandy, SG19 2PZ

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**Item No. 7**

<b>APPLICATION NUMBER</b>	<b>CB/14/04070/FULL</b>
<b>LOCATION</b>	<b>The Red Lion, 1 Station Road, Potton, Sandy, SG19 2PZ</b>
<b>PROPOSAL</b>	<b>Change of use from public house (A4) to one residential unit (C3)</b>
<b>PARISH</b>	<b>Potton</b>
<b>WARD</b>	<b>Potton</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Gurney &amp; Zerny</b>
<b>CASE OFFICER</b>	<b>Lauren Westley</b>
<b>DATE REGISTERED</b>	<b>20 October 2014</b>
<b>EXPIRY DATE</b>	<b>15 December 2014</b>
<b>APPLICANT</b>	<b>Mr D Blundell</b>
<b>AGENT</b>	<b>Hertfordshire Architects Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>Called in by Councillor Zerny - Loss of popular local pub - ACV pending  Approval</b>

**Reason for Recommendation:**

The application to change the use of the premises from a public house with ancillary accommodation to a residential dwelling house is in accordance with the criteria set out in policy DM8, will not give rise to detrimental impacts on residential amenity or highways and parking concerns. As such, the proposal is considered to be in accordance with the aims of the National Planning Policy Framework 2012 and policies DM3 and DM8 of the Core Strategy and Development Management Policies 2009.

**Site Location:**

The application site is located on the southern side of Station Road, Potton at the junction with Shannon Place which is marked by a small roundabout. The site is occupied by a three storey detached building with single storey rear extension. The building is known as the Red Lion, and was previously in use as a public house with residential accommodation above but is currently vacant.

**The Application:**

The application seeks full planning permission to change the use of the building to a residential dwelling house. Minimal external alterations are proposed, these include the insertion of two roof lights in the rear ground floor extension, the replacement of two side doors with glazed doors and the replacement of the rear garden doors with larger bi-fold doors. No change to parking provision or vehicular access is proposed.

**RELEVANT POLICIES:**

**National Planning Policy Framework (2012)**

- 3. Supporting a prosperous rural economy
- 5. Delivering a wide choice of high quality homes (paragraph 51)
- 8. Promoting healthy communities (paragraph 70)

**Core Strategy and Development Management Policies - North (2009)**

DM3 High Quality Development

DM4 Development Within and Beyond Settlement Envelopes

DM8 Village Shops and Pubs

**Central Bedfordshire Council's Emerging Development Strategy 2014**

Policy 10 Rural Economy and Tourism

Policy 12 Retail for Neighbourhood Centres and the Rural Area

Policy 38 Within and beyond settlement boundaries

Policy 43 High quality development

Having regard to the National Planning Policy Framework, limited weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy was submitted to the Secretary of State on 24th October

**Supplementary Planning Guidance**

Central Bedfordshire Design Guide (2014)

**Planning History**

<b>Case Reference</b>	<b>MB/07/00687/FULL</b>
Location	The Red Lion, Station Road, Potton, SG19 2PZ
Proposal	Full: Covered pergola
Decision	Full Application - Granted
Decision Date	03/07/2007

**Representations:**

**(Parish & Neighbours)**

Potton Town Council                      Objection - The Red Lion is a well valued public resource. An Asset of Community Value application has been sent to CBC. Loss of public house to the local area.

Neighbours (one response received)      Support - Red Lion is an imposing building on Station Road and one which would lend itself to becoming a residence. As a resident of Station Road I have been concerned that in the future the Red Lion would continue as a business which may have had a detrimental effect on the surrounding area. I was equally concerned the building would be turned into flats, creating issues with parking along the street. Potton has a

history of former public houses being turned into single residences and they have all added to the character of Potton. It would be great to see the Red Lion become a family home whilst retaining the building and its history.

### **Consultations/Publicity responses**

Bedfordshire and River Ivel Internal Drainage Board No comments in relation to application.

Highways Officer (CBC) No objection, informative recommended.

Public Protection Noise (CBC) - No objection, subject to condition.

Public Protection Contamination (CBC) - No objection, informative recommended.

Site Notice Erected on 31.10.2014

### **Determining Issues**

The main considerations of the application are;

1. Principle of Development
2. Character, scale and amenity
3. Highways and parking
4. Other Matters

### **Considerations**

#### **1. Principle of Development**

The application site is located within the Settlement Envelope of Potton, which is defined as a 'Minor Service Centre' by policy CS1 of the CSDMP. Policy DM4 states that within Minor Service Centres the Council will approve housing, employment and other settlement related development commensurate with the scale of the settlement.

The key issue in the determination of this application is the loss of the public house. Policy DM8 states the planning permission would not normally be permitted for the change of use of a pub in a village, which would result in the loss of the facility, unless;

- there are other facilities performing the same function within easy walking distance of the village community; and
- the application provides evidence that there is no prospect of the use continuing even if permission is refused.

Within the Settlement Envelope of Potton, there are currently four public houses still trading (The Rising Sun, 11 Everton Road; The Coach House, Market

Square, The George and Dragon, 2 King Street and the The Royal Oak, 4 Biggleswade Road) as well as the Working Mans Club, Conservative Club and the Football Club. As such, it is considered that there are other facilities performing the same function within easy walking distance of the village community.

A marketing report dated 15th October 2014 and prepared by Everard Cole, on behalf of the applicant, has been submitted with the application. The Red Lion was previously owned by Punch Taverns, who over the last few years has been unable to attract a tenant willing to take on a long term lease of the building. Shorter term tenants have been found, however temporary tenants do not invest in the property and the capital return that Punch Taverns requires from its investments has not made it a viable proposition in which to invest capital. The last short term tenant was interested in purchasing the property, but withdrew interest when he was unable to raise the finance given the returns he was able to demonstrate. Based on recent figures of the sales and costs of running the Red Lion, the business is only able to support a profit of up to £10, 000 per annum. Despite support from Punch Tavern's to short term tenants, in the form of reduced rent and subsidised beer costs, the property remained on a downward trajectory. It is considered that without the support of Punch Taverns', it is likely that the business would have ceased several years ago.

The marketing of the property for sale commenced in January 2010, the marketing campaign included the following;

- A 'for sale' sign erected at the property;
- Advertisements in The Publican's Morning Advertiser
- Advertisements in the EDP, Hunts Post and Business to Business MK
- Inclusion on [www.businessforsale.com](http://www.businessforsale.com)
- Inclusion on [www.findmypub.com](http://www.findmypub.com)
- Advertising on [www.everardcole.co.uk](http://www.everardcole.co.uk)
- Preparation and circulation of sales details
- Direct mailing to licensed operators.

From the marketing campaign the main interested generated was for residential conversion, most of which were put off by the restrictive covenant (limiting the use to remain as a public house). A small amount of interest was received for a public house use, however they were unable to complete a freehold purchase due to an inability to raise finance against the property, due to its current condition and/or the high levels of investment required for short term repairs and long term investment into the building. This was coupled with all funders expressing concerns over the sustainability of the business and the restrictive covenant.

The offer received from the applicant was accepted in February 2011, with the sale completed in January 2014, once the restrictive covenant had been amended so as to allow for the residential use of the premises.

Based on the financial and marketing information set out above, it is not considered that the premises does have reasonable prospect of continuing as a public house.

Therefore, as set out by the criteria given in policy DM8, there are other pubs

within walking distance of the Potton village community and the public house use does not have a reasonable prospect of continuing. In this instance, it is considered that the change of use of the premises to a residential dwelling is considered acceptable and will ensure that the building is put to a sustainable use and not left vacant and in a dilapidated state.

## **2. Character, scale and amenity**

The external changes to the building are limited in scale and impact. The insertion of two roof lights on a rear roof slope at ground floor level is not considered to have an impact on the appearance of the building or the amenities of surrounding residents. Similarly the alteration of the two side doors, which are being replaced with glazed doors so as to allow for additional light into the building, is also not considered to result in an impact on the appearance of the building or the amenities of surrounding residents.

The property does have a rear beer garden, which will become the private residential garden for the future occupiers of the dwelling. The garden ranges in depth from 6m at its shallowest to 13m and is surrounded on all sides by existing residential dwellings. As such, the loss of the beer garden is welcomed in terms of the amenities of the surrounding residential uses. The garden size complies with the limits set out in the Design Guidance and as such adequate private amenity space will be provided for future occupiers of the property.

The Public Protection team has suggested a condition requiring a Noise Attenuation Scheme to be submitted to the Council that demonstrates internal noise levels from external road traffic sources do not exceed 35dB in any habitable room and 55dB in the outdoor amenity area. However given that there is an existing residential use in the building (the flat above) and that the site is surrounded by existing residential properties that all face onto the same road, this condition is not considered necessary. Future occupiers of the building will be able to address noise concerns as the owners/occupiers of the building should they wish to.

The proposed change of use and external alterations will therefore have a neutral impact on the character and appearance of the building, and the loss of the public house use will arguably result in an improvement to the existing amenity of surrounding residential dwellings. The building and its garden will be provided for an adequate level of amenity for future occupiers of the building.

## **3. Highways and parking**

The application does not propose any changes to the existing parking provision or vehicular access. The submitted plans indicate two parking spaces are available for the use of future occupiers of the building. However in reality, due to the change in ground levels from the adjacent footpath and the resulting retaining wall, it is unlikely that cars will be capable of being parked in the layout as shown. Although two parking spaces can probably be achieved in some form along the frontage of the site.

Whilst the parking and access provision is not ideal, it is acknowledged that it is an existing arrangement that will not be worsened if this application for a change of use from public house to residential is granted. Indeed it could be argued that with the reduction in commercial traffic, including deliveries by HGV's, the

change of use would be beneficial from a highways viewpoint. Furthermore, the required parking provision for a public house with ancillary accommodation would be greater than for a single dwelling house and as such is likely to reduce any parking stress in the area.

Provision of bin storage and cycle storage can all be adequately catered for on site, with side access available to the rear garden from both elevations.

Therefore, no objections are raised in relation to the access and parking arrangements.

#### **4. Other matters**

Following the submission of this planning application, CBC's Community Engagement Team received a nomination request for the Red Lion to be listed as an Asset of Community Value, from the Potton Town Council. This nomination was received under provisions of the Localism Act 2011 (as amended) which if designated would place the Red Lion on the List for a period of five years. Once on the List, if the owner decides to sell, the community group would have the right to make a bid for the property and buy it on the open market (this is known as the Community Right to Bid). The community group would have six months to raise the money to purchase the property on the open market, however ultimately the property owner would still have the right to decide who to sell to.

The nomination process is on-going, with the CBC required to make a decision on the nomination by the 31st of December 2014. Therefore the outcome of this process will be reported to the Committee by way of the Late Sheet.

In terms of the relevance of this process to the determination of this planning application, the nomination is a material consideration. However, whether the premises is nominated or not, its inclusion on the List would not restrict planning permission being given for a change of use of the premises, the legislation is not worded as such. However, a residential property cannot be included on the List and as such, if planning permission was granted the property would need to be removed from the List.

The receipt of the Asset of Community Value nomination is an indication that when the public house was operating, it was a valuable community asset and there is support in the National Planning Policy Framework for the retention of such community facilities, however the proposal complies with policy DM8 and it does not appear realistic that the pub use would have a reasonable prospect of continuing.

The property was purchased by the Applicant on the 26th of August 2014, who is not a publican and has no intention to operate the premises as a pub. Indeed the internal fixtures and fitting relating the pub use (pumps, tables and chairs

etc) have already been removed from the property. Furthermore, no letters of objections have been received (other than the Parish objection) in relation to the application. As the proposal accords with the Council's adopted planning policies, there is no reason why the proposal should not be considered favourably.

### **Recommendation**

That Planning Permission be GRANTED subject to the following:

### **RECOMMENDED CONDITIONS / REASONS**

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

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

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 8087-P01, 8087-P02A, 8087-P03, 8087-P04A and 8087-P05.

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

### **Notes to Applicant**

1. Given the location of the application is of long historic use there may be unexpected materials or structures in the ground. It is the responsibility of the Applicant to ensure safe and secure conditions, so any indications of potential contamination problems should be forwarded to the Contaminated Land Officer, Andre Douglas, for advice on 0300 300 4004 or via [andre.douglas@centralbedfordshire.gov.uk](mailto:andre.douglas@centralbedfordshire.gov.uk)
2. The applicant is advised that 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 0300 300 8049.
3. 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.

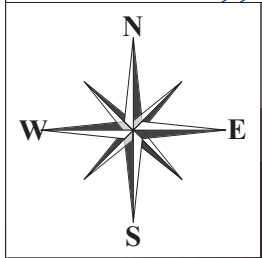
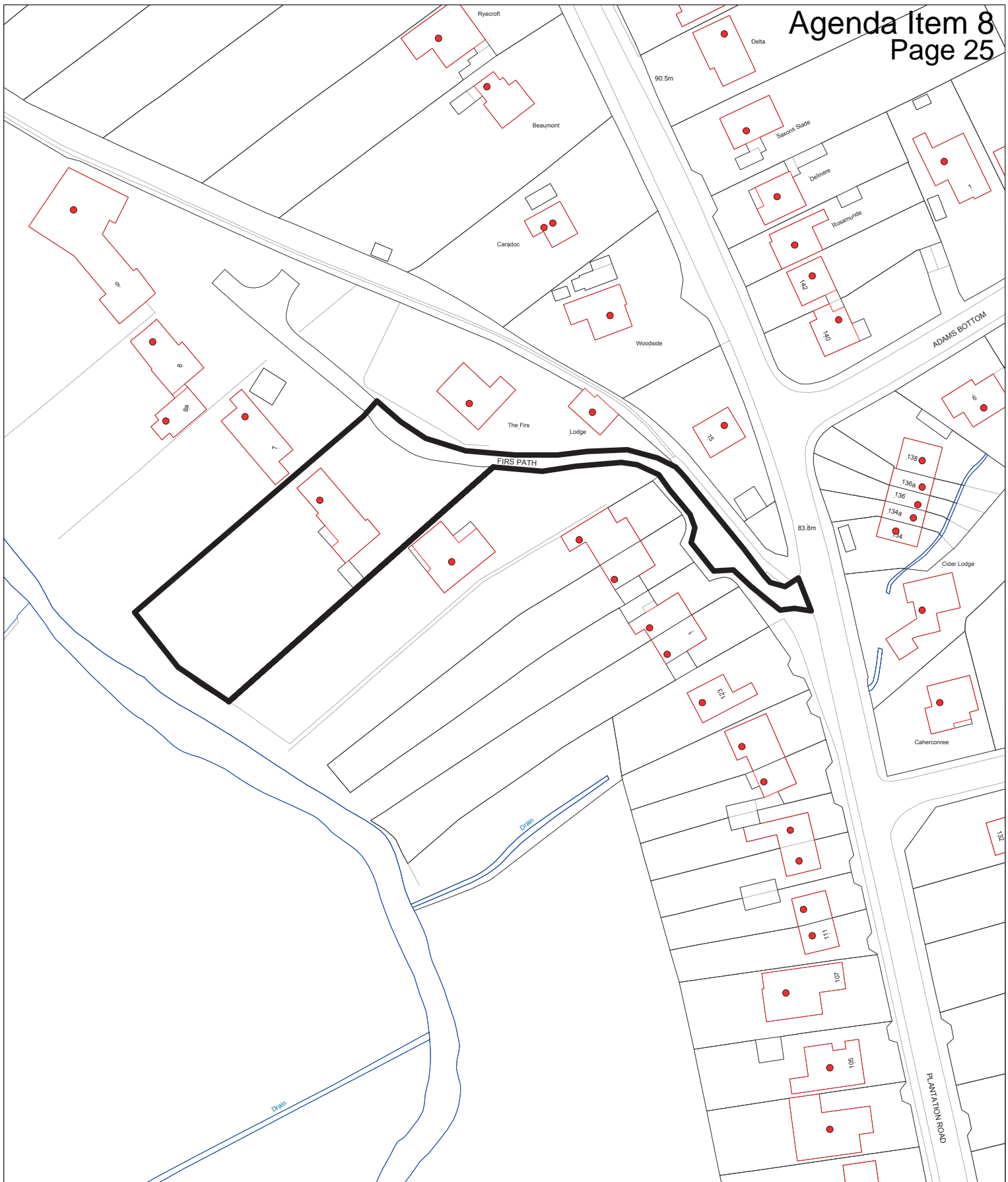
**Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

**DECISION**

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Central Bedfordshire Council  
Licence No. 100049029 (2009)  
Date: 16:December:2014  
Grid Ref: 492044; 226405

Application No.  
**CB/14/04511/FULL**

Scale: 1:1250

**River House, 6 Firs Path, Leighton Buzzard, LU7 3JG**

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**Item No. 8**

<b>APPLICATION NUMBER</b>	<b>CB/14/04511/FULL</b>
<b>LOCATION</b>	<b>River House, 6 Firs Path, Leighton Buzzard, LU7 3JG</b>
<b>PROPOSAL</b>	<b>First floor side extension and extension to rear balcony</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Leighton Buzzard North</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Johnstone, Shadbolt &amp; Spurr</b>
<b>CASE OFFICER</b>	<b>Debbie Willcox</b>
<b>DATE REGISTERED</b>	<b>19 November 2014</b>
<b>EXPIRY DATE</b>	<b>14 January 2015</b>
<b>APPLICANT</b>	<b>Mr Brian Carter</b>
<b>AGENT</b>	<b>D J Harnett &amp; Associates</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called-in by Councillor Shadbolt on the basis that the proposal is not in contradiction to policy BE6 of the South Bedfordshire Local Plan Review</b>
<b>RECOMMENDED DECISION</b>	<b>Recommended for refusal</b>

**Summary of Recommendation:**

The proposed first floor side extension would significantly reduce the gap between the subject dwelling and the neighbouring dwelling, which would have an unacceptably detrimental impact on the feeling of spaciousness that is currently an important positive characteristic of the designated Area of Special Character. The proposal is therefore contrary to the National Planning Policy Framework, policies BE6, BE8 and H8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy, and the Central Bedfordshire Design Guide.

**Site Location:**

The application site comprises the curtilage of a detached, two storey dwelling located on the south west side of Firs Path in Leighton Buzzard. The area is designated as an Area of Special Character within the South Bedfordshire Local Plan Review.

The dwelling is a wide, shallow building, with a white painted, smooth render finish and a tiled roof. The dwelling has a two storey front projection to the south end and a two storey central section; while the north end of the dwelling is single storey and comprises a double, integral garage. There is an existing balcony to the rear of the dwelling.

**The Application:**

The application seeks planning permission for a first floor side extension over the existing garage. The extension would be L-shaped, with a front projection of the same width as the existing front projection. The extension as a whole would have a total depth of 7.4m and a width of 7.3m, with a 1.7m gap being retained to the flank boundary of the application site. The roof would be hipped to match the existing roof. The extension would comprise a fifth bedroom and an en-suite bathroom.

The application also includes the extension of the rear balcony by approximately 10m towards the flank boundary with No. 7 Firs Path. The edge of the balcony facing No. 7 would be terminated with a 1.8m high laminated opaque glass screen.

## **RELEVANT POLICIES:**

### **National Planning Policy Framework (2012)**

#### **South Bedfordshire Local Plan Review Policies**

BE6 Control of Development in Areas of Special Character

BE8 Design Considerations

H8 Extensions to Dwellings

T10 Parking - New Development

*(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, policies BE6, BE8 & H8 are still given significant weight. Policy T10 is afforded less weight).*

#### **Development Strategy for Central Bedfordshire**

Policy 27: Car Parking

Policy 43: High Quality Development

*(Having regard to the National Planning Policy Framework, some weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in October 2014.)*

#### **Supplementary Planning Guidance**

Central Bedfordshire Design Guide: A Guide for Development:

Design Supplement 7: Householder Alterations and Extensions, 2014

#### **Planning History**

CB/14/02632/PAPC - Pre-application advice for First Floor Side Extension

#### **Representations:**

##### **(Parish & Neighbours)**

Leighton-Linslade Town Council To be reported at the meeting.

Neighbours (No. 7) No objections, providing that the extended dwelling is not used for commercial purposes.

#### **Consultations/Publicity responses**

Buckingham and River No comments.

Ouzel Internal Drainage

Board

#### **Determining Issues**

The main considerations of the application are;

- 1. Design Considerations and Impact on the Area of Special Character**
- 2. Impact on Residential Amenity**
- 3. Parking and Highway Safety**
- 4. Other Issues**

## Considerations

### 1. Design Considerations and Impact on the Area of Special Character

The application site is located within a designated Area of Special Character and therefore policy BE6 of the South Bedfordshire Local Plan Review is a key consideration in the determination of the application. The preamble to this policy explains that the designated Areas of Special Character are characterised by a feeling of spaciousness which is created by low to moderate density of development, large plot sizes, generous garden provision and well spaced development. The policy itself states:

*"within the Areas of Special Character as defined on the proposals map, planning permission will not be granted for redevelopment to higher densities, subdivision of large plots, infilling, backland development or large extensions which would result in loss of gardens, other open land or mature woodland, or give rise to an over-intensive level of development in a way which would unacceptably harm the special character of the area."*

Firs Path is characterised by a feeling of spaciousness which is created by low density of development and large plot sizes. Currently, between the existing first floor flank wall of the subject dwelling and the flank boundary is a gap of approximately 8.8m which provides a positive contribution to the feeling of spaciousness that exists within Firs Path, especially on the approach to the dwelling along Firs Path from Plantation Road.

Policy BE8 of the South Bedfordshire Local Plan Review requires proposals to take full account of the need to enhance or reinforce the character of the area and also requires development to complement and harmonise with the local surroundings, particularly in terms of adjoining buildings and spaces and longer views.

Pre-application advice was sought by the applicant on a scheme with a wider front projection; the advice given was that the proposal would be unduly dominant and would result in an unacceptable loss of spaciousness at first floor level, to the detriment of the special character of the area. Instead, it was suggested that the applicants should consider alternative development in the form of a narrower side extension with opportunities to also extend to the rear of the dwelling.

The current proposal has been amended from this earlier scheme to reduce the width of the proposed front projection of the extension to match the width of the existing front projection at the other end of the dwelling, however, the total width of the proposed extension has not been reduced in line with the advice offered and the loss of spacing between the subject dwelling and No. 7 Firs Path would be the same as the previous scheme, in direct contravention of the advice offered.

The proposal would result in the almost complete closure of the gap that currently exists at first floor level between the subject dwelling and the flank boundary. Furthermore, the front projecting element of the proposed extension would exacerbate this loss of spacing and, because of the angle of the road and the positioning of the dwellings, as viewed from the approach to the site along

Firs Path, the remaining gap between the first floor flank wall of the extended subject dwelling and the first floor flank wall of the neighbouring dwelling at No. 7 Firs Path would not be visible. This would have a significant detrimental impact upon the feeling of spaciousness that is currently a positive characteristic of the subject site and the wider Area of Special Character.

As such, it is considered that the proposal would unacceptably harm the special character of the area and the proposal would thus be in conflict with policies BE6, BE8 and H8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

## **2. Impact on Residential Amenity**

The subject dwelling is on the same building line as No. 7 Firs Path, which has two small flank windows that would face the extension. These windows do not act as primary light sources to habitable rooms, therefore it is considered that the proposal would not have a detrimental impact in terms of loss of light or the creation of a sense of overbearing. The proposed extension would have only high level flank windows and the proposed balcony would have a privacy screen on the edge facing No. 7, therefore the proposal would also have no impact upon the privacy of the occupiers of No. 7.

The proposal would have no impact upon the amenity of other neighbouring occupiers, therefore, in this aspect, it is considered that the proposal would conform with policies BE8 and H8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

The comments of the neighbour are noted, however, there is no suggestion that the extended dwelling would be used for commercial purposes. It is noted that an additional planning application for a change of use of the premises would be required should the applicants wish to use the property for commercial purposes and therefore it is not considered appropriate or necessary to impose a condition restricting the use of the property to residential.

## **3. Parking and Highway Safety**

The application site has sufficient parking provision for in excess of three vehicles, and thus meets the Council's parking standards for dwellings with four or more bedrooms. It is therefore considered that the proposal would not have a detrimental impact upon parking provision or wider highway safety.

## **4. Other Issues**

### **Human Rights issues**

The proposal raises no Human Rights issues.

### **Equality Act 2010**

The proposal raises no issues under the Equality Act 2010.

## **Recommendation**

That Planning Permission be REFUSED for the following:

**RECOMMENDED REASON**

- 1 The proposed first floor side extension would significantly reduce the existing gap between the subject dwelling and the neighbouring dwelling, which would be exacerbated by the proposed front projecting element of the extension. This would have an unacceptably detrimental impact on the feeling of spaciousness that is currently an important positive characteristic of the locality that has been designated as an Area of Special Character in the South Bedfordshire Local Plan Review. The proposal is therefore contrary to the principles of good design as set out in the National Planning Policy Framework and to policies BE6, BE8 and H8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy, and the Central Bedfordshire Design Guide.

**Notes to Applicant**

1. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk).

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

This application is recommended for refusal for the clear reasons set out in this report. The Council acted pro-actively through early engagement with the applicant at the pre-application stage. This advice has however not been adequately followed and therefore the Council remains of the view that the proposal is unacceptable. The applicant was invited to withdraw the application to seek pre-application advice prior to any re-submission 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.

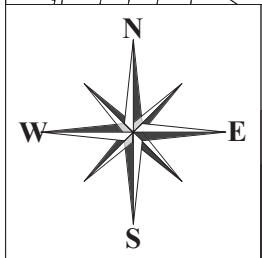
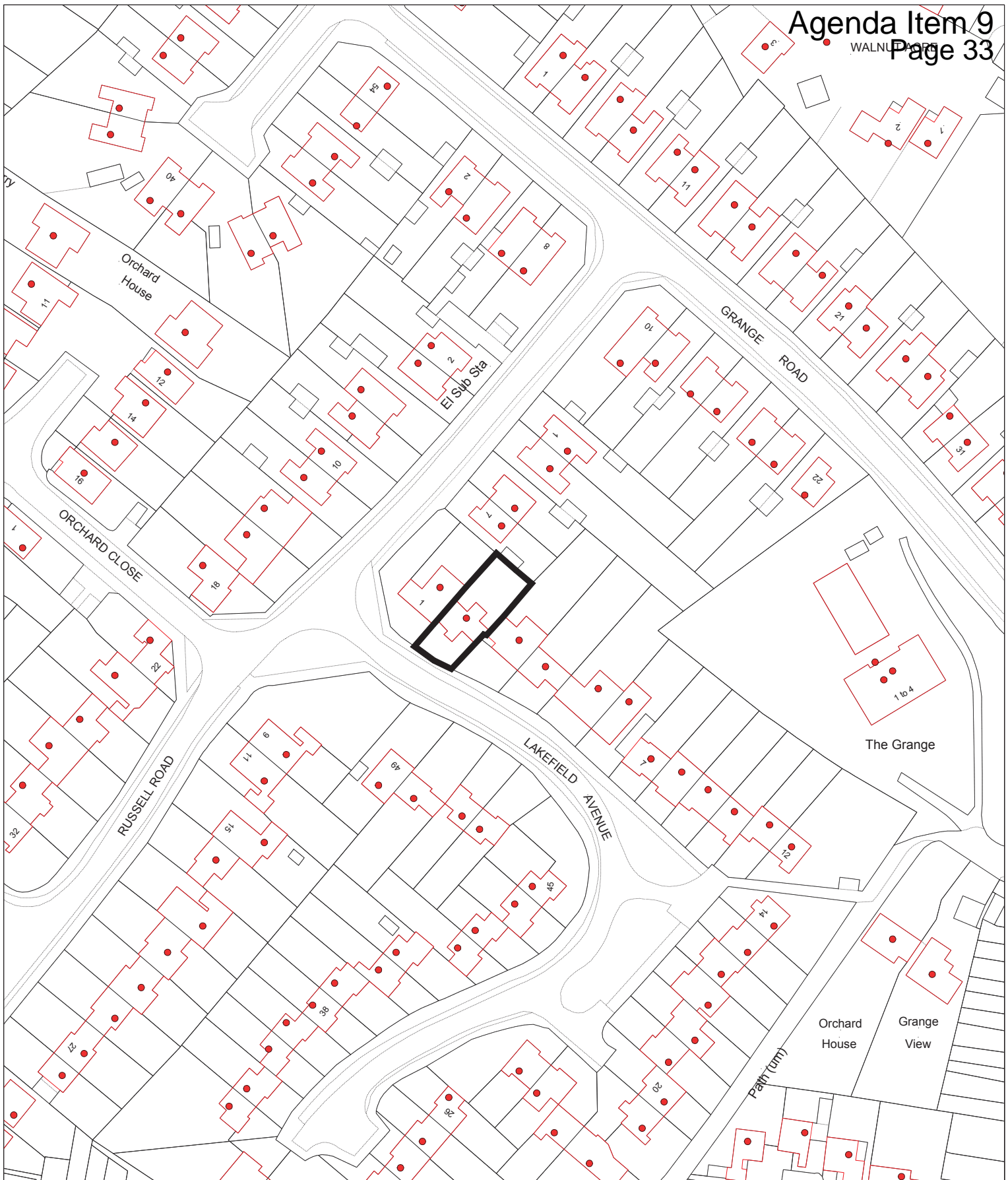
**DECISION**

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Central Bedfordshire Council  
Licence No. 100049029 (2009)  
Date: 17:December:2014  
Map Sheet No

Application No  
CB/14/04656/Full

Scale: 1:1250

2 Lakefield Avenue, Todington

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**Item No. 09**

<b>APPLICATION NUMBER</b>	<b>CB/14/04656/FULL</b>
<b>LOCATION</b>	<b>2 Lakefield Avenue, Toddington, Dunstable, LU5 6DB</b>
<b>PROPOSAL</b>	<b>Demolition of sun room and utility. Erection of rear extension, front extensions and pitched roof to front.</b>
<b>PARISH</b>	<b>Toddington</b>
<b>WARD</b>	<b>Toddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Costin &amp; Nicols</b>
<b>CASE OFFICER</b>	<b>Judy Self</b>
<b>DATE REGISTERED</b>	<b>27 November 2014</b>
<b>EXPIRY DATE</b>	<b>22 January 2015</b>
<b>APPLICANT</b>	<b>Mr &amp; Mrs N Costin</b>
<b>AGENT</b>	<b>Lewis Building Consultancy Services Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The applicant is a Ward Member</b>
<b>RECOMMENDED DECISION</b>	<b>Approval is recommended</b>

**Summary of Recommendation**

No harm to the character and appearance of the area is considered to arise nor harm to residential amenity by means of loss of light, overbearing impact, or loss of privacy. As such the proposal is considered to accord with the Design Guide for Central Bedfordshire; Policy BE8 of the South Bedfordshire Local Plan Review Policies and Policy 43 of the Emerging Development Strategy for Central Bedfordshire.

**Site Location:**

The application site is a semi detached bungalow which is located on the north side of Lakefield Avenue in Toddington.

**The Application:**

Following the demolition of the existing sun/utility room planning permission is being sought for the following:

- Erection of a rear extension which spans the width of the dwelling to a depth of 3.5m (max) and height of 2.4m;
- 2 x small front extensions;
- Pitched roof to the existing flat roof section of the main dwelling.

The proposed development will accommodate a number of internal changes which will provide for a new layout and accommodate third bedroom.

**RELEVANT POLICIES:**

**National Planning Policy Framework (2012)**

**South Bedfordshire Local Plan Review Policies**

BE8 Design Considerations  
H8 Extensions to Dwellings  
T10 Parking - New Development

*(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, policies BE8 & H8 are still given significant weight. Policy T10 is afforded less weight).*

**Development Strategy for Central Bedfordshire**

Policy 1: Presumption in favour of Sustainable Development  
Policy 43: High Quality Development

Having regard to the National Planning Policy Framework, weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy was submitted to the Secretary of State on 24th October.

**Technical Planning Guidance**

- Revised Design Guide for Central Bedfordshire 2014 (DS4: Residential Alterations and extensions);
- Central Bedfordshire Local Transport Plan: Appendix F : Parking Strategy (Adopted in October 2012 by the Executive for Development Management Purposes)

**Planning History**

<b>Case Reference</b>	<b>CB/10/03102/FULL</b>
Location	2 Lakefield Avenue, Toddington, Dunstable, LU5 6DB
Proposal	Erection of single storey rear extension
Decision	Full Application - Granted
Decision Date	21/10/2010

**Representations:  
(Parish & Neighbours)**

Toddington Parish Council                      Any comments received to be reported on the late sheet  
Adjacent Occupiers                                Any comments received to be reported on the late sheet  
Site Notice Posted 12/12/14

**Consultations/Publicity responses**

Highways Officer                      Comments to be reported on the late sheet

**Determining Issues**

The main considerations of the application are;

1. Visual impact upon the character and appearance of the area
2. Impact on neighbouring amenity
3. Other issues

## Considerations

### 1. *Character and Appearance of the Area*

The proposed development to the front of the dwelling is modest in scale and in-keeping with the Council's design guidance. No harm to the character and appearance of the area would result.

### 2. *Impact on residential amenity*

The principle properties that may be affected by the proposal are nos. 1 and 3 Lakefield Avenue. All other properties are adequately well removed so as not to be affected.

The proposed development to the front of the property is modest in scale and will not result in any loss of residential amenity.

The adjoining property (no. 1 Lakefield Avenue) has been extended to the rear and the proposed development would not extend beyond this. No harm to residential amenity is considered to arise by means of loss of light, overbearing impact, or loss of privacy.

No. 3 Lakefield Avenue is slightly set back on the application site and is set away from the side (common) boundary. Given the degree of separation no harm to residential amenity is considered to arise by means of loss of light, overbearing impact, or loss of privacy.

### 3. *Other issues*

#### Human Rights issues

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

#### Equality Act 2010

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

## 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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the appearance of the completed development by

ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality.  
(Policy 43, DSCB)

- 3 This approval relates only to the details shown on the submitted plan, number 14:14:01

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

**Notes to Applicant**

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

- 2. **Will a new extension affect your Council Tax Charge?**

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

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax. If however you add an annexe to your property, the Valuation Office Agency may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.

The website link is:

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

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

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

**DECISION**

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**Meeting:** Development Management Committee  
**Date:** 14<sup>th</sup> January 2015  
**Subject:** Development Management Performance Statistics  
**Report of:** Development Infrastructure Group Manager  
**Summary:** The report provides a bi-annual update of Development Management Performance

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**Advising Officer:** Director of Regeneration & Business  
**Contact Officer:** Andrew Davie  
Development Infrastructure Group Manager  
(Tel: 0300 300 8307)  
**Pubic/Exempt:** Public  
**Wards Affected:** All  
**Function of:** Council

#### **CORPORATE IMPLICATIONS**

**Council Priorities:**

This is an information report for noting Development Control Performance Statistics

**Financial:**

1. None

**Legal:**

2. None.

**Risk Management:**

3. None

**Staffing (including Trades Unions):**

4. Not Applicable.

**Equalities/Human Rights:**

5. None

**Public Health:**

6. None

**Community Safety:**

7. Not Applicable.

**Sustainability:**

8. Not Applicable.

**Procurement:**

9. Not applicable.

**RECOMMENDATION(S):**

**The Committee is asked to:**

- 1. To receive a six monthly update of Development Control Performance Statistics at Appendix A.**

**Background**

**10.** There has been a 6.9% increase in the number of applications received from April 2014 to September 2014 compared with same period last year.

**11.** In April 2014 the Department of Communities & Local Government issued new guidance relating to the collection of performance information. The statistics are used by Central Government to monitor planning policies and performance. The main changes to the PS2 statutory return which monitors applications and the time periods in which they are determined are;

Large Scale Major and Small Scale Major applications are now amalgamated into one Major applications category.

Lawful Development Certificates and Notifications i.e. Electricity Board are no longer recorded within the Other category.

Performance against Planning Performance Agreements and Extension of Time Agreements are now recorded against the Minor and Other categories in addition to Major application categories.

**12.** The volumes of some decisions are now recorded on the PS1 Return

Prior approval and Permitted Development Rights, Notifications, Certificates of lawful development, Certificates of appropriate alternative development and Certificates of lawfulness of proposed works to listed buildings.

13. There has been a decline in the percentage of major applications determined within 13 week target time from 60% in April to September 13 to 50% in April to September 2014. Taking into account the way the Government has changed the way they collect data 14 of the applications had Planning Performance Agreements or Extension of Time agreements and of those 8 were determined within the agreed timeframe. Therefore 80% of Major applications were determined within the agreed time between April and September 2014.

There has been improved performance in the minor application category from 78% in April to September 13 to 79% in April 2014.

The other application category has seen performance maintained at 93% when comparing April to September 2013 with April to September 2014.

14. Planning Performance Agreements and Pre-application advice;

9 new Planning Performance Agreements received between April 2014 and September 2014.

There were 12 Planning Performance Agreements received in Year 2013/14.

Charging for householders' pre-application advice commenced in April 2013 – 141 advice requests validated in 2013/14 and 76 requests validated from April 2014 to September 2014.

15. Permitted Development rights for Larger home extensions and Prior Approval for Changes of Uses came into force on 30 May 2013. The current legislation is temporary and there is a requirement for the development to be completed on or before the 30 May 2016.

The Council has received an increase in volume of these types of applications.

60 Permitted Development and 46 Prior approval applications registered 30 May to 31 March 2014.

57 Permitted Development and 31 Prior approval applications registered 1 April 2014 to 30 September 2014.

16. The latest published data from April to June 2014 indicates that CBC are 12% below England average for the determination of Major applications but 5% above for Minor applications and 11% above for Other applications.

#### **Appendices:**

Appendix A – Development Control Performance

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