

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 16 September 2015

### PRESENT

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

Cllrs M C Blair  
Mrs S Clark  
K M Collins  
S Dixon

Cllrs E Ghent  
K Janes  
R W Johnstone  
J N Young

Apologies for Absence: Cllrs A D Brown  
T Nicols  
I Shingler

Substitutes: Cllrs D Bowater (In place of A D Brown)  
B J Spurr (In place of T Nicols)

Members in Attendance: Cllrs Mrs A Barker  
N B Costin  
R Morris  
A Ryan  
R C Stay,

Officers in Attendance:	Miss H Bell	Committee Services Officer
	Miss S Boyd	Senior Planning Officer
	Mrs M Clampitt	Committee Services Officer
	Mrs N Darcy	Senior Planning Officer
	Mr A Davies	Acting Planning Manager, Majors
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Mr D Hale	Planning Manager South
	Mr A Harrison	Principal Planning Officer
	Mrs D Lavender	Acting Senior Planning Officer
	Mr A McMurray	Team Leader - Development Management - Highways, Transport Strategy Countryside Services
	Mrs L Newlands	Principal Planning Officer
	Mrs A Robinson	Senior Planning Officer
	Mr S Robinson	Planning Officer
	Ms J Self	Senior Planning Officer

DM/15/59. **Chairman's Announcements**

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: 6, 7, 10, 11, 12, 9 & 17

After 1.30pm: 14, 13, 8, 16 & 15

Following the lunch break, the afternoon session the order of business was as follows:

Items 13, 11,12, 9, 17, 14, 15, 8 & 16

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

The Chairman reminded Councillors and members of the public that the meeting would be filmed and available for viewing on the Council's website.

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

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

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

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

DM/15/60. **Minutes**

**RESOLVED**

**that the Minutes of the meeting of the Development Management Committee held on the 19 August 2015 be confirmed and signed by the Chairman as a correct record.**

DM/15/61. **Members' Interests**

(a) **Personal Interests:-**

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr S Dixon	9	Applicant is known to him	Present
Cllr K Collins	12	Applicant is known to him	Present
Cllr K Collins	13	Knows public speakers	Present
Cllr K Matthews	6	Knows public speakers	Present
Cllr B Spurr	6	Daughter lives in Cranfield	Present
Cllr S Clark	6	Will express her views	Absent
Cllr N Young	11	Son lives in the development	Present
Cllr S Clark	12	Recognises speaker	Present

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

There were none made.

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

<b>Member</b>	<b>Item</b>	<b>Parish/Town Council</b>	<b>Vote Cast</b>
Cllr S Dixon	8	Henlow Parish Council	Took no part in discussion
Cllr S Dixon	16	Henlow Parish Council	Took no part in discussion
Cllr K Matthews	11	Marston Moretaine Parish Council	Took no part in discussion
Cllr K Matthews	12	Marston Moretaine Parish Council	Took no part in discussion

DM/15/62. **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/15/63. **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/15/64. **Planning Application No. CB/14/05007/OUT**

**RESOLVED**

**that, Planning Application No. CB/14/05007/OUT relating to Land to the West of Mill Road, Cranfield be granted, subject to the completion of a S106 Planning Obligation and as set out in the Schedule appended to these minutes.**

**THE COMMITTEE ADJOURNED AT 11.25AM AND RECONVENED AT 11.35AM**

DM/15/65. **Planning Application No. CB/15/01362/OUT**

**RESOLVED**

**that, Planning Application No. CB/15/01362/OUT relating to Land off Chapel End Road, Houghton Conquest be deferred for up to two cycles to allow access discussions with the applicant.**

DM/15/66. **Planning Application No. CB/15/02290/FULL**

**RESOLVED**

**that, Planning Application No. CB/15/02290/FULL relating to 32-34 Silver End Road, Haynes, Bedford MK45 3PP be approved as set out in the Schedule appended to these minutes.**

**THE COMMITTEE ADJOURNED AT 1.00PM AND RECONVENED AT 1.30PM**

**CLLR B SPURR LEFT PRIOR TO THE START OF THE AFTERNOON SESSION**

DM/15/67. **Planning Application No. CB/15/00275/OUT**

**RESOLVED**

**that, subject to the prior consultation of the Secretary of State, in accordance with the Town and Country Planning (Consultation)(England) Direction 2009, conditions and the completion of a Section 106 Agreement, the Development Infrastructure Group Manager be authorised to grant Planning Application No. CB/15/00275/OUT regarding Prebendal Farm, Grove Road, Slip End, Luton LU1 4BZ.**

**CLLR R JOHNSTONE LEFT THE CHAMBER AT 2.05PM**

**DM/15/68. Planning Application No. CB/15/02652/FULL**

**RESOLVED**

**that, Planning Application No. CB/15/02652/FULL relating Land off Bedford Road, Marston Moretaine, Bedford MK43 0LE, be approved as set out in the Schedule appended to these minutes.**

**CLLR R BERRY LEFT THE CHAMBER AT 2.35PM**

**DM/15/69. Planning Application No.CB/15/02172/FULL**

**RESOLVED**

**that, Planning Application No. CB/15/02172/FULL relating to 145 Bedford Road, Marston Moretaine, Bedford MK43 0LD be granted as set out in the Schedule appended to these minutes.**

**CLLR BERRY RETURNED TO THE CHAMBER AT 3.05PM**

**DM/15/70. Planning Application No. CB/15/01897/FULL**

**RESOLVED**

**that, Planning Application No. CB/15/01897/FULL relating to Fen End Industrial Estate, Fen End, Stotfold, Hitchin, SG5 4BA be refused as set out in the Schedule appended to these minutes.**

**DM/15/71. Planning Application No.CB/15/00979/FULL**

**RESOLVED**

**that, subject to the prior consultation of the Secretary of State, in accordance with the Town and Country Planning (Consultation)(England) Direction 2009, the completion of a Section 106 Agreement, the Development Infrastructure Group Manager be authorised to grant Planning Application No. CB/15/00979/FULL referring to land adjacent to and to the north west of Vauxhall Motors, Luton Road, Chalton as set out in the Schedule appended to these minutes.**

DM/15/72. **Planning Application No. CB/15/02666/FULL**

**RESOLVED**

**that, Planning Application No. CB/15/02666/FULL relating to 226 Heath Road, Leighton Buzzard LU7 3AY be granted as set out in the Schedule appended to these minutes.**

DM/15/73. **Planning Application No. CB/15/02223/OUT**

**RESOLVED**

**that, subject to the consultation of the Secretary of State, in accordance with the Town and Country Planning (Consultation)(England) Direction 2009, the completion of a Section 106 Agreement, the Development Infrastructure Group Manager be authorised to grant Planning Application No. CB/15/02223/OUT relating to the Former site of Windy Willows Nursery, Sundon Road, Houghton Regis as set out in the Schedule appended to these minutes.**

DM/15/74. **Planning Application No. CB/15/02304/FULL**

**RESOLVED**

**that, Planning Application No. CB/15/02304/FULL relating to 52 Clifton Road, Henlow SG16 6BL be granted as set out in the Schedule appended to these minutes.**

DM/15/75. **Planning Application No. CB/15/02818/FULL**

**RESOLVED**

**that, Planning Application No. CB/15/02818/FULL relating to 45 Meadow Walk, Henlow, SG16 6HJ be granted as set out in the Schedule appended to the minutes.**

DM/15/76. **Site Inspection Appointment(s)**

**RESOLVED**

**that all members of the Committee be invited to conduct site inspections on Monday 12 October 2015.**

(Note: The meeting commenced at 10.00 a.m. and concluded at 5.20 p.m.)

Chairman .....

Dated .....

## LATE SHEET

### DEVELOPMENT MANAGEMENT COMMITTEE

16 SEPTEMBER 2015

#### ***Item 6 (Pages 15-52) – CB/14/05007/OUT – Land at the West of Mill Road, Cranfield.***

##### **Additional Consultation/Publicity Responses**

Cranfield University/ Airport: The Officer Report stated in the Consultee section that the Airport still had concerns regarding the attenuation ponds in terms of bird strike. The Airport are concerned that their position has not been accurately reflected in the Officer Report stating that *'The airport remains concerned around the possible impact of floodlighting that may be proposed for the sports pitches within the scheme, and continues to be concerned regarding the nature and design of the proposed attenuation ponds. To-date, no information has been provided to the Airport to make an assessment as to whether these concerns can be satisfactorily addressed'*

##### **Additional Comments**

###### Cranfield University/ Airport comments

The applicant has undertaken some further work on bird strike and the impacts from the attenuation pond and this information was forwarded to the Airport manager. This concluded that the proposed attenuation pond would not lead to an increased bird strike risk. In addition to this, the detailed design of the attenuation pond would form part of the SuDs condition and future reserved matters application for landscaping as the application is outline only, with all matters reserved except access; and therefore the Airport would be consulted on any future reserved matters application and would have the opportunity to comment accordingly.

In terms of the floodlighting, the provision of the land for the football pitches forms part of the S106 package in terms of off-site leisure provision, to the rear of the existing football club which has floodlights serving the existing pitches. However, a further detailed application would be required for the provision of the football pitches on this land – this would provide details in terms of any necessary floodlighting. The Airport would be consulted on such a proposal and would therefore have the opportunity at that time to comment accordingly.

###### S106 update

There has been a slight alteration to the education contribution as this should be based on net dwellings. The agreed figures are therefore:

Middle School - £528,668.16

Upper School - £648,322.56

Health: The applicant has agreed the need for a health contribution. There has been some discussion regarding the requirement for the contribution provided to include the cost for purchase of land and buildings as the applicant has identified that the land for a new health centre within Cranfield is already under the ownership of the NHS. Taking this on board the applicant is therefore willing to provide a contribution of £481 per dwelling. This would provide an overall contribution of £110,524.20 (based on 230 dwellings). It is considered that given the position of the land this would be an acceptable position and would be CIL compliant.

#### **Additional/Amended Conditions/Reasons**

None.

#### **Update on 5 Year Housing Land Supply**

As referred to in the report the latest position is that we still do not have a 5 year housing land supply.

### ***Item 7 (Pages 53-86) – CB/15/01362/OUT – Land off Chapel End Road, Houghton Conquest.***

#### **Additional Consultation/Publicity Responses**

##### Leisure Officer (regarding contributions)

The MUGA should address the outdoor sporting requirements

A local area for play or LAP is 100sqm with 3 pieces of equip for 3-6yr olds so is not sufficient for 125 dwellings. The Leisure Strategy has moved away from the LAP/LEAP/NEAP age breakdown and tries to create a play facility/ies that serve all ages of children.

If the developer is proposing only one on-site play area then its content will need to be sufficient in quantity and wide enough in age-specific equipment to serve the whole development. (As a guide a LEAP was triggered at 50dwgs; and a LAP at 15dwgs). I would be seeking a play area of approx. 500-600sqm with 4 pieces of equipment for 3-6 year olds plus 7 pieces of equipment for 6-12 yr olds, with safety surfacing and ancillary facilities part of the scheme.

##### Headteacher Houghton Conquest Lower School.

The school has accommodated previous smaller developments within the village but that this has challenged the school as families have needed much additional support than anticipated.

Also as the school has an Outstanding Ofsted graded pre-school we have plans to expand and are willing to provide new places on our site.

My other question concerns the potential nursery/forest school, this terminology does not really state correctly (is too vague) - what exactly the developer intends. A forest



school facility is something that the current school and Early Years children could access which we would really value and appreciate whilst a nursery is in direct competition to an existing well run council supported setting. 'A Forest School is an innovative educational approach to outdoor play and learning.' The philosophy of Forest Schools is to encourage and inspire individuals of any age through positive outdoor experiences.

Our school would become a Forest School if we had the facility implied by the developer as well as the training of members of staff. Another school suggests something different again. We need more clarity.

### **Additional Comments**

#### Updated S106 Schedule of contributions.

##### Sustainable Transport

- £5,000 towards a Traffic Regulation Order (TRO) to reduce the speed limit to 30mph for the extension of the 30mph speed limit adjacent to the site entrance further north on Chapel End Road.
- £44,000 towards the provision of two bus shelters in the vicinity of the site.

##### Education

- Lower School Contribution – Houghton Conquest Lower School expansion - £288,050
- Middle School Contribution – Marston Vale Middle School expansion - £289,848
- Upper School Contribution – Wooton Upper School expansion - £355,430.40

##### Leisure

- Contributions will be sought to provide additional gym equipment for Flitwick Leisure Centre. The agreed amount will be proportionate to the anticipated level of use resultant from this development.
- The proposed MUGA is considered to address the outdoor leisure requirements.
- The revised Local Area for Play in accordance with the comments above.
- The addition and enhancement of footpaths links within the adjacent Howard Pierce Wood either through agreed sum or an agreed implemented scheme as the developer's cost.
- Contributions sought to enhance nearby Conquest Wood due to increased usage arising from the development. Contributions sought are:
  - Conquest Wood path improvement works – 20mm granite dust x 2m wide x 1025m long @ £4.75 lin/m = £4869.
  - Replace 5 existing wooden benches costing £300 each to guarantee long term and minimal maintenance seating areas.
  - Installation of 2 new picnic tables costing £500 each.

##### Waste Management Contribution

£46 per dwelling towards equipping all new residential properties with kerbside and domestic waste/recycling containers.

**Additional/Amended Conditions/Reasons**

None.

**Update on 5 Year Housing Land Supply**

As referred to in the report the latest position is that we still do not have a 5 year housing land supply.

***Item 8 (Pages 87-100) – CB/15/02304/FULL – 52 Clifton Road, Henlow.***

**Additional Consultation/Publicity Responses**

Completed comments from Henlow Parish Council:

Henlow Parish Council object to the above planning application for the following reasons:

- a) The dwellings to plots 1, 2 and 3 are very close to Clifton Road, and would have an adverse impact on the street scene.
- b) Because of objection a) HPC is concerned whether or not adequate sight lines can be achieved to the highway.
- c) Concern has been expressed that the minimum standard gardens cannot be provided or meet the design guide.
- d) Because of points a), b) and c) made Henlow Parish Council feels that the development may be better served if properties on plots 1 - 3 are 2 bedroomed instead of 3 bedroomed.

**Additional Comments**

None.

**Additional/Amended Conditions/Reasons**

Revised condition 10.

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 3176 01 Rev A, 3176 02, 3176 03 Rev B, **3176 07 Rev B**, 3176 08 Rev A, 3176 09 Rev D, 3176 10 Rev C, 3176 11 Rev B, 3176 16 and 3176 17

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

***Item 9 (Pages 101-114) – CB/15/01897/FULL – Fen End Industrial Estate, Fen End, Stotfold, Hitchin.***

**Additional Consultation/Publicity Responses**

Comments from Waste Services

I have previously been in touch with Mr Power regarding the bin storage proposal. He has proposed a pedestrian access onto Fen End Road in order to allow the collection crew access to the bins.

It is not clear how he intends to implement parking restrictions on Fen End Road in order to allow the crew to move bins on the road to facilitate collections. I am not sure if he is authorised to do this either?

The bin store must be no more than 10 metres from the middle of the highway in order to meet our maximum pull distance requirements. The only workable solution I can see is to have the store relocated at the side of Plots 7&8 nearest Fen End road to prevent future issues with collections.

Alternatively the developer can look to remove responsibility for all waste collections from the Council and put in place a private waste collection scheme for the life of the development. This would need to be in the form of a formal agreement removing liability from the Council. The ongoing cost of this would be met privately between the collection company and the residents.

- Revised Surface Water Drainage Strategy BE732-5T SW strategy 11-09-15 received 15/09/15

Comments from SuDS Team on the revised information relating to surface water drainage –

The information provided by Struan Power regarding Fen End (dated 14th September) would address our initial concerns raised over the feasibility of discharging surface water.

The proposal to outfall into an IDB regulated watercourse at a restricted rate is preferred and will be subject to further correspondence between the applicant, planning authority and the IDB to ensure requisitioning of sewers through third party land will be feasible. We are also pleased to see that consideration has been given to overland flows and flood mitigation during extreme events.

Upstream drainage components should still be incorporated into the proposal, giving a site-wide approach to drainage, and to provide additional control with regards to the quantity and quality of surface water run-off. These must be based on sustainable principles in accordance with the Council's adopted SuDS SPD. We therefore endorse the proposed use of permeable surfaces and attenuation planters and would also strongly encourage greater consideration be given to integrating drainage within the landscaped areas of the site.

We therefore recommend that conditions be applied to secure the detailed design, correct installation and long term maintenance and management arrangements. This is to ensure flood risk will not be increased to the site or adjacent land as a result of the development going ahead (para 103 of the NPPF) and also to ensure the system will continue to function as designed for the lifetime of the development which it serves (written ministerial statement ref:CWS161). i.e.:

a) No development shall take place until the detailed design and associated management and maintenance plan for the proposed surface water drainage for the site, based on sustainable principles and a site specific assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority.

b) The approved drainage system shall be implemented in accordance with the approved detailed design and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

c) No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority that the approved scheme has been checked by them and has been correctly and fully installed as per the approved details.

- Revised site layout and Tree and Landscaping plans received 14/09/15. PL05 rev A, LP02C to satisfy the concerns of the Highways' Officer. The access road has been widened and it can now be demonstrated that a 7.21m long panel van can turn within the site for services/deliveries. The landscaping plan has been amended accordingly.

#### Comments from Highway Officer on revised plans

The existing is an industrial unit with a double width access taken from Fen End close to the junction with Astwick Road. The proposal is for ten, two bedroom apartments and associated parking provision both vehicular and cycle. The cycle/walking officers have some concerns relating to the cycle parking provision which due to the location of the long stay parking provision, is not overlooked and is 'open' sided and fronted.

The refuse storage/collection provision has been passed onto waste management and I do not believe the location is favourable. It is probable that the refuse vehicle will block the road on collection days, due to the heavy on street parking, however this is a temporary issue that occurs elsewhere and can be discounted as an issue. The waste manager has stated that the drag distance for the paladins should be 10.0m from the storage point to the centre of the road for collection; it is 17.0m. It is also probable that the refuse operatives will not be able to get the paladins between the parked vehicles or down/up the full height kerbs. The footpath may also need to be widened to accommodate an operative dragging a paladin clear of the grass.

The only way forward to overcome this is for the waste vehicle to park at the adjacent building access so that the paladins can be taken to the vehicle using the dropped kerb and open access but this will temporarily block the access to the adjacent

industrial unit and greatly increases the drag distance. This and the cycle parking not being overlooked is not a highway reason for refusal but please be aware that it is likely to cause conflict, the refuse may not be collected and the cycle parking may not be used.

To provide a adequate turning area for a service/delivery vehicle a visitor parking space has been 'lost'. I am willing to accept this loss to enable vehicles to turn and leave the site in forward gear rather than vehicles reversing from the access, between parked vehicles and so close to the junction with Fen End/Astwick Road. It would also be beneficial for those that have more than two vehicles and those that have only one/no vehicle to have only one bay per dwelling as allocated, along with the visitor parking and the other ten bays unallocated.

Recommended conditions are set out below.

### **Additional Comments**

Letter from DLP dated 14 September send by email to Cllr's Matthews, Shingler, Brown, Berry, Blair, Clark, Collins, Dixon, Ghent, Janes, Johnstone, Young and Nicols. ....

A copy of the letter is appended to the Late Sheet.

Given the above comments from the SuDS Team, refusal reason No. 4 has been overcome and no longer applies.

### **Additional/Amended Conditions/Reasons**

Additional drawing numbers to be included - BE732-5T SW strategy 11-09-15, PL05 rev A, LP02C

Recommended Conditions relating to drainage.

a) No development shall take place until the detailed design and associated management and maintenance plan for the proposed surface water drainage for the site, based on sustainable principles and a site specific assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority.

b) The approved drainage system shall be implemented in accordance with the approved detailed design and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

c) No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority that the approved scheme has been checked by them and has been correctly and fully installed as per the approved details.

Reason: In order to ensure appropriate drainage of the site in accordance with the NPPF and the adopted Sustainable Drainage Supplementary Planning Guidance Document (May 2015).

Recommended conditions relating to highways..

1. No building shall be occupied until the widened junction of the proposed vehicular access with the highway has been constructed in accordance with the approved details.

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

2. Before the access is first brought into use, a triangular vision splay shall be provided on each side of the new access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the highway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

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

3. Before the premises are occupied all on site vehicular areas shall be surfaced in a stable and durable materials in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits

4. Before development commences details of the keep clear hatching/signage/demarcation on the road opposite plots 3 and 4 and the visitor parking bays shall be submitted to and approved in writing by the local planning authority and the development shall not be occupied until the hatching/signage/demarcation has been constructed in accordance with the approved details.

Reason: To avoid vehicles parking in the service/delivery vehicle turning area, resulting in vehicles reversing into the close proximity of a junction and to indicate the on site visitor parking provision

***Item 10 (Pages 115-126) – CB/15/02290/FULL – 32-34 Silver End Road, Haynes, Bedford.***

#### **Additional Consultation/Publicity Responses**

No further updates.

**Additional Comments**

No further updates.

**Additional/Amended Conditions/Reasons**

No further updates.

***Item 11 (Pages 127-138) – CB/15/02652/FULL – Land off Bedford Road, Marston Moretaine, Bedford.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

Legal Position Update:

It has been confirmed from the Councils legal department that the Local Authority should seek from Barratt Homes a letter confirming that, on the grant of the new Planning Permission for 39 units that they will comply with the original S106 and not try to subdivide out the provisions relating to the replaced 36 units. The letter should also contain an assurance that the relevant arrangements are in place for the provision of the affordable housing. Verbal confirmation of this has been given from the applicant, that the letter is in progress and that they intend to honour the obligations contained within Section 106 Agreement relating to planning applications MB/06/00593/OUT & CB/11/01708/REN if they decide to implement this consent. Subject to the receipt of a satisfactory letter:

Need to amend the recommendation to:

That Planning Permission is approved subject to the conditions set out within the main report.

**Additional/Amended Conditions/Reasons**

None.

**Item 12 (Pages 139-154) – CB/15/02172/FULL – 145 Bedford Road, Marston Moretaine, Bedford.**

**Additional Consultation/Publicity Responses**

Two additional letters of correspondence received from 128 Bedford Road, Marston Moretaine, and one further letter of objection from 1 Lake View, Marston Moretaine.

Both objectors had previously written in and the concerns are covered within the main report. The issues that were raised largely related to the officers recommendation in relation to traffic/parking impact and flooding issues. The letter from 128 Bedford Road was accompanied by photographs of newspaper cuttings dating back to 1980, which identify 155 and 157 Bedford Road as having flood damage. The additional letter from 1 Lake View disputed the officers report statement that the property was not within Flood Zone 2 or 3. Since receiving this information the Local Authority maps have been checked and the Environment Agency website to reaffirm this position, neither of which show the application site within Flood Zone 2 or 3. There is a condition attached to the recommendation which would ensure that surface water drainage was attenuated.

**Additional Comments**

None.

**Additional/Amended Conditions/Reasons**

Amendment to condition 9:

*The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL01 C, PL02A, PL03, PL04, PL05A, PL06A, PL07A, PL08, PL09, PL10, PL11A, PL12A.*

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

Change required as minor inconsistencies between the block plan and the elevation detail on plots 1, 2 and 4.

**Item 13 (Pages 155-170) – CB/15/00275/OUT – Prebendal Farm, Grove Road, Slip End, Luton.**

**Additional Information**

The agent has provided Members with a Supporting Statement which is provided as an appendices at the end of this Late Sheet. Members should note that the Caddington and Slip End Neighbourhood Plan has not been submitted to Central Bedfordshire and therefore has zero weight in the determination of the planning application.



## **Additional Comments**

### **Site Location**

Members are advised that the 'corrugated roofed, open barn building' has now been removed from the site and as such, the site does not contain any permanent buildings.

### **Amended Reasons**

Amendment to reason 1 due to a typing error, shown in bold.

1. The site lies within the South Bedfordshire Green Belt, where permission will not be granted except in very special circumstances for development for purposes other than those uses listed in paragraphs 89 & 90 of the National Planning Policy Framework. No very special circumstances have been established in this case to outweigh the harm to the Green Belt. The harm would comprise harm by reason of inappropriateness, harm by reason of impact on openness, harm to the character and appearance of the area and **encroachment** into open countryside. The proposal is therefore contrary to the National Planning Policy Framework (NPPF) and policy 36 of the Development Strategy in Central Bedfordshire, revised pre-submission version June 2014.

## **Item 14 (Pages 171-182) – CB/15/02666/FULL – 226 Heath Road, Leighton Buzzard.**

### **Amendments**

Summary of Recommendation: Reference should have been made to policy BE8 and not BE6 as referred to in this paragraph. Amendment as follows:

*“The proposed development would be situated within a predominantly residential location and would provide a dwellinghouse with a suitable level of amenity for future occupiers without adverse impact on the local residential amenity or prejudicial impact on highway safety and would have no adverse impact on the areas special character, in accordance with policy BE8 & H2 of the South Bedfordshire Local Plan Review, policies 43 & 58 of the emerging Development Strategy for Central Bedfordshire and the NPPF.”*

Furthermore it has been recognised that the site is located outside of the designated Area of Special Character which is located to the west side of Heath Road. As such references made to policy BE6 of the South Bedfordshire Local Plan Review in paragraphs 2.3 & 2.5 within section 2 are omitted. However the relationship of this site to the areas special character is still a relevant consideration and these paragraphs have been updated accordingly below:

- 2.3 Furthermore the property is adjacent to a designated Area of Special Character. The proposal would not give rise to an over-intensive level of development, in a way which would unacceptably harm the adjacent area of special character. The proposal would not result in the loss of substantial garden space as the footprint has been significantly reduced since the previously withdrawn so in this respect the development is compliant.
- 2.5 The proposed development would complement the general heterogeneous character of the area made up of varying plot and building sizes. Viewed within the wider context of the site, the development would conform with policies BE8 & H2 of the South Bedfordshire Local Plan Review, policies 43 & 58 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

### **Additional Consultation/Publicity Responses**

1. 4 Shenley Close (26/08/15) – Comments in summary, that the modern design is out of character with the surrounding area and the excavations would have an impact on trees, landscaping and wildlife. Inappropriate access on busy road.
2. 14 St Leonards Close (02/02/15) – Comments that a covenant is attached to properties within the locality preventing digging, excavation and further building. Appreciates that this is not a planning matter but requests that the applicant is made aware.
3. Leighton Linlade Town Council (14/09/15) - The Committee reviewed applications received up until Friday, 4 September 2015. RESOLVED to recommend to Central Bedfordshire Council that no objection be made to the following applications: CB/15/02606 226 HEATH ROAD

### **Additional Comments for Other Considerations**

#### **Deed of Covenant**

A resident has raised awareness that a deed of covenant was attached to the deeds of properties within Heath Road restricting development restricting development which consists of digging, excavation and further building. This deed is accepted as a legal requirement for the land owner to respond to prior to commencement of any works and an informative can be attached to the decision notice highlighting this matter, however it is not a material planning consideration.

#### **Additional Informatives**

1. The applicant is advised that a deed of covenant was attached to the deeds of properties within Heath Road restricting development which consists of digging, excavation and further building. This deed is accepted as a legal requirement and the applicant is advised to respond to this covenant prior to commencement of any works and may wish to seek legal advice in this respect.

2. Preliminary demolition work on the buildings should be undertaken with care, especially when removing the roof tiles of the garage, and if any bats or evidence of them is discovered, work will stop and Natural England contacted for advice, and if necessary, a licence will be obtained before work proceeds. Prior to any tree surgery or felling work that may be required on the dying oak along the eastern boundary, the ivy should be removed from it and any hidden cavities inspected beforehand to look for any evidence of roosting bats.

***Item 15 (Pages 183-230) – CB/15/02223/OUT – Former site of Windy Willows Nursery, Sundon Road, Houghton Regis.***

**Additional Comments**

A new government policy statement relating to intentional unauthorised development and Green Belt protection was published on 31 August 2015. This Committee item does not relate to unauthorised development. The policy statement is relevant to this Committee item in so far as the statement reiterates NPPF policy that inappropriate development in the Green Belt should be approved only in very special circumstances. In this respect, the policy statement does not alter national Green Belt policy or the weight attached by Officers to the material considerations set out in the Committee report.

**Amended Conditions**

Replace Condition 4 with the following text:

*“Prior to the first occupation of the development a scheme of highways improvement works has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details regarding improvements to footways/cycleways, including connectivity to establish shared footways/cycleways to the existing urban area of Houghton Regis to the west. The submission shall also include a timetable for the implementation of any necessary works. The works shall be carried out in accordance with the agreed timetable.*

*Reason: To ensure that the proposed highways improvement works are appropriate and proportional to the mitigation required and are constructed to adequate standard and that public rights of way are protected, enhanced and promoted as part of the development in accordance with Policy R14 of the South Bedfordshire Local Plan Review and Policies 23 and 43 of the emerging Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014. These details are required prior to occupation of the development in order to establish sustainable transport routes to the existing settlement.”*

***Item 16 (Pages 231-240) – CB/15/02818/FULL – 45 Meadow Walk, Henlow.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Conditions/Reasons**

None.

***Item 17 (Pages 241-292) – CB/15/00979/FULL – Land adjacent to and to the north west of Vauxhall Motors, Luton Road, Chalton.***

**Additional Consultation/Publicity Responses**

1. CBC Tree and Landscape (07/09/2015):

Refers to the revised landscape plan and the applicant's letter received 1 September 2015. Tree and Landscape are satisfied with the indicated changes.

**Additional Comments**

1. A new government policy statement relating to intentional unauthorised development and Green Belt protection was published on 31 August 2015. This Committee item does not relate to unauthorised development. The policy statement is relevant to this Committee item in so far as the statement reiterates NPPF policy that inappropriate development in the Green Belt should be approved only in very special circumstances. In this respect, the policy statement does not alter national Green Belt policy or the weight attached by Officers to the material considerations set out in the Committee report.

2. Revised landscape concept plan and letter (received 1 September 2015) in response to the comments of CBC Landscape and Network Rail have been submitted by the planning agent. The revised landscape concept plan changes the proposed planting species but does not amend the layout of the site or the general landscape strategy. The letter can be summarised as follows.

- The scheme has been co-ordinated with Highways England planting proposals forming part of the M1 J11a works.
- The relocation of the HV electricity cable along the realigned Luton Road and parking requirements represent a constraint to providing additional planting adjacent to the road corridor.
- Following the previous request for better co-ordination with the SUDs element of the scheme the typical water retention levels of the proposed attenuation ponds were established and reed planting introduced as appropriate to tie in with these levels.

- Landscape has been concentrated around the perimeter of the development rather than within the car parks as this maximizes its screening potential and also allows better growing conditions to increase the chances of trees reaching maturity.
- The level of Birch tree planting proposed has been reduced.
- Elder planting within hedgerows is omitted in favour of Dog Rose.

**Additional/Amended Conditions**

Recommended Conditions 7 and 19 are amended to refer to the revised Landscape Concept Plan – 01 Rev L (received 1 September 2015) in place of the previous Landscape Concept Plan (Revision J).

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Cllr Ken C Matthews,  
142B High Street,  
Cranfield,  
Bedford,  
MK43 0EL

Ref: NSO/SP/BE732/3  
Date: 14 September 2015

ken.matthews@centralbedfordshire.gov.uk

Dear Cllr Matthews

**Re: Fen End Industrial Estate – Demolition of the existing industrial unit and construction of 10 no.2 bed flats with associated parking and landscaping (Ref CB/15/01897/FULL)**

I write with respect to the above application, submitted to your Council in May, which is intended to bring about a productive reuse of an outworn industrial building and facilitate much needed housing as well as acknowledged improvements to the local environment. Upon receipt of the Committee report, there are a number of matters which I would like you to be aware and take into consideration.

Throughout the course of this application, our clients have consistently sought to address any issues raised in order to demonstrate that this is an acceptable scheme. The proposed layout has been altered to address the concerns of the Highways Officer and we are pleased to inform that any such objections have been removed.

The Committee report cites four reasons for the recommendation of refusal, on which we have the following comments

**1. The site is allocated for employment which should be safeguarded**

Firstly the site is, and has been, vacant for a considerable amount of time. The site has been advertised for sale or rent since 2006 and, despite several attempts to bring the site back into a viable use, planning applications to vary the types of employment use have either not been supported by the Council or have been subject to limits on such things as the hours of operation, which has made the premises unattractive to potential users.

Whilst Officers appear to want to retain the site for employment, realistically this is unlikely give the limits that have been imposed. As such, this application represents an opportunity to bring the site back into an acceptable use that would not only improve the visual amenity and has widespread local support from neighbours and the Town Council, but also will contribute much needed housing and make efficient use of redundant land.

Fen End Industrial Estate is identified as a Key Employment Site with the Site Allocations Development Plan, for which Policies E1 and CS10 seek to safeguard. The Council's Local Plan is out of date and is contrary to the National Planning Policy Framework (NPPF), which takes precedence in this instance. The NPPF is clear in that it states, at Paragraph 22:





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*'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities'*

It has been established over many years that the site is available and it can only be concluded that there is no reasonable prospect of it being used for employment in the future given that the building is unsuitable for reuse and with no clear demand it is unlikely ever to be redeveloped.

This application responds to current market signals in that it is capable of utilising redundant employment space to deliver much needed housing. The site is sustainable and, in the absence of a demonstrable five year housing land supply, this application should be approved.

**2. The proposed development would result in a harmful visual impact on the character and appearance of the surrounding area**

The proposed scheme has been influenced by discussions with the Council during previous applications. The proposal for flats, rather than houses, is considered the most appropriate given the location and also given the need for more small dwellings in the town.

The existing site is vacant, overgrown and dilapidated. The proposed development would improve the visual amenity of the site and surrounding area by redeveloping an unsightly building.

The proposed scheme would not be unduly prominent, rather it is a substantial improvement to the development in situ and it would act as a statement of good design in this location. Again I refer to local support for the scheme.

**3. The proposal would result in a significant impact from noise from the adjacent industrial units**

Acoustics consultants Cass Allen have revisited site in order to carry out further detailed surveys as per the Officer's request, to establish a "worst case" position in terms of alleged noise intrusion.

In line with a 2011 survey, it was found that the site corner adjacent to Meadowcroft and Fen End itself is the point where the proposed façade is exposed to the highest potential noise levels from adjoining business uses. The consultants have now demonstrated that appropriate internal noise levels that meet WHO standards can be achieved in this "worst case" location; it stands to reason that if this is the case then the rest of the site can be developed using similar or lower performance acoustic treatments.

The survey found that average and maximum noise levels have not changed significantly over the last 4 years, since the initial survey was undertaken. In general, average noise levels at the site are relatively low with the occasional high level maximum noise event. In any event the design of the development has largely be dictated by these individual noise events (such





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as delivery lorries arriving). Analysis of the survey data suggests that it will be necessary to provide acoustically upgraded glazing systems for the “worst case” units as well as some form of mechanical ventilation system. Meeting the appropriate standards can be governed by planning condition and we would expect such conditions to be added as a matter of course.

This is not an exceptional solution for such flats and there are no fundamental reasons for which to refuse the application on noise grounds; any such impacts can and will be mitigated in order to protect the amenity of future occupants of the properties.

**4. It has not been demonstrated that surface water management can be properly maintained for the lifetime of the development**

Following comments from the Council, our client has commissioned further work to address the matters raised. Anglian Water has confirmed that there are no records for any adoptable surface water sewers near the site and the need to construct a new sewer, and possible requisition of a sewer through third party land, may be required in order to drain the site.

However, on-site attenuation can be provided in the form of underground crates, whilst numerous tests have been undertaken and the proposed design allows for porous, paved car parking spaces, connecting to the surface water system. This constitutes the best form of sustainable drainage solution for this site and is a workable solution. As such, there are no fundamental issues with regards to drainage that cannot be overcome – such works would also be required if the site were ever to be redeveloped for employment uses, however the cost of such work would again be likely to mean that such redevelopment would never take place.

With reference to the above, we invite you to consider that there are in fact no fundamental reasons to refuse this planning application. The site is deliverable, developable and available for redevelopment now. The proposed scheme would deliver much needed housing whilst making the most efficient use of redundant employment land that is not likely to be used for employment in the foreseeable future. It is a sustainable site, has local support from neighbours who have indicated that they would prefer to see the site redeveloped – and who have never raised complaints about noise from the rest of the industrial estate – and, in any area where there is a need for further housing and a shortfall in the five year housing land supply.

It is for these reasons we respectfully request the application be approved or, at the very least, the decision be deferred to allow your Officers time to consider the further information which we have submitted.

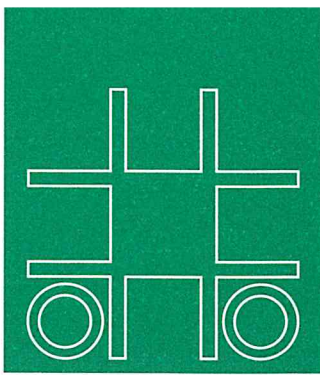
Yours sincerely

A handwritten signature in black ink, appearing to read 'Struan Power', written over a light blue horizontal line.

**Struan Power** BSc(Hons) MA MRTPI  
Senior Planner

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**Statement in Support of Planning Application Reference 15/00275/OUT**

You may be aware that this application for the redevelopment of Prebendal Farm yard is scheduled for presentation to your Planning Committee on 16 September. One of the main drivers for this redevelopment has been the Neighbourhood Plan, prepared by Slip End and Caddington Parish Council's which has now reached an advanced stage of development.

Within the Plan this site is promoted for redevelopment, albeit that it sits within the current Green Belt boundaries, and because of this we feel it is important to explain what we consider to be the special circumstances that need justifying the removal of this site from the Green Belt.

Both Prebendal Farm and its immediate neighbour, Woodside Farm, have been owned by a single family for several generations and both were run by brothers up until the death of one some years ago. At that time the farms were amalgamated into a single holding and operated from Woodside Farm.

Part of the case we would make in support of this planning application is around the viability of the farming operation & ensuring its long term future through investment in modern machinery.

This amalgamation has brought several undoubted economies by doing away with any need to duplicate resources or operations that are an integral part of the agriculture business. However, the doubling of the land holding into a single entity also requires a high level of investment in manpower and machinery to successfully farm the land; because of this it seems reasonable to introduce a degree of lassitude to allow the farm to realise assets to generate capital. Prebendal Farm yard is one such asset that currently adds very little to the value of the farm so we would plea that allowing this relatively small village site to be redeveloped will let the current owners reinvest back into the business of farming, allowing this local family run business to remain in operation for the undoubted benefit of Slip End and the surrounding area.

Of course, farm land is farm land and this farm could be operated by anyone with the correct expertise. The relationship between Prebendal Farm, Woodside Farm and the local family, however, should not be dismissed lightly because of the effect on the community that such relationships bring, a fact that adds more weight to the case for special circumstances.

The role of the Neighbourhood Plan in the promotion of this site for housing needs also to be understood to ensure that the weight of that evidence is fully balanced, especially as that Plan is now reaching a point where it will be formerly lodged with this Council and will then be a material consideration in any planning matters that affect Slip End and Caddington.

The Plan has been some three years in the making and has been subjected to several consultation processes along the way with officials and local residents. The intention of the Plan has always been to promote a responsible agenda of growth for this small area, recognising the pressures on the other parts of Central Bedfordshire and the adjoining Borough of Luton.

In doing this the Plan has promoted several similar sites, both large and small, where development could be accommodated without any adverse effects on the community or the local environment but as the village is constrained with the Green Belt, the arguments for special circumstances will apply equally to each.

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The case then is which parts of the village can accommodate expansion (into the Green Belt) with the least impact. The Neighbourhood Plan recognises that the answer 'none' is simply not viable. The remnants of Prebendal Farm sit on the edge of the village but the land is very close to the centre and the village development extends along the frontage of Grove Road opposite the site and to its south.

Separating the land from Grove Road is a range of original farm buildings (stables?) that are now used as retail premises with parking in the original yard and the farmhouse that is now let to tenants.

The yard itself is separated from the productive fields by some remnant hedging and spoil heaps and is used for open storage of materials and vehicles. It has very little value therefore in promoting or extending the ethos of the Green Belt, having none of the landscape, environmental or aesthetic characteristics you would normally associate with the Green Belt and for this second reason, we believe that these special circumstances should contribute to the removal of this site from the Green Belt.

As part of the Council's Development Strategy (DS) there is a 'Call for Sites' process which then takes a broad view of the potential impact of each option. The Neighbourhood Plan would seem to pre-empt this by nominating land ahead of the Development Strategy. However, such an assumption would be wrong as the Neighbourhood Plan seeks to inform rather than pre-empt by adding substantially to the selection process and by promoting smaller sites that are specifically exempt from the 'Call for Sites' (under 15 units). These smaller sites form a substantial element of new housing in the area and the Neighbourhood Plan is the ideal forum for them to be promoted, with the support of the local community.

A third element of the Neighbourhood Plan that adds substantial weight in support of the case for special circumstances is that a key element of the Plan is the provision of a Heritage Greenway to run from Pepperstock to Caddington and beyond and that Greenway requires the cooperation of land owners.

Part of the route crosses land owned by the family as part of the Woodside Farm/Prebendal Farm land holding and they have worked alongside the various stakeholders to agree several footpath diversions and access rights to make the Greenway a reality.

The Neighbourhood Plan plays a critical and crucial role in the growth of Slip End and the improvement of the immediate environment and the implementation of infrastructure to support the village and the surrounding area. An intrinsic part of the Plan is the strategy of growth this role should be considered a key plea to see this site removed from the Green Belt.

In summary we feel that the promotion of this land for small scale development with housing is given support and weight by these main factors:

1. To allow investment in the local rural economy for the benefit of the community
2. To continue to promote local employment in farming and other allied businesses locally
3. The promotion of this site for development within the Neighbourhood Plan and the support that development will give to delivering the goals of that plan
4. The role of the Neighbourhood Plan in allowing small sites such as this to continue to make a meaningful impact in the deficit of new housing
5. The redevelopment of this land which is very central to the village would allow the re-use of a derelict site that adds nothing to the integrity or value of the Green Belt

I would hope that our case has been properly explained and that you will appreciate the role the owner has played in bringing the Neighbourhood Plan forward and will continue to do for the village. I think it is worth recalling that the site has been promoted by the Neighbourhood Plan, rather than by a Developer or the owner and as such it is presented to you at Committee with no objections from the Parish Council, local residents or any other statutory consultees – a rarity and indeed one that reinforces the fact that this proposal should be supported by your Committee.

**Item No. 6**

<b>APPLICATION NUMBER</b>	<b>CB/14/05007/OUT</b>
<b>LOCATION</b>	<b>Land to the West of Mill Road, Cranfield</b>
<b>PROPOSAL</b>	<b>Outline planning application for the demolition of the existing dwellings at 47 and 49 Mill Road and the erection of up to 230 dwellings and associated infrastructure, with all matters reserved except for access.</b>
<b>PARISH</b>	<b>Cranfield</b>
<b>WARD</b>	<b>Cranfield &amp; Marston Moretaine</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Morris, Matthews &amp; Mrs Clark</b>
<b>CASE OFFICER</b>	<b>Lisa Newlands</b>
<b>DATE REGISTERED</b>	<b>29 December 2014</b>
<b>EXPIRY DATE</b>	<b>30 March 2015</b>
<b>APPLICANT</b>	<b>Gladman Developments Ltd</b>
<b>AGENT</b>	
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Cllr Clark and former Cllr Bastable. It is a major application with a Parish Council objection and it is a departure from the Local Development Plan.</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Approval subject to the completion of S106 obligation.</b>

**Recommendation:**

That subject to the completion of a S106 agreement, outline planning permission be granted subject to the following:

**RECOMMENDED CONDITIONS / REASONS**

- 1 No development shall take place within each area approved as identified on drawing no 6390-L-02\_N until approval of the details of the appearance, landscaping, layout and scale of the development 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.**

- 2 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.**

- 3 **No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.**

**Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy DM2 of the Core Strategy and Development Management Policies 2009**

- 4 **Development shall not begin 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 be based upon the principles within the agreed Flood Risk Assessment and shall also include:**

- **Full calculations detailing the existing surface water runoff rates for the Q<sub>BAR</sub>, Q<sub>30</sub> and Q<sub>100</sub> storm events;**
- **Full storm event simulation results with appropriate inputs and parameters demonstrating the surface water runoff rates for the Q<sub>BAR</sub>, Q<sub>30</sub>, Q<sub>100</sub> and Q<sub>100</sub> plus climate change storm events, of the critical storm season and duration;**
- **Full results of proposed drainage system modelling in the above-referenced storm events, inclusive of all collection, conveyance, storage, flow control and disposal elements, together with an assessment of the system performance;**
- **Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions, and pipe reference numbers;**
- **Results of infiltration testing and effects upon surface water drainage proposals;**
- **Full details of the proposed attenuation and flow control measures, including dimensions, design and water levels, gradients and – where a vortex flow control is used – the manufacturer’s design flow curve;**
- **Details of overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites;**
- **Full details of the maintenance and/or adoption of the system inclusive of all collection, conveyance, storage, flow control and disposal elements.**

**The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, by the Local Planning Authority.**

**Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these.**

- 5 Prior to the demolition of 47 and 49 Mill Road, a further emergent bat survey should be undertaken and a report submitted showing the results and any mitigation measures required. The demolition/ works required to these properties shall be carried out in accordance with any mitigation measures detailed.

Reason: To ensure that the appropriate mitigation measures are in place given the likelihood of bats within the properties to be demolished.

- 6 **No development shall commence until full engineering details of the access arrangements shown for indicative purposes on Hydrock plan 001 Revision shall be submitted to and approved by the Local Planning Authority and no dwelling approved under any subsequent reserved matters application shall be brought into use until such time as the agreed works have been implemented.**

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

- 7 Any subsequent reserved matters application shall include the following;
- A raised table junction where the estate road joins onto Mill Road.
  - Estate roads designed and constructed to a standard appropriate for adoption as public highway.
  - Pedestrian and cycle linkages to existing routes
  - Vehicle parking and garaging in accordance with the councils standards applicable at the time of submission.
  - Cycle parking and storage in accordance with the councils standards applicable at the time of submission.
  - A Construction Traffic Management Plan detailing access arrangements for construction vehicles, routing of construction vehicles, on-site parking and loading and unloading areas.
  - Materials Storage Areas.
  - Wheel cleaning arrangements.
  - A Residential Travel Plan.

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

- 8 **Development shall not begin until a detailed scheme for protecting proposed dwellings from noise has been submitted to and approved by the local planning authority. The scheme will include consideration of both site layout and building design to achieve an acceptable noise environment. None of the dwellings shall be occupied until the scheme**

has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

**Reason: To protect the amenity of future residential occupiers of the development in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North)**

- 9 **Development shall not begin until a detailed scheme for protecting existing neighbouring dwellings from road traffic noise associated with the proposed new access road to the development has been submitted to and approved by the local planning authority. The new access road shall not be brought into use until the scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.**

**Reason: To protect the amenity of existing residential occupiers neighbouring the development in accordance with Policy DM3 of Core Strategy and Development Management Policies for Central Bedfordshire (North)**

- 10 No occupation of the dwellings hereby approved shall take place until a suitable lighting design scheme and impact assessment devised to eliminate any detrimental effect caused by obtrusive light from the development on the proposed dwellings and existing neighbouring land uses shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be prepared by a suitably qualified lighting engineer in accordance with relevant publications and standards. Only the details thereby approved shall be implemented.

Reason: To protect the amenity of existing residential occupiers neighbouring the development, and future residential occupiers of the development in accordance with Policy DM3 of Core Strategy and Development Management Policies for Central Bedfordshire (North)

- 11 **No development other than that required to be carried out as part of an approved scheme of remediation shall take place until conditions (a) to (d) below have been complied with, unless otherwise agreed in writing by the Local Planning Authority. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.**

**(a) Site Characterisation**

**An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any**



contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

**A survey of the extent, scale and nature of the contamination;**

**An assessment of the potential risks to:**

**Human health**

**Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes**

**Adjoining land**

**Ground waters and surface waters**

**Ecological systems**

**Archaeological sites and ancient monuments**

**An appraisal of remedial options, and proposal of the preferred option(s)**

**This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the management of Land Contamination, CLR 11'.**

**(b) Submission of Remediation Scheme**

**A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.**

**(c) Implementation of Approved Remediation Scheme**

**The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.**

**Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.**

**(d) Reporting of Unexpected Contamination**

**In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be**

**reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (b), which is subject to the approval in writing of the Local Planning Authority.**

**Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (c).**

**Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. (Policy 44, DSCB)**

- 12 Each reserved matters application for landscaping shall include the following:
- Strategic landscape buffering as indicated on the Framework Plan number 6390-L-02\_N on the north, western and eastern boundaries;
  - details of public amenity open space, Local Equipped Areas of Play (LEAP), facilities for Young People
  - Location and details of replacement fruit trees for those lost through the provision of the access
- It should include relevant details of location, layout, size, timing for delivery, location and specification of boundary structures, play equipment and materials. The scheme shall be implemented in accordance with the approved details.

Reason: To ensure adequate provision of open space, landscape buffering and play equipment across the site in accordance with Policy CS3 of Core Strategy and Development Management Policies for Central Bedfordshire (North)

- 13 Details of the layout and design of the play area shown on the approved drawing, including the equipment, furniture, surfacing and boundary treatment to be installed, together with a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: To ensure the provision of adequate play and children's recreation facilities.  
(Policy 43, DSCB)

- 14 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 in accordance with Policy DM10 of the Core Strategy and Development Management Policies for Central Bedfordshire (North)

- 15 No development shall take place on the construction of the dwellings hereby approved until details have been submitted to and approved in writing by the Local Planning Authority showing how renewable energy and low energy sources would generate 10% of the energy needs of the development and also showing water efficiency measures achieving 110 litres per person per day. The works shall then be carried out in accordance with the approved details.

Reason: In the interests of sustainability and in accordance with Policy DM1 and DM2 of the Core Strategy and Development Management Policies for Central Bedfordshire (North)

- 16 Any reserved matters application for layout shall include details for the provision of public art on the site. The details shall include:
- A detailed description of the public art that will be provided at the site;
  - A timetable for implementation and completion of the public art at the site;
  - A brief for the involvement of the artists;
  - An assessment of the positive impact the Public Art will have on the environment and/or the local residents;
  - A description of the commissioning and procurement process;
  - Details for future care and maintenance.

The development shall be carried out in accordance with the approved details.

Reason: To ensure the inclusion of public art is provided on the site.

- 17 There shall be no more than 230 residential units at the site.

Reason: To ensure that the site is not overdeveloped.

- 18 **Prior to the submission of the first reserved matters application for the development, a detailed design code 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 Framework Plan 6390-L-02\_N. 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.
- Address the access to the site as a gateway feature, ensure adequate privacy and noise reduction measures for the properties neighbouring the access road.

**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).**

- 19 The development hereby approved shall include the provision of a pedestrian access to the new Lower School adjacent to the site. This shall be detailed in any reserved matters application.

Reason: To ensure connectivity with the adjacent school and promote a sustainable form of development in accordance with policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North).

- 20 No dwelling hereby permitted shall be occupied until a scheme for the provision of waste receptacles has been submitted to and agreed in writing by the Local Planning Authority. The receptacles shall be provided before occupation takes place.

Reason: To ensure appropriate waste provision on the site.

- 21 **Development shall not commence until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken in accordance with the approved details. The approved statement shall include:**
- the hours of construction work and deliveries;
  - parking of vehicles for site operatives and visitors;
  - loading and unloading of plant and materials;
  - storage of plant and materials used in constructing the development;
  - wheel washing facilities;
  - details of the responsible person who can be contacted in the event of a complaint;
  - mitigation measures in respect of noise and disturbance during construction including piling techniques, vibration and noise limits, prior notification to the occupiers of potentially affect properties, monitoring technology, screening, a detailed specification of plant and equipment to be used, and construction traffic routes; and
  - a scheme to minimise and monitor the emission of dust and dirt during construction and to prevent the burning of materials on site.

**Reason: In the interests of neighbouring amenity and in accordance with Policy DM3 of Core Strategy and Development Management Policies for Central Bedfordshire (North).**

- 22 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 6390-L-02\_N

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

- 23 The development hereby approved shall include the provision of a pedestrian footpath/link up to the boundary of the site with the adjacent residential development to the south. This shall be detailed in any reserved matters application.

Reason: To ensure possible future connectivity with the adjacent residential area and promote a sustainable form of development in accordance with Policy DM3 of the Core Strategy and Development Management Polices for Central Bedfordshire.

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

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

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

NOTES

- (1) In advance of the consideration of the application the Committee were advised of updates which included comments from consultees and information regarding the Section 106 agreement as set out in the Late Sheet appended to these minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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**Item No. 7**

<b>APPLICATION NUMBER</b>	<b>CB/15/01362/OUT</b>
<b>LOCATION</b>	<b>Land off Chapel End Road, Houghton Conquest</b>
<b>PROPOSAL</b>	<b>Outline application: of up to 125 dwellings with associated landscaping, public open space and infrastructure with all matters reserved except for access.</b>
<b>PARISH</b>	<b>Houghton Conquest</b>
<b>WARD</b>	<b>Houghton Conquest &amp; Haynes</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Mrs Barker</b>
<b>CASE OFFICER</b>	<b>Alex Harrison</b>
<b>DATE REGISTERED</b>	<b>13 April 2015</b>
<b>EXPIRY DATE</b>	<b>13 July 2015</b>
<b>APPLICANT</b>	<b>Gladman Developments</b>
<b>AGENT</b>	
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Call in by Cllr Angela Barker – it is not CBC policy to grant housing of this scale outside the settlement envelope unless exceptional. This is also not on our forward plan for future growth.</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Approval subject to the completion of a S.106 Obligation</b>

See Minute No. DM/15/65 – Deferred Application

**That the application be deferred for up to two cycles to enable further discussions to take place on the access and egress of the site.**

**NOTES**

- (1) In advance of the consideration of the application the Committee were advised of updates as detailed in the Late Sheet appended to these minutes which included additional consultation.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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**Item No. 10**

<b>APPLICATION NUMBER</b>	<b>CB/15/02290/FULL</b>
<b>LOCATION</b>	<b>32 - 34 Silver End Road, Haynes, Bedford, MK45 3PP</b>
<b>PROPOSAL</b>	<b>Proposed demolition of 2 No semi-detached properties and the erection of 1 No detached and 1 pair of semi-detached dwellings</b>
<b>PARISH</b>	<b>Haynes</b>
<b>WARD</b>	<b>Houghton Conquest &amp; Haynes</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Mrs Barker</b>
<b>CASE OFFICER</b>	<b>Samantha Boyd</b>
<b>DATE REGISTERED</b>	<b>03 July 2015</b>
<b>EXPIRY DATE</b>	<b>28 August 2015</b>
<b>APPLICANT</b>	<b>Mr L Dove</b>
<b>AGENT</b>	<b>Bradbury Design Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Call in by Ward Member Cllr Barker. Reasons: Large development for small plot, off road parking required, traffic issues due to splay coming off site. Bin storage and bike storage not adequate or off road parking for cars. Impact on Foresters Close regarding disruption and noise.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

**Recommendation:**

That Planning Permission be granted subject to the following:

**RECOMMENDED CONDITIONS / REASONS**

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

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

- 2 **No development shall take place until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: Required prior to the commencement of the development to control the appearance of the building in the interests of the visual amenities of the locality. (Policy DM3)**

- 3 **The final ground and slab levels of the buildings hereby approved shall be constructed in accordance with the levels as shown on plan number 6456-02D. The site shall be developed in full accordance with the approved details.**

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.  
(Policy DM3)**

- 4 The demolition works hereby approved shall be completed and all of the materials and fabric from the demolished [building(s)/structure(s)] shall be removed from the site within 1 month of the commencement of the demolition works.

Reason: In the interests of the visual amenities of the area. (Policy DM3)

- 5 Before (any of) the accesses is first brought into use, a triangular vision splay shall be provided on the south-west and north-west side of the accesses at Silver End Road, and the west side of the access at Foresters Close, and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the highway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them. (Policy DM3)

- 6 The south-east boundary at the access with Foresters Close shall be set back into the site for a distance of 1.8m measured from the highway boundary and shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it (Policy DM3)

- 7 The proposed vehicular access shall be surfaced in bituminous or other similar durable material (not loose aggregate) with the highway boundary demarcated, as may be approved in writing by the Local Planning Authority for a distance of 5.0m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.(Policy DM3)

- 8 No building shall be occupied until the junction of the proposed and widened vehicular access with the highway has been constructed in accordance with the approved details.

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

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 6456-01 E, 6456-02 D.

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.
2. 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 Core Strategy and Development Management Policies Document (2009).
3. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

The applicant is advised that, under the provisions of the Highways Act 1980, no part of the structure, including foundations, planting, boundary treatments and parking shall be erected or installed in, under or overhanging the public highway and no door or gate shall be fixed so as to open outwards into the highway.

The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway

The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

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.

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 further details can be obtained from Bedfordshire Highways (Amey), District Manager (for the relevant area) via the Central Bedfordshire Council's Customer Contact Centre on 0300 300 8049.

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

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

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

**NOTES**

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

**Item No. 13**

**APPLICATION NUMBER** CB/15/00275/OUT  
**LOCATION** Prebendal Farm, Grove Road, Slip End, Luton, LU1 4BZ  
**PROPOSAL** Outline Development: Redevelopment of land previously used as a farm yard to residential use for 8 detached houses (market) and 4 semi detached houses (social use).  
**PARISH** Slip End  
**WARD** Caddington  
**WARD COUNCILLORS** Cllrs Collins & Stay  
**CASE OFFICER** Nicola Darcy  
**DATE REGISTERED** 02 February 2015  
**EXPIRY DATE** 04 May 2015  
**APPLICANT** Brickhill Properties GP Ltd  
**AGENT** BHD Ltd  
**REASON FOR COMMITTEE TO DETERMINE** Called-in by Cllr Richard Stay for the following reasons:

- Meeting housing need locally
- Provides enabling support for the aggregated farm operation & allows investment in new machinery & protects jobs
- Site firmly supported for housing through substantive consultation for the local Neighbourhood Plan
- Proposed S106 provides enabling resources to complete large section of Heritage Greenway
- Site is edge of village & would have no adverse impact on the Green Belt

**RECOMMENDED DECISION** Application recommended for refusal

Conditions and Section 106 Agreement to be determined by the Development Infrastructure Group Manager.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional information, comments and an amended refusal reason as detailed in the Late Sheet appended to these minutes:
  - a. The agent provided an additional supporting statement
  - b. The corrugated roofed, open barn building had been removed resulting in there being no permanent buildings
  - c. A typographical error was corrected to refusal reason 1.]

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**Item No. 11**

<b>APPLICATION NUMBER</b>	<b>CB/15/02652/FULL</b>
<b>LOCATION</b>	<b>Land Off Bedford Road, Marston Moretaine, Bedford, MK43 0LE</b>
<b>PROPOSAL</b>	<b>Re-plan of plot numbers 73 to 85, 201 to 219 and 189 to 192 to replace 36 dwellings with 39 and associated works granted consent under ref CB/12/03205/RM</b>
<b>PARISH</b>	<b>Marston Moretaine</b>
<b>WARD</b>	<b>Cranfield &amp; Marston Moretaine</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Morris, Matthews &amp; Mrs Clark</b>
<b>CASE OFFICER</b>	<b>Annabel Robinson</b>
<b>DATE REGISTERED</b>	<b>17 July 2015</b>
<b>EXPIRY DATE</b>	<b>16 October 2015</b>
<b>APPLICANT</b>	<b>Barratt Homes Ltd, Northampton</b>
<b>AGENT</b>	<b>KRT Associates Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>This is a major planning application with an objection from the Parish Council.  Full Application - Approval</b>

**Recommendation**

That Planning Permission is approved subject to the following conditions:

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

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

- 2 All external works hereby permitted shall be carried out in materials as shown on plan number 1098-152 D, unless otherwise agreed in writing by the Local Planning Authority.

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 boundary treatment as shown on plan number 1098-151 R shall be completed in accordance with the approved scheme before the buildings are occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality. (Policy 43, DSCB)

- 4 The development shall not be occupied or brought into use until the parking

scheme shown on Drawing No. 1098-151 R has been completed. The scheme shall thereafter be retained for this purpose.

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

- 5 No dwelling shall be occupied until a landscaping scheme to include all hard and soft landscaping, has been submitted and approved by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March).

Reason: To ensure an acceptable standard of landscaping. (Policies 43 and 58, DSCB)

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1098-126 C, 1098-151 R, 1098-152 D, 1098-134, 1098-168, 1098-167, 1098-175, 1098-171, 1098-172, 1098-173, 1098-47 A, 1098-50 B, 1098-51 B, 1098-53 A, 1098-55 A, 1098-59 B, 1098-61 B, 1098-68 B, 1098-99, 1098-99, 1098-165, 1098-166, 1098-174 A.

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

**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 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 under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were provided with an update of the Legal Position as detailed in the Late Sheet appended to these minutes.]

**Item No. 12**

<b>APPLICATION NUMBER</b>	<b>CB/15/02172/FULL</b>
<b>LOCATION</b>	<b>145 Bedford Road, Marston Moretaine, Bedford, MK43 0LD</b>
<b>PROPOSAL</b>	<b>Erection of 6 detached dwellings and new access from Bedford Road</b>
<b>PARISH</b>	<b>Marston Moretaine</b>
<b>WARD</b>	<b>Cranfield &amp; Marston Moretaine</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Morris, Matthews &amp; Mrs Clark</b>
<b>CASE OFFICER</b>	<b>Annabel Robinson</b>
<b>DATE REGISTERED</b>	<b>12 June 2015</b>
<b>EXPIRY DATE</b>	<b>07 August 2015</b>
<b>APPLICANT</b>	<b>Mr Steele</b>
<b>AGENT</b>	<b>DLA Town Planning Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Councillor R Morris:  Access is too narrow for emergency services and poor visibility on exit.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

**Recommendation**

That Planning Permission is approved subject to the following:

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

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

- 2 No above ground works shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality. (Policy 43, DSCB)

- 3 The first floor window(s) in the north east (side) facing elevation of plot 3 hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the window(s) which can be opened are more than 1.7m above the floor of the room(s) in which the window(s) is installed. No further windows or other openings shall be formed in the north east (side) facing elevation of plot 3 as described on plan number PL01C.

Reason: To safeguard the privacy of occupiers of adjoining properties. (Policy 43, DSCB)

- 4 The first floor windows in the south east (side) facing elevation of plot 1 of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the window(s) which can be opened are more than 1.7m above the floor of the room(s) in which the window(s) is installed. No further windows or other openings shall be formed in the south east (side) facing elevation of this plot.

Reason: To safeguard the privacy of occupiers of adjoining properties (Policy 43, DSCB)

- 5 No dwelling shall be occupied until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping. (Policies 43 and 58, DSCB)

- 6 No foundations shall be dug until details of the proposed foundations have been submitted to and approved in writing by the Local Planning Authority to include the layout, with positions, dimensions and levels, of service trenches, ditches, drains and other excavations on site, insofar as they may affect trees and hedgerows on or adjoining the site. The foundations shall be constructed in accordance with the approved details.

Reason: To ensure the protection of the root systems and rooting medium associated with the trees and hedgerows to be retained. (Policies 43 and 59, DSCB)

- 7 The development shall not be occupied or brought into use until the access and parking scheme shown on Drawing No. PL01C has been completed. The scheme shall thereafter be retained for this purpose.

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

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

**Reason: To ensure that adequate surface water drainage is provided and that existing and future land drainage needs are protected. (Policies 43 and 44, DSCB) This condition is required to be pre-commencement as it may affect the levels of the site, which would need to be agreed before any construction took place.**

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL01 C, PL02A, PL03, PL04, PL05A, PL06A, PL07A, PL08, PL09, PL10, PL11A, PL12A.

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

- 10 No dwelling shall be occupied until a scheme has been provided to and agreed in writing by the Local Planning Authority showing integrated bird boxes at a ratio of one per dwelling house, prior to the occupation of any of the dwelling houses, the approved scheme shall be fully implemented.

Reason: To enhance biodiversity within this area.

- 11 Prior to the occupation of any of the dwelling houses, details shall be submitted to and approved in writing by the Local Planning Authority showing a bin storage layout. The scheme shall be fully implemented and retained in perpetuity prior to the occupation of any of the dwelling houses.

Reason: In the interest of visual amenity of the area, and highway safety.

### **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 applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

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

These requirements are as follows:

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

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

For further information on disability access contact:

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

3. Highway Notes:

Advice Note 1/.The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

AN 2/. The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.

AN3/.The applicant is advised that Central Bedfordshire Council as highway authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.

4. As the adjoining site to the rear is of long historic use (former brickworks) there may be unexpected materials or substances in, on or under the ground. It is the responsibility of the Applicant to ensure safe and secure conditions, so a watching brief is asdvised and 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).

**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 pro-

actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted 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 were advised of the additional consultation responses as detailed in the Late Sheet attached:
  - a. Two additional letters of correspondence were received from 128 Bedford Road and one further letter of objection from 1 Lake View, Marston Moretaine.
  - b. Condition 9 was amended as above.]

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**Item No. 9**

**APPLICATION NUMBER** CB/15/01897/FULL  
**LOCATION** Fen End Industrial Estate, Fen End, Stotfold, Hitchin, SG5 4BA  
**PROPOSAL** Demolition of the existing industrial unit and construction of 10 no. 2 bed flats with associated parking and landscaping  
**PARISH** Stotfold  
**WARD** Stotfold & Langford  
**WARD COUNCILLORS** Cllrs Dixon, Saunders & Saunders  
**CASE OFFICER** Samantha Boyd  
**DATE REGISTERED** 22 May 2015  
**EXPIRY DATE** 21 August 2015  
**APPLICANT** Stotfold Motor Centre  
**AGENT** DLP Planning Consultants  
**REASON FOR COMMITTEE TO DETERMINE** The applicant is a close relative of Cllr John Saunders

**RECOMMENDED DECISION** Full Application - Refusal Recommended

**Recommendation:**

That planning permission is refused for the following reasons:

**RECOMMENDED REASONS**

- 1 The application site is allocated for employment use under Policy E1 of the Site Allocations Document (Adopted 2011), Core Strategy and Development Management Policy CS10 (adopted 2009) and Policy E1 seeks to safeguard the site for employment use therefore the proposal for 10 new dwellings would result in the loss of a safeguarded employment site which is unacceptable and the applicant has failed to demonstrate there is no prospect of the site being used for employment purposes through a comprehensive up to date marketing campaign. The proposal is therefore contrary to Policy CS10 of the Core Strategy and Development Management Policies Document (2009) and Policy E1 of the Site Allocation Document (2011).
- 2 The proposal is considered to result in a harmful visual impact on the character and appearance of the surrounding area given the design and scale of the building which would appear unduly prominent within the street scene and would dominate the corner at the junction with Fen End and Astwick Road. The proposal is therefore considered to be contrary to Policy DM3 of the Core Strategy and Development Management Policies Document (2009)
- 3 The applicant has failed to demonstrate that the proposal would not result in significant impact from noise from the adjacent industrial units which would result in unacceptable impact on the amenity of future occupants of the properties. The proposal is therefore considered to be contrary to Policy

DM3 of the Core Strategy and Development Management Policies  
Document (2009)

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

The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. 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 Council has therefore acted pro-actively 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 were advised of additional consultation/publicity responses, additional comments and additional/amended conditions as detailed in the Late Sheet appended to these minutes as follows:
  - a. Comments were received from Waste Services relating to Bin storage and collection.
  - b. SuDs had responded to the revised information for surface water drainage
  - c. Comments from the Highway Officer on the revised plans
  - d. Letter from DLP dated 14 September 2015 refusal reason 4 is removed.]

**Item No. 17**

<b>APPLICATION NUMBER</b>	<b>CB/15/00979/FULL</b>
<b>LOCATION</b>	<b>Land adjacent to and to the north west of Vauxhall Motors, Luton Road, Chalton</b>
<b>PROPOSAL</b>	<b>Erection of Distribution Centre with associated office accommodation, access, earthworks, landscaping, parking and ancillary works.</b>
<b>PARISH</b>	<b>Chalton</b>
<b>WARD</b>	<b>Toddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Costin &amp; Nicols</b>
<b>CASE OFFICER</b>	<b>Adam Davies</b>
<b>DATE REGISTERED</b>	<b>31 March 2015</b>
<b>EXPIRY DATE</b>	<b>30 June 2015</b>
<b>APPLICANT</b>	<b>AXA Real Estate Ltd &amp; General Motors Ltd</b>
<b>AGENT</b>	<b>David Lock Associates</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>Departure from Development Plan</b>
	<b>That, the Development Infrastructure Group Manager be authorised to GRANT Planning Permission subject to the prior consultation of the Secretary of State, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the completion of a prior Section 106 Agreement and subject to conditions.</b>

**Recommendation**

That, the Development Infrastructure Group Manager be authorised to GRANT Planning Permission subject to the prior consultation of the Secretary of State, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the completion of a prior Section 106 Agreement to secure planning obligations as summarised in this report and subject to conditions:

**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 Notwithstanding the provisions of Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification), the premises shall only be used as offices ancillary to the main Class B8 use of the site.

Reason: To prevent the establishment of an independent office unit on the site.

- 3 No phase of the development shall commence until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority.

The CEMP(s) shall comprise;

- a) Environment Management Responsibilities;
- b) Construction Activities and Timing;
- c) Plant and Equipment, including loading and unloading;
- d) Construction traffic routes, points of access/egress and parking to be used by construction vehicles;
- e) Details of site compounds, offices and areas to be used for the storage of materials;
- f) Emergency planning & Incidents;
- g) Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;
- h) On site control procedures in respect of:
  - i. Traffic management measures including wheel cleaning for construction vehicles
  - ii. Air and Dust quality
  - iii. Noise and vibration
  - iv. Water quality
  - v. Ecology
  - vi. Trees, Hedgerows and Scrub
  - vii. Waste and Resource Management
  - viii. Archaeological and Cultural Heritage
  - ix. Visual and Lighting
  - x. Utilities and Services
  - xi. Protection of species and habitats
- i) Detailed phasing plan to show any different phasing;
- j) Details for the monitoring and review of the construction process including traffic management (to include a review process of the Construction Environmental Management Plan during development).
- k) A method statement detailing the proposed method of construction and risk assessment in relation to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway and Network Rail property. Where appropriate, the method statement shall detail the following:
  - i. Excavations/ earthworks to be carried out in the vicinity of Network Rail property/ structures
  - ii. Temporary works compounds to be installed in the vicinity of Network Rail property/ structures
  - iii. Security of the railway boundary including any temporary or permanent alterations to the boundary treatment or safety barriers
  - iv. The use of vibro-compaction machinery
  - v. Routing of abnormal loads construction traffic
  - vi. Diversion of any surface and foul water away from Network Rail property

The works shall be implemented only in accordance with the details approved. Page 61

**Reason: To ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period. Details must be approved prior to the commencement of development to mitigate nuisance and potential damage which could occur in connection with development.**

- 4 **No phase of the development, with the exception of site clearance shall begin until a scheme for surface water disposal for that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be based on sustainable principles and a detailed site specific assessment of the hydrological and hydrogeological context of the development. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The scheme(s) shall be implemented in accordance with the approved details and shall be managed and maintained thereafter in accordance with an agreed management and maintenance plan.**

**Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses. Details must be approved prior to the commencement of development to prevent any potential pollution of controlled waters which could occur in connection with development.**

- 5 Notwithstanding the details submitted with the application, no construction of an approved building shall take place, until details of the materials to be used for the external walls and roofs of that phase of development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To control the appearance of the development in the interests of the visual amenities of the locality.

- 6 All tree protection measures, remedial tree works and arboricultural methodology, shall be undertaken in accordance with the recommendations made in Section 6 of the Tree Survey Report (received 16 March 2015), including Appendix 2 "Survey Schedule" and Appendix 3 "Tree Protection Plan" as prepared by RGS Arboricultural Consultants, dated February 2015. All tree protection fencing shall remain securely in place throughout the construction phase of the development.

Reason: To ensure the implementation of all tree protection measures and good arboricultural practice in respect of retained trees, in order to maintain their health, screening, biodiversity, habitat and amenity value.

- 7 The planting and landscaping scheme shown on approved Drawing No. 01 Rev. L received 1 September 2015 and as detailed within the Landscape Design Statement reference 1525/15/RP01 Rev B (received 16 March 2015) and the 5 Year Soft Landscape Works Maintenance and Management

Proposals reference 1525/15/RP02 Rev B (received 16 March 2015) shall be implemented by the end of the full planting season immediately following the completion and/or first use of any phase of the development (a full planting season shall mean the period from October to March). The trees, shrubs and grass for each phase shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season with others of a similar size and species.

Reason: To ensure an acceptable standard of landscaping in the interests of biodiversity, visual and landscape amenity.

- 8 Noise resulting from the use of any external 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: In the interests of amenity.

- 9 No fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Local Planning Authority. The details for each phase shall ensure the lighting is designed to minimise the potential nuisance of light spillage from the site. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

Reason: In the interests of biodiversity, visual and landscape amenity, highway safety and any potential nuisance and disturbances to neighbours.

- 10 **No phase of the development (excluding site clearance and ground engineering) shall take place until a scheme of measures to source 10% of the energy demand for that phase from renewable or low carbon sources. The scheme(s) shall then be implemented in accordance with the approved details and shall continue to be implemented as long as any part of that phase of the development is occupied.**

**Reason: To ensure the delivery of sustainable and resource efficient development. Details must be approved prior to the commencement of development to ensure the development incorporates suitable sustainable measures as part of the building construction where appropriate.**

- 11 The Site Waste Management Plan and Operational Waste Management Plan for each phase, including provision for on-site refuse storage and recycling facilities for that phase, shall be implemented in accordance with the Waste Audit received 6 May 2015 hereby approved throughout the construction and operational phases of the development as detailed within the Waste Audit.

Reason: To ensure that development is adequately provided with waste and recycling facilities.

- 12 No part of the development shall be brought into use until a until a scheme of access arrangements and highways improvement works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include construction details of the permitted access arrangements, traffic calming and footway/cycleway connections at Luton Road, to be supported by a Stage 1 Road Safety Audit and associated Designers Response and a full suite of swept path analysis drawings associated with the roundabout junction hereby permitted. The approved scheme shall then be implemented in full prior to the first occupation of the development.

Reason: To ensure that the proposed highway works are constructed to adequate standard, are appropriate and proportional to the mitigation required to serve the development.

- 13 No phase of the development shall be brought into use until a scheme for the laying out of the HGV parking and service areas within the site, and bus infrastructure within the site, for that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be supported by a full suite of internal swept path analysis plans for HGV and bus manoeuvring, including full vehicle wheels and body tracking details. The approved scheme(s) shall then be implemented in full prior to the first occupation of that phase of the development.

Reason: To ensure that the proposed serving areas and bus infrastructure are constructed to adequate standard to serve the development.

- 14 No phase of the development shall be occupied or brought into use until the parking scheme for that phase shown on Drawing No. 3668-114 Rev. 21 hereby approved has been completed. The parking scheme for each phase of development shall thereafter be retained for this purpose.

Reason: To ensure provision for car parking clear of the highway.

- 15 Temporary vehicular access to allow for the construction of the approved development for Plot 1 shall be provided in accordance Drawing No. 3668-114 Rev 21 hereby approved. The temporary access shall then be stopped up and the land shall be reinstated as a landscaped area within three months of the commencement of operational vehicular movements (excluding construction movements) of Plot 1. Prior to the commencement of operational vehicular movements (excluding construction movements) of Plot 1, a scheme of soft landscaping for this area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the cessation of the use of the temporary access (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To allow for safe and suitable access to the site during the construction phase for Plot 1 and to ensure that this landscaped area is reinstated in the interest of biodiversity, visual and landscape amenity, and highway safety.

- 16 No phase of development shall be brought into use until a Travel Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan(s) shall include details of:
- Predicted travel to and from the site and targets to reduce car use.
  - Details of existing and proposed transport links, to include links to pedestrian, cycle and public transport networks.
  - Measures to minimise private car use and facilitate walking, cycling and use of public transport.
  - Timetable 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 Council.
  - Details of provision of cycle parking in accordance with council guidelines.
  - Details of marketing and publicity for sustainable modes of transport to include site specific travel information packs, to include site specific travel and transport information; travel vouchers; details of relevant pedestrian, cycle and public transport routes to/ from and within the site; and copies of relevant bus and rail timetables
  - Details of the appointment of a travel plan co-ordinator.
  - An Action Plan listing the measures to be implemented and timescales for this.

The Travel Plan(s) for each phase of the development shall be implemented in accordance with the approved timetable for that phase and shall continue to be implemented as long as any part of that phase of the development is occupied.

Reason: In the interests of promoting sustainable transport and reducing the number of trips by private car.

- 17 No development of any buildings shall take place until details of the existing and final ground and slab levels of the buildings for that phase of development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include a fixed datum point outside of the site. Thereafter the development shall be carried out in full accordance with the approved details.

Reason: To ensure that an acceptable relationship results between the development, adjacent buildings and public view points, in the interests of the visual amenities of the locality.

- 18 Prior to the commencement of operational vehicular movements (excluding construction movements) of each development plot, an Employment and Skills Plan for that plot shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with each approved Employment and Skills Plan.



Reason: To provide an opportunity for residents of the local area to access employment opportunities.

- 19 The phased development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted documents;
- Plot Location Plots 1 and 2 – 3668-122 Rev 11 (received 10 August 2015);
  - Site Plan Plots 1 and 2 - 3668-114 Rev 21(received 10 August 2015);
  - External Finishes Plan – 3668-123 Rev 10 (received 10 August 2015);
  - Landscape Concept Plan – 01 Rev J (received 10 August 2015);
  - Fencing Layout & Details – 3668-124 Rev 7 (received 9 July 2015);
  - Gatehouse Details – 368-125 Rev 4 (received 9 July 2015);
  - Landscape Concept Sections – 02 Rev B (received 9 July 2015);
  - Flood Risk Assessment & Drainage Strategy July 2015 – R14791/F001 (received 9 July 2015);
  - Proposed Warehouse Plan Plot 1 (20m Haunch) – 3668-117 Rev 5 (received 16 March 2015);
  - Proposed Sections Plot 1 (20m Haunch) – 3668-115 Rev 2 (received 16 March 2015);
  - Proposed Roof Plan Plot 1 (20m Haunch) – 3668-126 Rev 4 (received 16 March 2015);
  - Proposed Warehouse Plan Plot 2 (10m Haunch) – 3668-118 Rev 4 (received 16 March 2015);
  - Proposed Sections Plot 2 (10m Haunch) – 3668-119 Rev 2 (received 16 March 2015);
  - Proposed Roof Plan Plot 2 (10m Haunch) – 3668-127 Rev 3 (received 16 March 2015);
  - Landscape Design Statement – 1525/15/RP01 Rev B (received 16 March 2015);
  - 5 Year Soft Landscape Works Maintenance and Management Proposals – 1525/15/RP02 Rev B (received 16 March 2015);
  - Tree Survey Report dated February 2015 (received 16 March 2015); and
  - Waste Audit dated May 2015, received 6 May 2015

Reason: For the avoidance of doubt.

## INFORMATIVES

- 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 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), the Minerals and Waste Local Plan (2005), and Bedford Borough, Central Bedfordshire and Luton Borough Council's Minerals and Waste Local Plan: Strategic Sites and Policies (2014), the emerging Development Strategy for Central Bedfordshire (DSCB) and the

NPPF.

- 3 Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.
- 4 As the site is of long historic use there may be unexpected materials or substances in, on or under the ground. It is the responsibility of the Applicant to ensure safe and secure conditions, so any indications of potential contamination issues encountered during construction should be forward 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).
- 5 The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.
- 6 The applicant is advised that in order to comply with the conditions of 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.
7. The development of the site is subject to a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional consultation/publicity responses, additional comments and amended conditions as detailed in the Late Sheet appended to these minutes as follows:
  - a. CBC Tree and Landscape dated 7 September 2015
  - b. A new government policy statement relating to intentional unauthorised development and Green Belt protection was published on 31 August 2015.
  - c. Revised landscape concept plan and letter received 1 September 2015
  - d. Conditions 7 and 9 were amended to refer to the revised Landscape Concept Plan – 01 Rev L.]

**Item No. 14**

<b>APPLICATION NUMBER</b>	<b>CB/15/02666/FULL</b>
<b>LOCATION</b>	<b>226 Heath Road, Leighton Buzzard, LU7 3AY</b>
<b>PROPOSAL</b>	<b>Proposed new dwelling including demolition of a part of the existing dwelling</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Leighton Buzzard North</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Johnstone, Spurr &amp; Ferguson</b>
<b>CASE OFFICER</b>	<b>Donna Lavender</b>
<b>DATE REGISTERED</b>	<b>14 July 2015</b>
<b>EXPIRY DATE</b>	<b>08 September 2015</b>
<b>APPLICANT</b>	<b>Jackson Lane Homes Ltd</b>
<b>AGENT</b>	<b>A. P Whiteley Consultants Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Ward Councillor Spurr on grounds of overdevelopment, detrimental impact on the landscape character of the area and privacy.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Recommend for Approval</b>

**Recommendation:**

That Planning Permission be APPROVED 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 dwellinghouse should be constructed and finished with the materials as indicated on drawing no. JLH/21507/MODPLAN1 unless otherwise approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: To control the appearance of the building in the interests of the visual amenities of the locality.**  
**(Policies BE8 S.B.L.P.R & 43, D.S.C.B)**
- 3 A scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the proposed dwellinghouse is occupied and shall be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.  
(Policies BE8 S.B.L.P.R & 43, D.S.C.B)

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

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and to control the overall height of the proposed building. Failure to agree levels prior to development could result in unacceptable heights of the proposed dwellinghouse on completion resulting an unacceptable dominance not anticipated by this development.**

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

- 5 **Prior to development, an appropriate Landscape Protection Method Statement, Landscape Protection Plan and Landscape Strategy shall be submitted to the Local Planning Authority for approval, clearly showing the build specification for protective fencing and all related good working practices, which shall be in accordance with BS 5837 : 2012 "Trees in relation to design, demolition and construction" and a net gain to biodiversity. The positioning of the fencing shall be erected to protect the natural canopy spread and root protection areas of all boundary planting, including trees, hedging and shrubs. The approved Landscape Protection Plan, Method Statement and Strategy shall then be fully implemented before the commencement of any site construction works, and the approved fencing shall remain firmly in place throughout the entire course of development.**

**REASON : To ensure that a satisfactory standard of landscape protection is fully implemented in the interests of maintaining the health, natural canopy spread and screening value of all boundary planting. Failure to secure these details prior to commencement of development could result in the unreasonable loss of mature trees and landscape that add amenity value and screening (Policy BE8 S.B.L.P.R and 57 & 58 D.S.CB)**

- 6 **Before the development hereby permitted is first occupied or brought into use, the scheme for access including appropriate visibility splays, parking, garaging and manoeuvring shown on Drawing No LJHL/21507/LAYOUTMOD1 shall be laid out, drained and surfaced in accordance with details previously submitted to and approved in writing by the Local Planning Authority and those areas shall not thereafter be used for any other purpose.**

**Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway. (Policy 43 D.S.C.B)**

- 7 **The dwelling hereby approved shall not be occupied until details of the bin storage & collection point has been submitted to and approved in writing by the Local Planning Authority and the bin storage/collection areas have been implemented in accordance with the approved details. The bin storage & collection point shall be retained thereafter.**

Reason: In the interest of amenity.  
(Policy 43 D.S.C.B)

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers LJHL/21507/LAYOUTMOD1, LJHL/21507/COMPARE1 & JLH/21507/MODPLAN1.

Reason: To identify the approved plan/s 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 no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.
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 a deed of covenant was attached to the deeds of properties within Heath Road restricting development which consists of

digging, excavation and further building. This deed is accepted as a legal requirement and the applicant is advised to respond to this covenant prior to commencement of any works and may wish to seek legal advice in this respect.

7. Preliminary demolition work on the buildings should be undertaken with care, especially when removing the roof tiles of the garage, and if any bats or evidence of them is discovered, work will stop and Natural England contacted for advice, and if necessary, a licence will be obtained before work proceeds. Prior to any tree surgery or felling work that may be required on the dying oak along the eastern boundary, the ivy should be removed from it and any hidden cavities inspected beforehand to look for any evidence of roosting bats.

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

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) 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 were advised of amendments to the report, additional consultation/publicity responses and additional comments for other considerations as detailed in the Late Sheet from the following:
  - a. The Summary of Recommendation was revised to refer to BE8 rather than BE6.
  - b. Paragraphs 2.3 and 2.5 were amended.
  - c. Additional consultation/publicity responses were received from 4 Shenley Close, 14 St Leonards Close and Leighton Linlade Town Council
  - d. Additional comments for other consideration related to the Deed of Covenant.
  - e. Additional informatives 6 and 7 were added.]

**Item No. 15**

**APPLICATION NUMBER** CB/15/02223/OUT  
**LOCATION** Former site of Windy Willows Nursery, Sundon Road, Houghton Regis  
**PROPOSAL** Demolition of existing site buildings and proposed residential redevelopment comprising up to 30 new homes (Resubmission of application CB/15/00524/OUT)  
**PARISH** Houghton Regis  
**WARD** Parkside  
**WARD COUNCILLORS** Cllr Ryan  
**CASE OFFICER** Stuart Robinson  
**DATE REGISTERED** 15 June 2015  
**EXPIRY DATE** 14 September 2015  
**APPLICANT** Southern & Regional Limited  
**AGENT** Phillips Planning Services Limited  
**REASON FOR COMMITTEE TO DETERMINE** Departure from Development Plan and Town Council objection to a major application

**RECOMMENDED DECISION** That, the Development Infrastructure Group Manager be authorised to GRANT Planning Permission subject to the prior consultation of the Secretary of State, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the completion of a prior Section 106 Agreement and subject to conditions.

**Recommendation**

That, the Development Infrastructure Group Manager be authorised to GRANT Planning Permission subject to the prior consultation of the Secretary of State, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the completion of a prior Section 106 Agreement to secure planning obligations as summarised in this report and subject to conditions:

**RECOMMENDED CONDITIONS / REASONS**

- 1** Approval of the details of the appearance, landscaping, layout and scale (herein called 'the reserved matters') of the development shall be obtained in writing from the local planning authority before development is commenced in that area. The development shall be carried out in accordance with the approved details.

**Reason:** To comply with Article 4 (1) of the Town and Country Planning (Development Management Procedure) Order 2015. This information is required prior to commencement of the development as it will provide the detail necessary for this development to be delivered.

- 2 Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission. The development shall begin no later than two years from the approval of the final reserved matters.

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.

- 3 **No development shall commence until a detailed surface water drainage scheme for the site, with detailed design, management and maintenance plans, has been submitted to and approved in writing by the Local Planning Authority. The detailed design must be based on sustainable principles, the national Non-statutory Technical Standards for Sustainable Drainage Systems and a detailed site-specific assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented prior to first occupation of the development in accordance with the approved details before the development is completed.**

**Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 49 of the emerging Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014. This condition must be approved prior to construction as the construction of the development prior to the implementation of the surface water drainage scheme may have a detrimental impact upon the surface water drainage of the site and the surrounding area.**

- 4 **Prior to the first occupation of the development a scheme of highways improvement works has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details regarding improvements to footways/cycleways , including connectivity to establish shared footways/cycleways to the existing urban area of Houghton Regis to the west. The submission shall also include a timetable for the implementation of any necessary works. The works shall be carried out in accordance with the agreed timetable.**

**Reason: To ensure that the proposed highways improvement works are appropriate and proportional to the mitigation required and are constructed to adequate standard and that public rights of way are protected, enhanced and promoted as part of the development in accordance with Policy R14 of the South Bedfordshire Local Plan Review and Policies 23 and 43 of the emerging Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014. These details are required prior to occupation of the development in order to establish sustainable transport routes to the existing settlement.**



- 5** No development shall commence until the following documents have been submitted to and approved in writing:
- (a)** A Phase 2 investigation report as recommended by the previously submitted February 2015 Nott Group Desk Study Report.
  - (b)** Remediation Method Statement if the Phase 2 investigation report discovers the need for remediation.

**Reason:** To protect and prevent risks to human health, groundwater and the wider environment in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 49 of the emerging Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014. Details are required prior to commencement of development in order to identify any issues and appropriate mitigation which may impact the construction of the development.

- 6** Prior to the first occupation of the development a Validation Report (including photographs and depth measurements) shall be submitted to and approved in writing by the Local Planning Authority. Any unexpected contamination discovered during works should be brought to the Attention of the Local Planning Authority.

**Reason:** To protect and prevent risks to human health, groundwater and the wider environment in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 49 of the emerging Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014. Details are required prior to occupation of the development in order to confirm that any contamination has been appropriately managed and to ensure that further mitigation is not required while residents are present.

- 7** No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of:

- a)** Construction Activities and Timing;
- b)** Plant and Equipment, including loading and unloading;
- c)** Construction traffic routes and points of access/egress to be used by construction vehicles;
- d)** Details of site compounds, offices and areas to be used for the storage of materials;
- e)** Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;
- f)** Details for the monitoring and review of the construction process including traffic management (to include a review process of the CEMP during development).

**Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site.**

**The development hereby permitted shall be carried out only in accordance with the approved CEMP.**

**Reason: To ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period and in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 44 of Development Strategy for Central Bedfordshire. These details are required prior to construction of the development as the details will directly influence how the construction is managed.**

- 8 The development shall source 10% of the energy demand from renewable or low carbon sources as a minimum.

Reason: To ensure that the development achieves high energy standards, to mitigate the impacts of climate change and to deliver sustainable and resource efficient development in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 47 of the emerging Development Strategy for Central Bedfordshire and in accordance with Section 10 of the National Planning Policy Framework.

- 9 **No development shall commence until a scheme of habitat mitigation, enhancement and conservation measures has been submitted to and approved in writing by the Local Planning Authority. The schemes of habitat mitigation shall be informed by the Ecological Appraisal (June 2015) and shall include:**
- (a) General construction safeguards and measures**
  - (b) Safeguards in respect of roosting bats, hedgehogs and nesting birds**
  - (c) Details of a sensitive lighting scheme**
  - (d) Provision of invertebrate dead wood piles**
  - (e) Provision of bat boxes**
  - (f) Provision of bird boxes**

**The development hereby permitted shall be carried out only in accordance with the approved details.**

**Reason: To ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period and in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 44 of the emerging Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014. These details are required prior to construction of the development as the details will directly influence how the construction is managed.**

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

**Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to secure the protection and management of archaeological remains in accordance with paragraph 141 of the National Planning Policy Framework. Details are required prior to commencement of development so that the development does not unavoidably affect the heritage assets with archaeological interest before they can be protected and managed.**

- 11 **No dwelling hereby permitted shall be occupied until a scheme for the provision of waste receptacles has been submitted to and agreed in writing by the local planning authority. The receptacles shall be provided before occupation takes place.**

**Reason: To provide sufficient provision for secure and appropriate storage and removal of waste in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 44 of the Development Strategy for the emerging Central Bedfordshire Revised Pre-Submission Version June 2014. These details are required prior to occupation of the development in order to guarantee that waste storage and removal can take place when the development is occupied.**

- 12 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, Project Number: 093992, Drawing No. 15-01 and 15-05 and Drawing No. 1321-01.

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

### **Notes to Applicant**

- 1 The applicant must note that the application site has several significant constraints which have an impact upon the future design of the layout and the wider development. The applicant must note that indicative layout's proposed connections through to neighbouring sites to provide sustainable access to the Houghton Regis North Strategic Allocation. Any detailed layout should incorporate this element.
- 2 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).
- 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.
- 4 In accordance with Article 31 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).

- 5 Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.
- 6 The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.
- 7 The applicant is advised that in order to comply with the conditions of 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.
- 8 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.
- 9 The development of the site is subject to a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 10 There is a duty on the applicant to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

[Notes:

In advance of consideration of the application the Committee were advised of the following:

1. Additional comment relating to a new government policy statement relating to intentional unauthorised development and Green Belt protection which was published on 31 August 2015.
2. Condition 4 was revised as above.]



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**Item No. 8**

<b>APPLICATION NUMBER</b>	<b>CB/15/02304/FULL</b>
<b>LOCATION</b>	<b>52 Clifton Road, Henlow, SG16 6BL</b>
<b>PROPOSAL</b>	<b>Demolition of existing storage building &amp; erection of 8 No. 3 bed houses with carport and associated parking</b>
<b>PARISH</b>	<b>Henlow</b>
<b>WARD</b>	<b>Arlesey</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dalgarno, Shelvey &amp; Wenham</b>
<b>CASE OFFICER</b>	<b>Alex Harrison</b>
<b>DATE REGISTERED</b>	<b>25 June 2015</b>
<b>EXPIRY DATE</b>	<b>20 August 2015</b>
<b>APPLICANT</b>	<b>Skillmaster Limited</b>
<b>AGENT</b>	<b>Pentangle Design Group</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Cllr Wenham</b> <ul style="list-style-type: none"><li>• <b>Gardens not compliant with design guide</b></li><li>• <b>Front dwellings forward of building line, disrupting streetscene</b></li><li>• <b>Not clear if exit onto Clifton Rd is compliant with highways requirements for width, visibility etc</b></li><li>• <b>Henlow PC have objected</b></li></ul>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

**Recommendation:**

That Planning Permission be granted subject to the following:

**RECOMMENDED CONDITIONS / REASONS**

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

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

- 2 No works on the construction of the dwellings hereby approved shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.

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

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

- 4 Notwithstanding the details in the approved plans, none of the dwellings hereby approved shall be occupied until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping.

- 5 None of the dwellings hereby approved shall be occupied until a scheme has been submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected which shall include acoustic fencing on the western boundary of the site. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied and be thereafter retained.

Reason: To safeguard the amenities of the neighbouring occupants and the future occupiers of the buildings.

- 6 None of the dwellings hereby approved shall be occupied until all access and junction arrangements serving the development have been completed in accordance with the approved plans and all other existing access points within the highway frontage of the site have been stopped-up by raising the existing dropped kerb and reinstating the footway to the same line, level and detail as the adjoining footway.

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

- 7 **No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of a Construction Traffic Management Plan which details access**



**arrangements for construction vehicles, on-site parking and loading and unloading areas, materials storage areas and wheel cleaning facilities. The construction of the development hereby approved shall then be carried out in accordance with the approved details.**

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

- 8 The development shall not be occupied or brought into use until the parking scheme shown on Drawing No. 3176 3 Rev A has been completed. The scheme shall thereafter be retained for this purpose.

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

- 9 **No development shall take place unless and until the following have been submitted to and approved in writing by the Local Planning Authority:**

**a) A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.**

**b) Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling.**

**c) Where shown to be necessary by the Phase 2 Desk Study, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.**

**Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.**

**The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.**

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

**Reason: The details are required prior to commencement to protect human health and the environment in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).**

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 3176 01 Rev A, 3176 02, 3176 03 Rev B, 3176 07 Rev B, 3176 08 Rev A, 3176 09 Rev D, 3176 10 Rev C, 3176 11 Rev B, 3176 16 and 3176 17

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.
  
2. In respect of conditions 8 and 9, applicants are reminded that:
  - Should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.
  - The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.
  - The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.

There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.
  
3. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

4. The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.
5. The applicant is advised that Central Bedfordshire Council as highway authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.
6. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

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

Discussion with the applicant to seek an acceptable solution regarding the scale of dwellings took place and amended plans were submitted. 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) Order 2015.

[Note:

In advance of consideration of the application the Committee were advised of an additional consultation/publicity response as detailed in the Late Sheet appended to these minutes:

- a. Henlow Parish Council's comments had been omitted from the report and were now attached;
- b. Condition 10 was amended for a revised drawing.]

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## 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 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**.

3. 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.
4. 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 further details can be obtained from Bedfordshire Highways (Amey), District Manager (for the relevant area) via the Central Bedfordshire Council's Customer Contact Centre on 0300 300 8049.
5. The contractor and / or client are to ensure that any building material debris such as sand, cement or concrete that is left on the public highway, or any mud arising from construction vehicular movement, shall be removed immediately and in the case of concrete, cement, mud or mortar not allowed to dry on the highway

### **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. 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.