

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 24 June 2015

PRESENT

Cllr K C Matthews (Chairman)
Cllr R D Berry (Vice-Chairman)

Cllrs M C Blair
A D Brown
Mrs S Clark
K M Collins
S Dixon

Cllrs K Janes
R W Johnstone
T Nicols
I Shingler
J N Young

Apologies for Absence: Cllr E Ghent

Substitutes: Cllr P Smith (In place of E Ghent)

Members in Attendance: Cllrs P Hollick
M R Jones
Mrs J G Lawrence
D J Lawrence

Officers in Attendance:	Mr A Bunu	Senior Planning Officer
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Mr D Hale	Planning Manager South
	Mr A Harrison	Principal Planning Officer
	Mrs C Jagusz	Democratic Services Administrator
	Mr A Maciejewski	Definitive Map Officer
	Mr L Manning	Committee Services Officer
	Mr A McMurray	Team Leader - Development Management - Highways, Transport Strategy Countryside Services
	Mrs L Newlands	Principal Planning Officer
	Miss D Willcox	Planning Officer

DM/15/18. **Chairman's Announcements**

The Chairman read out a statement which informed the meeting that, following the Inspector's letter indicating that Central Bedfordshire Council had failed the Duty to Co-operate in relation to the Development Strategy, full Council had approved a judicial challenge to the Secretary of State for Communities and Local Government. The first phase of the judicial challenge had taken place at a hearing on 16 June but the Judge had not supported the Council's case to grant the Council leave to appeal. As a result the Council had lodged an

appeal against the judgement and the weight accorded to the Development Strategy in decision making should be viewed in that context.

The Chairman next referred to Item 7 (Application No. CB/15/0111/FULL relating Larkwood Ltd, Bedford Road, Aspley Guise, Milton Keynes, MK17 8DJ) and sought deferral of this item for one cycle to allow the related Heritage Statement to be published on the Council's website. The Committee was advised by the Chairman that it would be unsafe to proceed with determination of the application without prior publication of this document. The Committee resolved that consideration of the item be deferred as requested. Note: Minute DM/15/23 below also refers.

Councillors and members of the public were advised by the Chairman that the order of business would be varied and considered as follows:

After 10:00am items 6, 11, 9 and 10

After 12:00pm items 8, 13 and 12

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

The Chairman advised that a site inspection had been undertaken by most members of the Committee in respect of most of the applications on the agenda.

It was noted that:

- subject to declarable interests, all members of the Committee had the right to vote on all matters of business considered by the Committee.
- Rule No. 13.5.5. of the Constitution stated that Members could not vote or take part in the meeting's discussions on a proposal unless they had been present to hear the entire debate, including the officer's introduction to the matter.
- the Chairman, under paragraph 9.2 of Part E3 of the Constitution, had a second or casting vote should there be equal numbers of votes for and against an item. This provision made it quite clear that the Chairman was entitled to vote on any item of business. Further, there was no restriction or limitation on how the second or casting vote should be exercised nor was there a requirement that the right be exercised at all.

DM/15/19. **Minutes**

RESOLVED

that the minutes of the meeting of the Development Management Committee held on 27 May 2015 be confirmed and signed by the Chairman as a correct record.

DM/15/20. **Members' Interests**

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

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr K C Matthews	6	Ward Member and knows speakers	Present

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

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr Mrs S Clark	8	Spoke to applicant and owners of neighbouring properties	Absent
Cllr S Dixon	12	Applicant	Absent

(c) **Prior Local Council Consideration of Applications:-
Member**

Member	Item	Parish/Town Council	Vote Cast
Cllr K C Matthews	6	Marston Moretaine Parish Council	Did not vote

DM/15/21. **Planning Enforcement Cases Where Formal Action Has Been Taken**

AGREED

that the monthly update of planning enforcement cases where action has been taken, as identified in the report of the Director of Regeneration and Business, be received.

DM/15/22. **Late Sheet**

In advance of consideration of the following planning applications the Committee received a Late Sheet advising it of additional consultation/publicity responses, comments and proposed additional/amended conditions. A copy of the Late Sheet is attached as an appendix to these minutes.

During consideration of some of the applications the Committee received representations from members of the public in accordance with the Public Participation Procedure as set out in Annex 3 of Part A4 of the Constitution.

DM/15/23. Planning Application No. CB/15/0111/FULL

This item was deferred for one cycle to allow publication of the Heritage Statement on the Council's website.

(Note: Minute DM/15/18 above also refers).

DM/15/24. Planning Application No. CB/15/00209/OUT

RESOLVED

that Planning Application No. CB/15/00209/OUT relating to Land at Moreteyne Farm, Wood End, Marston Moreteyne, Beds be approved, subject to an additional condition in relation the provision of bungalows and a satisfactory S106, as set out in the schedule appended to these minutes.

DM/15/25. Planning Application No. CB/15/00741/FULL

RESOLVED

that Planning Application No. CB/15/00741/FULL relating to Downs Service Station, 3 Tring Road, Dunstable, LU6 2PX be approved, subject to amending the existing conditions relating to opening and delivery hours and the addition of a new condition regarding wall retention, as set out in the schedule appended to these minutes.

DM/15/26. Planning Application No. CB/15/01204/FULL

RESOLVED

that Planning Application No. CB/15/01204/FULL relating to Land North of Chiltern Green Farm (Lawrence End Park North Herts) Hyde, Luton, LU2 9PN be approved, subject to amending the existing conditions to remove the requirement for soft landscaping works along a footpath and to replace a plan regarding the proposed layout, as set out in the schedule appended to these minutes.

Prior to discussion of Item 10 Cllr Mrs Clark entered the Council Chamber.

DM/15/27. Planning Application No. CB/15/01484/OAC

Whilst noting that the issue of financial contributions for community benefit was not a material planning consideration Members did, however, express concern

over the longevity of the development which would operate over a 30 year period, although financial contributions would be made for only 20 years.

RESOLVED

that a response be sent to North Herts District Council confirming that this Local Planning Authority has no objections to Planning Application No. CB/15/0184/OAC relating to Land at Lawrence End Park and to the East of Birch Spring, Dane Street, Luton as set out in the schedule appended to these minutes.

Adjourned at 12.00 p.m. and reconvened at 12.10 p.m.

Prior to discussion on Item 8 Councillor Mrs Clark left the Council Chamber.

DM/15/28. **Planning Application No. CB/15/01166/FULL**

RESOLVED

that Planning Application No. CB/15/001166/FULL relating to 9 Bedford Road, Cranfield, Bedford, MK43 0EW be approved as set out in the schedule appended to these minutes.

Prior to discussion on Item 13 Councillor Mrs Clark entered the Council Chamber.

DM/15/29. **Determination of an Application to add a Claimed Bridleway through the Crown Hotel and Yard, Biggleswade**

The Committee considered a report by the Interim Head of Service for Transport Strategy and Countryside Access which proposed that a Definitive Map Modification Order be made to add a public bridleway through the Crown Hotel and its rear yard between High Street and Church Street, Biggleswade to the Definitive Map and Statement. The report also proposed that enforcement action be taken to remove security fencing obstructing the bridleway to enable free use of the bridleway ahead of a legal order being made.

In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme. Members then considered in full the information before them, including the legal analysis provided by both the solicitor acting on behalf of J D Wetherspoon plc, as the owners of the Crown Hotel, and the Council's own legal representative at the meeting.

RESOLVED

that a decision on the proposed Definitive Map modification order to add a public bridleway through the Crown Hotel and its rear yard between High Street and Church Street, Biggleswade to the Definitive Map and Statement be deferred to allow counsel's opinion on the application to be sought by the Council.

Prior to discussion on Item 12 Councillor Dixon left the Council Chamber.

DM/15/30. **Planning Application No. CB/15/01233/FULL**

RESOLVED

that Planning Application No. CB/15/01233/FULL relating to Meadow Cottage, Cityfield Farm, Arlesey Road, Henlow, SG16 6DD be approved as set out in the schedule attached as an appendix to these minutes.

DM/15/31. **Site Inspection Appointment(s)**

RESOLVED

that all members of the Committee be invited to conduct site inspections on Monday, 20 July 2015.

(Note: The meeting commenced at 10.00 a.m. and concluded at 1.30 p.m.)

Chairman

Dated

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 24 JUNE 2015

Item 6 (Pages 15-52) – CB/15/00209/OUT – Land at Moreteyne Farm, Wood End, Marston Moretaine.

Additional Consultation/Publicity Responses

No further consultation

Additional Comments

A leisure project has been confirmed in terms of the S106, therefore S106 negotiations will seek a contribution towards the replacement/ improvement of the existing MUGA in Cranfield.

A condition will be added to ensure that a minimum of 10 bungalows are provided across the site. In addition to this, the S106 negotiations will include that a number of these are affordable and age-restricted.

A query was raised regarding the Highway works and when these would be implemented. The permission for the 125 residential dwellings adjacent to the Travelodge (CB/11/04445/OUT) secured the highway works through the S106 process. These works are required to be undertaken prior to the first occupation of the residential dwellings (on the site adjacent to the Travelodge). Work is currently progressing on the s278 agreement for the residential development.

Additional/Amended Conditions

Amended conditions

Condition 6 should read as follows:

Prior to work commencing on the construction of any buildings hereby approved, details of the layout and design of any on site play areas including the equipment, furniture, surfacing and boundary treatment to be installed on such areas, shall be submitted to and approved in writing by the Local Planning Authority. The details thereby approved shall be implemented prior to the first occupation of 25% of houses in any relevant phase of the approved development and thereafter retained.

Reason: To ensure the provision of adequate play and children's recreation facilities.

Condition 17 should read as follows:

The development hereby permitted shall not be carried out except in general accordance with the details shown on the submitted plans, numbers CSa/2391/102 Rev B; CSa/2391/115 Rev G; CSa/2391/116 Rev A; 1369/HL/01 Rev D; Design and Access Statement (January 2015); Planning Statement; Archaeological Evaluation

(November 2014); Aboricultural Assessment (January 2015); Landscape and Visual Appraisal (January 2015); Geo-Environmental Phase 1 Desk Study; Sustainability Statement; Soil resources and Agricultural Use and Quality of Land at Marston Moretaine; Flood Risk Assessment; Air Quality Assessment; Statement of Community Involvement; Noise Impact Assessment; Ecological Appraisal; Transport Assessment.

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

New condition

Condition 18:

The development hereby approved shall include the provision of a minimum of 10 bungalows across the site. These shall be detailed in any reserved matters application.

Reason: To ensure a suitable housing mix across the development.

Item 7 (Pages 53-70) – CB/15/01111/FULL – Larkswood Ltd, Bedford Road, Aspley Guise, Milton Keynes.

Additional Consultation/Publicity Responses

CBC Ecologist

I am satisfied that the buildings show no apparent bat interest and that no further surveys are recommended. Therefore, no objection raised.

Further comments on amended plans received:

10 Bedford Road

- still consider the scheme to be overdevelopment
- parking is inadequate within the scheme – 5 parking bays added behind the office is not sufficient
- parking for Orchard Cottage (Rose Cottage)
- The retention of the building at the front does nothing to improve the appearance of the entrance to the site;
- Traffic concerns regarding the access

Aspley Guise Parish Council

AGPC objects to the application because in its present form it will worsen the already severe traffic congestion existing on the Bedford Road during peak hours and at other times during the day. The traffic congestion has reached unacceptable levels in recent years due to the following factors:

1. The principal parking for most of the residents of the houses on Bedford Road on the side opposite the entrance to the Larkswood site is on street parking

making the road effectively a single carriageway for most of the stretch from the Square in the centre of the village to the end of this row of houses a distance of some 50m.

2. Bedford Road is now a major route for traffic travelling to and from Milton Keynes and the M1 J13, the A421 to Bedford, the A1 and beyond and the A507 to Ampthill and other parts of Central Beds. The road is currently seeing very high traffic volumes at peak times due to the continuing developments on the eastern flank of Milton Keynes. While the completion of the improvements to the Kingston roundabout and the A421 within Milton Keynes may bring some reductions in traffic volumes in future years the benefit of this will be reduced by the continuing growth of Milton Keynes and for many drivers Aspley Guise will remain the most convenient route to and from the southern edge of Milton Keynes.

With cars parked along Bedford Road during peak hours, vehicles leaving the Larkwood site and turning right will be forced to turn into the wrong lane into oncoming traffic as the left hand lane is blocked. Similarly vehicles looking to turn left out of the site will also face oncoming traffic using the only free lane.

We believe that the traffic analysis included in the recommendation from officers to the Development Management Committee to approve the application is fundamentally flawed as the estimates of vehicle movements on which it is based are purely theoretical and do not reflect the actual conditions that exist at the Larkwood site. In particular it should be noted that:

1. The business carried on at the site has been in decline over recent years with dwindling numbers of visitors to the site, most of whom would have visited the site outside peak hours.
2. Most trucks delivering to the site have not sought to enter the site due to the constraints outlined above but have rather parked in the village Square with furniture deliveries being wheeled there to the site.
3. The site currently has a vehicles access onto Spinney Lane from which most vehicles left the site, there were very few instances in the past of vehicles attempting to enter and exit the site at the same time using the access onto Bedford Road which will be the only means possible in future when the Spinney Lane access is closed to vehicles.

As we set out in our original objection we firmly believe that to make this development acceptable changes to the plans are essential as are measures to reduce the traffic congestion on Bedford Road at the entrance to the site. The changes needed are:

- a) The office building at the entrance should be removed to make the access wider and to improve visibility.
- b) Double yellow lines are needed on Bedford Road opposite the entrance to allow vehicles to turn right out of the site into the appropriate lane of Bedford Road and to alleviate the severe congestion experienced at peak times.
- c) Parking for the Bedford Road residents affected by the double yellow lines should be provided within the development using the land shown as being used by the office at the entrance which should be demolished.

We note the comments in the report to the Committee about the office building at the entrance to the site being included in the listing of the neighbouring listed building but can find no reference to this in the listing entry recorded by Historic England.

We believe that the demolition of the office building at the entrance to the site will enhance the character and appearance of the surrounding area and of the neighbouring listed building rather than causing any detriment to them.

Woburn Sands and District Society – Our objections remain as set out in our original letter dated 25th April 2015. Our point regarding the impact on the Grade II Listed Building will be removed if the office building is to be retained.

Additional Comments

The tree at the frontage was originally shown to be removed on the site plan, the amended plan shows it as being retained. I have confirmed with the agent that this is an error and the tree is to be removed as shown on the originally submitted plan. It is therefore seen as appropriate to add a condition requiring this tree to be removed.

Amendment to report page 57:

The last paragraph on this page relates to the frontage building, it stated that the building is included within the listing. To clarify, it is not included within the listing description for The Bell PH but is included on the original listing plan shown in the HER record (HER 3696). It is therefore considered to be part of the listing and is therefore listed as well.

Officer comments

The 5 parking bays at the front are for the office use at the front of the site and is in accordance with the parking standards set out in the Central Bedfordshire Design Guide which requires 1 parking space per 25sqm.

The proposal provides sufficient parking for each dwelling, there are 3 x 2 bed; 2 x 3 bed; 1 x 4 bed and 4 x 5 bed with combined parking provision for 25 cars. This is in accordance with the parking standards set out in the Central Bedfordshire Design Guide and no objection has been raised by the Highways Officer in relation to parking.

Continued concern has been raised regarding the access to the site. The Highways Officer has raised no objection to the application in relation to this aspect and has stated that given the traffic generation that could be created through an unrestricted B1(c) use that the proposed development would result in less traffic generation and therefore the access is acceptable.

I have been advised that an application for double yellow lines along Bedford Road has been prepared/submitted by the Ward Councillor. Whilst the Parish Council are seeking additional parking provision within the site for the residents along Bedford Road, this is not considered appropriate. The parking situation along Bedford Road is an existing problem – the proposed development will provide sufficient parking for the residents of the development and would therefore not exacerbate this problem

further. It is therefore unreasonable for the proposed development to provide parking within the site for residents of Bedford Road. In addition to this, the Highways Officer is content that existing arrangements are satisfactory without the proposed double yellow lines.

Additional/Amended Conditions

Condition 14

The tree shown on the frontage adjacent to the retained office building, shall be removed prior to work commencing on the construction of the hereby approved buildings.

Reason: For the avoidance of doubt and to ensure that suitable improvements to the frontage of the site are made. (Policy 43, DSCB)

Condition 15

The link through to Spinney Lane shown on the site plan shall be retained for pedestrian access only.

Reason: To ensure that this is available for pedestrian use only. (Policy 43, DSCB)

Item 8 (Pages 71-80) – CB/15/01166/FULL – 9 Bedford Road, Cranfield, Bedford.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 9 (Pages 81-106) – CB/15/01204/FULL – Land North of Chiltern Green Farm (Lawrence End Park, North Herts) Hyde, Luton.

Additional Information

Approximately 1.9MW of the 5MW total would be generated in Central Bedfordshire.

Amendments to the Report

Page 84 : Following amendments to the layout, the District Network Operators substation (DNO) would be re-located to the North Herts side next to the Dane Street access.

A site toilet measuring 2.5 metres long, 1.1 metres wide and 3 metres high would be the only structure erected on land within CBC close to the Chiltern Green access.

Page 85:

The access from Chiltern Green Road would be restricted to construction traffic during the installation and de-commissioning phases.

Glint and Glare Report submitted to replace the Glint Report originally submitted with the application.

Additional/Amended Conditions

Page 101: Condition 3

Line 5: Remove the word 'footpath'. (No footpath would be affected in the CBC area).

Page 104: Condition 14

Replace drawing No. LEP_01_Rev 4 with CBC/01 (Proposed Layout).

Item 10 (Pages 107-114) – CB/15/01484/OAC – Land at Lawrence End Park and to the East of Birch Spring, Dane Street, Luton.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 11 (Pages 115-128) – CB/15/00741/FULL – Downs Service Station, 3 Tring Road, Dunstable.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions and Informatives

No suggested additional or amended conditions.

Suggested additional informative as follows:

The applicant's attention is drawn to their responsibility under The Party Wall etc Act 1996 and with particular regard to arrangements for notifying the owners of No. 7 Tring Road.

More information can be found via the following weblink:

<http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>

Item 12 (Pages 129-134) – CB/15/01233/FULL – Meadow Cottage, Cityfield Farm, Arlesey Road, Henlow.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 13 (Pages 135-166) – Determination of an application to add a claimed bridleway through the Crown Hotel and yard, Biggleswade.

Please see letter from Signet Planning acting on behalf of JD Wetherspoon Plc.



JS/DJB/LN2695



SIGNET PLANNING
VISION | STRATEGY | ACTION

juliansutton@signetplanning.com
18 June 2015

Councillor K.C. Matthews
Chair of the Development Management Committee
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
SG17 5TQ

Dear Cllr,

THE CROWN HOTEL, 23 HIGH STREET, BIGGLESWADE, SG18 0JE

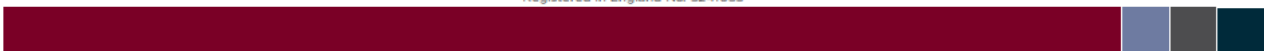
I act on behalf of JD Wetherspoon Plc which is the freeholder of the above site and write in respect to the application to add a claimed bridleway through the Crown Hotel and yard, which is to be heard at Committee on 24th June.

You will be aware that JD Wetherspoon has previously obtained planning permission and listed building consent (LPA refs: CB/14/03125/FULL & CB/14/03126/LB) dated 19th February 2015 to sensitively refurbish the site and bring it back into beneficial community use as a public house. The sensitive redevelopment of the site by my client and the regeneration and community benefits arising are acknowledged by Officers in their granting of planning permission. The area of the proposed bridleway is an integral part of this regeneration scheme and forms a central part of the proposed main customer area.

Currently the site remains vacant. My client has been unable to bring forwards the refurbishment and regeneration of this site, which has an investment value of circa £1.3m as a result of the uncertainty over the reported bridleway through the Crown Hotel and yard.

My client considers that sufficient evidence to justify this application does not exist. I understand that solicitors acting from my client have written separately to the Senior Definitive Planning Officer in this regard by their letter dated 26 January 2015. Notwithstanding this, Members must appreciate the implications of the grant of this application.

JD Wetherspoon Plc is a major town centre occupier and has over 930 establishments and employs over 23,000 staff throughout England, Scotland, Wales and Northern Ireland and is an essential part of the local communities in which it is located. The backbone of JD Wetherspoon's successful growth has been the provision of high standards, attractive appearance, respect to heritage and conservation matters, range of services and an inviting atmosphere in all of its outlets since the very first JD Wetherspoon public house (pub) opened in 1979. Notably, the Company has more public houses in CAMRA'S Good Beer Guide than any other pub company.





A JD Wetherspoon public house provides a broad range of food and drink services throughout the whole day. This range of services when combined with the style and mode of operation of JD Wetherspoon outlets, including all-day and weekend opening results in substantial benefits for the community, attracting people throughout the day, enhancing the vitality and viability of shopping areas in which they may be located and creating linked trips with other retailers. As such, JD Wetherspoon is a major contributor to enhancing the vitality and viability of a town centre.

The development will also introduce life and vibrancy to the currently run down building in a sensitive manner which has been worked up in agreement with your Council's Conservation officer.

The proposal will facilitate the creation of circa 50 new jobs. Already, my client has had numerous enquiries regarding the job opportunities on the site.

The proposals for the Crown Hotel will thus bring significant economic, social and heritage benefits to Biggleswade.

All of the above, real and tangible, benefits will be put at risk should the above application be approved at your Committee meeting this week. To approve the above bridleway application will frustrate my client's investment scheme and will thus have negative impact on the regeneration of Biggleswade Town Centre.

I would therefore urge you to reject the above application.

Yours sincerely
for Signet Planning

JULIAN SUTTON
Regional Director

Cc Members of Development Management Committee



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Item No. 6

APPLICATION NUMBER	CB/15/00209/OUT
LOCATION	Land At Moreteyne Farm, Wood End, Marston Moretaine, Beds
PROPOSAL	Residential development of land to provide up to 365 dwellings, including affordable housing, landscaping, public open space, children's play areas and associated infrastructure, access to be gained from the old A421; up to 0.6ha of land to provide for a care home and up to 0.42ha of land to provide for B1 Business use; and/or A1/A2/A3 uses (gross A1 retail footprint not to exceed 500 sqm.): and/or D1 (community uses). Outline (all matters other than access reserved.)
PARISH	Marston Moretaine
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER	Lisa Newlands
DATE REGISTERED	22 January 2015
EXPIRY DATE	23 April 2015
APPLICANT	Hallam Land Management Ltd
AGENT	Januaries Consultant Surveyors
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Major application with objection from the Parish Council It is recommended that subject to the satisfactory completion of a Section 106 Legal Agreement requiring contributions towards those matters set out in the report and provided no new issues are raised then APPROVE planning permission subject to the conditions detailed below. However, if there are any minor changes or adjustments to the conditions considered necessary by the Head of Development Management then it is requested that these changes be delegated to the Head of Development Management or a Planning Manager.

RECOMMENDED CONDITIONS / REASONS

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

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Reason: To comply with Part 3 Article 6 of the Town and Country Planning (General Development Procedure) Order 2015.

- 3 Prior to the submission of the first reserved matters application for each Phase of the development, a detailed design code for that Phase shall be submitted and approved in writing by the Local Planning Authority. The detailed design code shall demonstrate how the objectives of the Design and Access Statement will be met, and shall be in accordance with the drawings and documents referred to in Condition 17 . The design code shall:
- outline the street network/hierarchy and include cross sections for each street type that outline the various applicable elements within the cross section, including overall range of building line distance(s), set backs/privacy strip(s), cycle lane(s) (if applicable), verge width(s), pavement width(s) , any on street parking, bus stops (if applicable) and carriageway width(s). Details of surface material type(s) will also be provided.
 - identify any character areas within which the following design principles shall be identified:
 - public realm including details of landscaping, public art opportunities, public realm material types (landscape, street furniture etc) and refuse collection.
 - block principles including ranges for plot widths and depths, building lines, frontages and set backs, any on plot or other parking, cycle parking, servicing and storage and collection of waste.
 - boundary treatments including types to front, side and rear boundaries.
 - building types & uses.
 - building densities and heights.
 - key gateways, landmark buildings, vistas and frontages.
 - architectural detailing and materials including key roofscape principles, building material types & design details: including signage and lighting (where applicable).
 - environmental and sustainability standards including details of any sustainable urban drainage system (“SUDS”) serving that area. The development of each area shall be carried out in accordance with the approved design code for that area.

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority in accordance with Policy DM3 of

the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and Policy 43 of the Submitted Development Strategy for Central Bedfordshire.

- 4 **No development shall commence until the highway works previously approved and shown on plan number 1369/HL/01 have been completed in full unless otherwise agreed in writing by the Local Planning Authority.**

Reason & justification: To ensure the provision of appropriate access arrangements and associated off-site highway works in the interests of highway safety.

- 5 Any subsequent reserved matters application shall include the following:
- Estate roads designed and constructed to a standard appropriate for adoption as public highway.
 - Pedestrian and cycle linkages to existing routes;
 - Bus-stop provision on the C94 to be agreed;
 - Vehicle parking and garaging in accordance with the council's standards applicable at the time of submission;
 - A Construction Traffic Management Plan detailing access arrangement for construction vehicles, routing of construction vehicles, on site parking and loading and unloading areas;
 - Materials storage areas;
 - Wheel cleaning arrangements;

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

- 6 Prior to work commencing on the construction of any buildings hereby approved, details of the layout and design of any on site play areas including the equipment, furniture, surfacing and boundary treatment to be installed on such areas, shall be submitted to and approved in writing by the Local Planning Authority. The details thereby approved shall be implemented prior to the first occupation of 25% of houses in any relevant phase of the approved development and thereafter retained.

Reason: To ensure the provision of adequate play and children's recreation facilities.

(Policy 43, DSCB)

- 7 **No development shall take place until a written scheme of archaeological investigation, has been submitted to and approved in writing by the Local Planning Authority.**

The written scheme shall include details of the following components:

- **A method statement for the investigation of any archaeological remains present at the site;**
- **An outline strategy for post-excavation assessment, analysis and publication;**

- **A strategy for community engagement.**

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

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

Reason: In accordance with paragraph 141 of the NPPF; to record and advance the understanding of the significance of the heritage assets with archaeological interest which will be unavoidably destroyed as a consequence of the development and to make the record of this work publicly available. In accordance with Policy 45 of the emerging *Development Strategy for Central Bedfordshire* (pre-submission version, June 2014); to give due consideration to the significance of the heritage assets with archaeological interest and ensure that any impact on the archaeological resource which takes place as a result of the development is appropriately mitigated.

- 8 Development shall not begin within the portion of the site termed the 'Southern Catchment' until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall be based on the principles detailed in the Flood Risk Assessment (FRA) dated 14 January 2015, ref. 10298, compiled by Brookbanks Consulting Ltd.

Reason: To ensure an acceptable surface water drainage scheme is provided in the southern part of the site and to ensure there is no increase in flood risk at the site or elsewhere as a result of the development.

- 9 **No development shall commence until a scheme for surface water disposal 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 development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

Justification: The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration sustainable drainage systems (SuDS).

- 10 **No development shall take place until details of the method of disposal of foul and surface water drainage have been submitted to and agreed in writing by the Local Planning Authority. 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.
(Policies 43 and 44, DSCB)**

Justification: The water environment is potentially vulnerable and there is increased potential for pollution. The details are required prior to commencement to ensure that a effective system is in place and taken into account during the construction process.

- 11 Any reserved matters application shall include an updated Mitigation Strategy and Method Statement detailing the GCN trapping, translocation and habitat compensation/mitigation has been submitted to and approved in writing by the Local Planning Authority. This would form part of an EPS Licence application to Natural England.

Reason: To ensure favourable conservation status of a protected species is maintained.

- 12 Any reserved matters application shall include a scheme for the provision of Public Footpath numbers 24, 33, 34 and also Public Bridleway number 81. The following details shall be included:
- the design of access and improvement of Public Footpath numbers 24, 33, 34 and also Public Bridleway number 81 (including landscaping, width and surfacing)
 - proposals for diversion of public rights of way (where necessary);
 - the temporary closure and alternative route provision (where necessary) of any existing right of way.

Reason: In the interests of the amenity of pedestrians, equestrians and other non motorised users and to ensure safety of users is not compromised by the traffic associated with the development.

- 13 The promotion of sustainable travel associated with this development needs to be implemented in accordance with the approved travel plan of March 2015.

Including the following measures:

- Agreed targets for modal shift from single occupancy vehicle trips
- Marketing and promotion of sustainable transport choices to residents, including the provision of welcome packs. Welcome pack to include:
 1. Site specific travel and transport information,
 2. maps showing the location of shops, recreational facilities, employment and educational facilities
 3. Details of relevant pedestrian, cycle and public transport routes to/ from and within the site.
 4. Copies of relevant bus and rail timetables.
- Action plan for implementation of measures designed to promote travel choice.
- Plans for monitoring and review annually for a period of 5 years at which time the obligation will be reviewed by the planning authority.
- Provision of cycle parking in accordance with Central Bedfordshire Council guidelines.
- The appointment of a travel plan co-ordinator

No part of the development shall be occupied prior to implementation of those parts identified in the travel plan.

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

- 14 Any reserved matters application shall include a phasing plan for the development. The development shall be carried out in accordance with the approved phasing plan.

Reason: To ensure that the development is undertaken in a co-ordinated manner.

- 15 No work shall commence on the construction of the buildings hereby approved until a scheme for protecting the proposed dwellings from noise from road traffic noise adjacent to the site has been submitted to, and approved in writing by the local planning authority. None of the dwellings hereby approved shall be occupied until such a 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.

Reason: To protect the amenities of future residents.

- 16 Prior to the use of any of the buildings within the identified employment area for a use falling within use classes A3 or D1, an appropriate scheme shall be submitted to and approved by the Local Planning Authority to mitigate any potential impacts arising from noise and odour. Any such approved scheme shall be fully implemented in accordance with the agreed scheme and shown to be effective. Any such scheme shall thereafter be maintained in perpetuity.

Reason: To protect the amenities of future occupiers.

- 17 The development hereby permitted shall not be carried out except in general accordance with the details shown on the submitted plans, numbers CSa/2391/102 Rev B; CSa/2391/115 Rev G; CSa/2391/116 Rev A; 1369/HL/01 Rev D; Design and Access Statement (January 2015); Planning Statement; Archaeological Evaluation (November 2014); Aboricultural Assessment (January 2015); Landscape and Visual Appraisal (January 2015); Geo-Environmental Phase 1 Desk Study; Sustainability Statement; Soil resources and Agricultural Use and Quality of Land at Marston Moretaine; Flood Risk Assessment; Air Quality Assessment; Statement of Community Involvement; Noise Impact Assessment; Ecological Appraisal; Transport Assessment.

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

- 18 The development hereby approved shall include the provision of a minimum of 10 bungalows across the site. These shall be detailed in any reserved matters application.

Reason: To ensure a suitable housing mix across the development.

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. (HN viii)
3. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways 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 Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

4. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
5. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

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

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

6. The applicant is reminded that all legal agreements with the IDB, agreement for a commuted sum for future maintenance and consent for the flood storage berm must be in place before work begins on site.
7. Opportunities for further biodiversity and enhancement exist within the site. Any reserved matters application should include integral nest/roast bricks on any dwellings bordering hedgerow H2 in the centre of the site at a rate of 1 brick per dwelling. These should also be incorporated into dwellings fronting the C94.
8. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

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

These requirements are as follows:

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

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

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted proactively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public participation Scheme.
2. In advance of consideration of the application the Committee was advised of additional comments as detailed in the Late Sheet.]

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Item No. 11

APPLICATION NUMBER	CB/15/00741/FULL
LOCATION	Downs Service Station, 3 Tring Road, Dunstable, LU6 2PX
PROPOSAL	Change of use from redundant workshop to A1 retail including demolition of the front section of the building to provide additional car parking
PARISH	Dunstable
WARD	Dunstable Watling
WARD COUNCILLORS	Cllrs Hollick & Young
CASE OFFICER	Debbie Willcox
DATE REGISTERED	24 February 2015
EXPIRY DATE	21 April 2015
APPLICANT	Platinum Retail Ltd
AGENT	Jennings Design Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Young due to concerns in regards to the amenity of neighbouring occupiers.
RECOMMENDED DECISION	Full Application - Recommended for Approval

Recommendation

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS

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

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

- 2 The retail premises shall only be open to customers between the hours of 7am to 10pm Mondays to Sundays.

Reason: To safeguard the residential amenity which the occupiers of neighbouring properties might reasonably expect to enjoy.
(Policy BE8, SBLPR and Policies 43 and 44, DSCB)

- 3 No deliveries shall be taken at the site outside the hours of 7am to 8pm on Mondays to Saturdays and not at all on Sundays or Bank Holidays.

Reason: To safeguard the residential amenity of neighbouring properties.
(Policy BE8, SBLPR and Policies 43 and 44, DSCB)

4 **No development shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:**

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

**Reason: The condition must be pre-commencement to protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
(Policy BE8, SBLPR and Policies 43 and 44, DSCB)**

5 **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.**

**Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
(Policy BE8, SBLPR and Policies 43 & 44, DSCB)**

6 **No development shall take place until a scheme for surface water disposal 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 development shall be carried out in accordance with the approval details.**

Reason: To protect and prevent the pollution of controlled waters from

**potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
(Policies 43 and 44, DSCB)**

- 7 All external plant, machinery and equipment installed or operated in connection with this permission shall be so enclosed, operated and/or attenuated that noise arising from such plant shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal or distinctive quality) when measured or calculated according to BS4142:2014, at the boundary of any neighbouring residential dwelling.

Reason: To ensure that the residential amenity of neighbouring occupiers is not prejudiced by excessive noise.
(Policy BE8, SBLPR and Policies 43 & 44, DSCB)

- 8 **Development shall not begin until a noise management plan has been submitted to and approved in writing by the Local Planning Authority. Any noise mitigation measures shall include those contained in the recommendations from the noise assessment submitted with this application report reference: GA-2015-0016-R1. Any works which form part of the approved plan shall be completed before the new premises becomes operational unless an alternative period for completion is agreed with the Local Planning Authority.**

**Reason: The noise scheme must be agreed prior to construction works beginning to minimise noise disturbance to the occupiers of neighbouring residential properties.
(Policy BE8, SBLPR and Policies 43 & 44, DSCB)**

- 9 The retail use hereby approved shall not commence until the parking scheme shown on Drawing No. PLG3B has been completed. The scheme shall thereafter be retained for this purpose.

Reason: To ensure provision for car parking clear of the highway.
(Policy T10, SBLPR and Policy 27, DSCB)

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

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.
(Policy 24, DSCB)

- 11 The 6m high wall to be located on the boundary of the application site with No.7 Tring Road as shown on approved drawing nos. 140654-PLG3B and 140654-PLG4B shall be retained at that height in perpetuity.

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

(Policy BE8, SBLPR and Policies 43 and 44, DSCB)

- 12 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 140654-PLG1, 140654-PLG2, 140654-PLG3B, 140654-PLG4B.

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

Notes to Applicant

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant's attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

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

These requirements are as follows:

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

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

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.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. The applicant's attention is drawn to their responsibility under The Party Wall etc Act 1996 and with particular regard to arrangements for notifying the owners of No. 7 Tring Road.

More information can be found via the following weblink:

<http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

It is recommended that planning permission be 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) Order 2015.

[Notes:

In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

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Item No. 9

APPLICATION NUMBER	CB/15/01204/FULL
LOCATION	Land North of Chiltern Green Farm (Lawrence End Park North Herts) Hyde, Luton, LU2 9PN
PROPOSAL	Installation and operation of a solar farm and associated infrastructure, including photovoltaic panels, mounting frames, inverters, transformers, substations, communications building, access tracks, pole-mounted CCTV cameras and fence.
PARISH	Hyde
WARD	Caddington
WARD COUNCILLORS	Cllrs Collins & Stay
CASE OFFICER	Abel Bunu
DATE REGISTERED	27 March 2015
EXPIRY DATE	26 June 2015
APPLICANT	Lightsource SPV 180
AGENT	Lightsource Renewable Energy Ltd
REASON FOR COMMITTEE TO DETERMINE	Major application and Departure from Development Plan
RECOMMENDED DECISION	Full Application - Recommended for Approval

Recommendation

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

RECOMMENDED CONDITIONS

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

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

- 2 The permission hereby granted shall endure for a period of 30 years from the date when electricity is first generated by the Solar Farm (the 'First Export Date'). Written confirmation of the First Export Date shall be provided to the Local Planning Authority no later than 1 calendar month after the event. Within 6 months, following the completion of the 30 year period, or the cessation of their use for electricity generating purposes, whichever is the sooner, the solar panels together with any supporting apparatus, mountings, cabling, foundations, inverter stations, fencing, CCTV cameras and other associated equipment shall be removed from the site and the land restored to agricultural use or to a condition to be agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is decommissioned and the land returned to its original use prior to the development in the interest of preserving versatile agricultural land and to preserve the openness of the Green Belt, countryside and setting of the heritage assets.
(Policies BE8 & N10, SBLPR and 36, 43, 45 & 50, DSCB).

- 3 Notwithstanding the details submitted, no development shall take place until full details of soft landscape have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. Soft landscape works shall include: plans for establishing hedgerows, understorey vegetation and trees around the perimeter of the site; written specifications (including cultivation and other operations associated with tree and plant establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; an implementation programme.

Reason: To ensure a satisfactory level of planting in the interest of visual amenity.
(Policies BE8, SBLPR and 43 & 58, DSCB).

- 4 If within a period of 5 years from the date of the planting of any tree or hedgerow, that tree or hedgerow, or any tree or hedgerow planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or hedgerow of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written approval to any variation.

Reason: To ensure a satisfactory level of landscaping in the interest of preserving the character and visual appearance of the open countryside.
(Policies BE8, SBLPR and 43, 50 & 58, DSCB).

- 5 No external lighting shall be installed without the prior written approval of the Local Planning Authority.

Reason: To protect the character of the open countryside
(Policies BE8, SBLPR and 43 & 50 DSCB).

- 6 Noise resulting from the use of the plant, machinery or equipment shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality or distinguishable characteristics) when measured or calculated according to BS4142:1997, at a point one metre external to the nearest noise sensitive building.

Reason: To protect residential amenity.
(Policies BE8, SBLPR and 43, DSCB).

- 7 The development hereby approved shall be completed in accordance with the recommendations in the Biodiversity Management Plan by Wardell Armstrong dated March 2015. The measures shall be implemented in full throughout the life of the development, and no variations shall be permitted other than with specific written consent from the Local Planning Authority.

Reason: To ensure the development hereby approved supports biodiversity. (Policies 43 and 57, DSCB).

- 8 The poles to accommodate the CCTV cameras shall not exceed 2.4m above ground level. No development shall take place until details of the siting, direction and orientation, camera specifications and fields of vision have been submitted to and approved in writing by the Local Planning Authority. The CCTV cameras shall be installed in accordance with the approved details, and retained in accordance with those details thereafter.

Reason: To preserve the character and visual appearance of the open countryside and to protect the privacy of users of the adjoining footpaths. (Policies BE8, SBLPR and 43 & 50, DSCB).

- 9 **Notwithstanding the details submitted with the application, no part of the development hereby approved shall be commenced (within the meaning of Section 56 of the Town and Country Planning Act 1990) until the construction details of the junction of the proposed vehicular access with the highway have been approved by the Local Planning Authority and no vehicle associated with the construction of the solar farm shall cross the highway verge until the access has been constructed in accordance with the approved details.**

Reason: To ensure safe ingress and egress of the site and to minimise obstruction and inconvenience to users of the adjoining highway and ensure that visibility can be achieved without the loss of existing trees or hedgerow which could be harmful to the visual appearance of the countryside.
(Policies BE8, SBLPR and 24 & 43,50 & 58 DSCB).

- 10 **Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.**

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.
(Policies BE8, SBLPR and 43, DSCB).

- 11 **Notwithstanding the details submitted, no development shall take place until an updated Construction Transport Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include proposals for construction traffic routes, the scheduling and timing of movements, any traffic control, signage within the highway inclusive of temporary warning signs, the management of junctions to, and crossing of, the public highway and other public rights of way. The CTMP shall be implemented in accordance with the approved details for the duration of the construction period.**

Reason: To ensure safe ingress and egress of the site and to minimise obstruction and inconvenience to users of the adjoining highway. (Policies BE8, SBLPR and 24 & 43, DSCB).

- 12 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 distance of 17m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of the highway.
(Policies BE8, SBLPR and 43, DSCB).

- 13 Any gates provided shall open away from the highway and be set back a distance of at least 17 metres from the limit of the public highway.

Reason: To enable vehicles to draw off the highway before the gates are opened.
(Policy 43, DSCB).

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/01 (Proposed Layout), PE10486/ Figure 18, TYP_E_3L,ID_01, DEER FENCE,CSR_01, SB_01, CB_01, CCTV_01, DNO-01 and TC_01.

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

Notes to Applicant

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant is advised that it will be necessary for the developer of the site to enter into a 'small works' agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated closure of any redundant access. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from The 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.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

The application has been recommended for approval. 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) Order 2015.

[Notes:

1. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
2. In advance of consideration of the application the Committee was advised of additional information and amendments to the report as detailed in the Late Sheet.]

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Item No. 10

APPLICATION NUMBER	CB/15/01484/OAC
LOCATION	Land at Lawrence End Park and to the East of Birch Spring Dane Street Luton
PROPOSAL	OAC: Installation and operation of solar farm, associated infrastructure including photovoltaic panels, mounting frames, inverters, transformers, sub stations, communications building, access tracks, pole mounted CCTV cameras and fence
PARISH	Hyde
WARD	Caddington
WARD COUNCILLORS	Cllrs Collins & Stay
CASE OFFICER	Abel Bunu
DATE REGISTERED	20 April 2015
EXPIRY DATE	07 May 2015
APPLICANT	
AGENT	North Hertfordshire District Council
REASON FOR COMMITTEE TO DETERMINE	Major application which is a departure from the Development Plan
RECOMMENDED DECISION	Other Authority Consultation - No Objection

Recommendation

That a response be sent to North Herts District Council confirming that this Local Planning Authority has no objections to the proposed development.

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Item No. 08

APPLICATION NUMBER CB/15/01166/FULL
LOCATION 9 Bedford Road, Cranfield, Bedford, MK43 0EW
PROPOSAL First Floor rear extension.
PARISH Cranfield
WARD Cranfield & Marston Moretaine
WARD COUNCILLORS Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER Sarah Fortune
DATE REGISTERED 24 March 2015
EXPIRY DATE 19 May 2015
APPLICANT Mr G Lines
AGENT Mr D Swanston
REASON FOR COMMITTEE TO DETERMINE Called to Committee by Councillor of Central Bedfordshire

RECOMMENDED DECISION Full Application - Granted

Recommendation

That Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

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

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

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

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

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number Drawing Number 3/C, CBC01, CBC02 and Drawing Number 1.

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

Notes to Applicant

1. **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

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

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

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

[Notes:

In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

Item No. 12

APPLICATION NUMBER	CB/15/01233/FULL
LOCATION	Meadow Cottage, Cityfield Farm, Arlesey Road, Henlow, SG16 6DD
PROPOSAL	Revision to approved extension on previous Planning application No. CB/14/02551/Full
PARISH	Henlow
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Mark Spragg
DATE REGISTERED	31 March 2015
EXPIRY DATE	26 May 2015
APPLICANT	Mr Dixon
AGENT	Wastell & Porter Architects Ltd
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	The applicant is a Central Bedfordshire Councillor Full Application - Recommended for Approval

Recommendation

That Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

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

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

- 2 All external works hereby permitted shall be carried out using the materials/finish as detailed in the submitted application.

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.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL01C, PL02A, PL03A.

Reason: To identify the approved plan/s 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.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

This application is recommended for approval. 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) Order 2015.