

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 25 May 2016

### PRESENT

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

Cllrs M C Blair  
Mrs S Clark  
K M Collins  
S Dixon  
F Firth  
E Ghent

Cllrs C C Gomm  
K Janes  
T Nicols  
I Shingler  
J N Young

Members in Attendance: Cllrs B Saunders  
R C Stay,

Officers in Attendance:	Miss H Bell	Committee Services Officer
	Mr M Cornell	Principal Highway Engineer
	Mrs N Darcy	Senior Planning Officer
	Mr A Davie	Development Infrastructure Group Manager
	Mr A Emerton	Senior Lawyer Planning, LGSS Law Limited
	Mr D Hale	Planning Manager South
	Mrs C Jagusz	Committee Services Administrator
	Mr D Lamb	Planning Manager East
	Mr N Smith	Senior Planning Officer
	Mr B Tracy	Planning Officer
	Mr P Vosper	Principal Planning Officer
	Miss D Willcox	Planning Officer

### DM/16/1. **Chairman's Announcements**

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

The Chairman advised Councillors and members of the Committee that the order of business would be varied as follows: 7,6,9,8 & 10.

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

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

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

DM/16/2. **Minutes**

**RESOLVED**

that the Minutes of the meeting of the Development Management Committee held on the 11 May 2016 be confirmed and signed by the Chairman as a correct record subject to an amendment to item No 7, application no CB/16/00739/FULL, Condition 5, to read as follows:

No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority for minor access improvement works to the junction of the site from Steppingley Road. This scheme shall be implemented within one month of occupation of the car park. Within 2 years of the occupation of the car park, a scheme shall be submitted to and approved in writing by the Local Planning Authority which seeks to permanently alter the junction to enhance pedestrian movements towards the Station, including a timescale for implementation. The scheme shall be implemented in accordance with the approved details and as set out in the approved timeframe.

**Reason:** To encourage sustainable forms of transport (Policy DM3, CSDM)

DM/16/3. **Members' Interests**

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

	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr K C Matthews	9	Know speaker public	Present

(b) **Pecuniary and/or Prejudicial Interests:-**  
**Member**

	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr Janes	6	Discussed application and predetermined decision	Absent

**Prior Local Council Consideration of Applications:-**  
None declared.

**DM/16/4. Planning Enforcement Cases Where Formal Action Has Been Taken**

**AGREED**

that the monthly update of planning enforcement cases as identified in the report where formal action had been taken were received.

**DM/16/5. Planning Application No. CB/15/01907/FULL**

**RESOLVED**

that Planning Application no. CB/15/01907/FULL relating to 4 Toddbury Farm, Slapton Road, Little Billington, Leighton Buzzard be approved as set out in the Schedule appended to these Minutes.

**DM/16/6. Planning Application No. CB/16/00637/FULL**

**RESOLVED**

that Planning Application no. CB/16/00637/FULL relating to 165A Castle Hill Road, Totternhoe, Dunstable be refused as set out in the Schedule appended to these Minutes.

**DM/16/7. Planning Application No. CB/15/04872/OUT**

**RESOLVED**

that Planning Application no. CB/15/04872/OUT relating to Land rear of 43 to 91 Silver Birch Avenue South of Alder Green and Aspen Gardens, Stotfold be refused as set out in the Schedule appended to these Minutes.

**DM/16/8. Planning Application No. CB/16/01476/FULL**

**RESOLVED**

that Planning Application no. CB/16/01476 relating to The Harrow PH Carpark, Woodside Road, Luton be delegated to the Group Infrastructure Development Manager to approve as set out in the schedule appended to these minutes.

DM/16/9. **Planning Application No. CB/16/01250/FULL**

**RESOLVED**

**that Planning Application no. CB/16/01250/FULL relating to Green Hythe, Standalone Warren, Haynes be approved as set out in the Schedule appended to these Minutes.**

DM/16/10. **Site Inspection Appointment(s)**

**RESOLVED**

**that all members of the Committee be invited to conduct site inspections on Monday 20 June 2016.**

DM/16/11. **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.

(Note: The meeting commenced at 10.00 a.m. and concluded at 1.16 p.m.)

Chairman .....

Dated .....

<b>Item No. 7</b>
-------------------

<b>APPLICATION NUMBER</b>	<b>CB/15/01907/FULL</b>
<b>LOCATION</b>	<b>4 Toddbury Farm, Slapton Road, Little Billington, Leighton Buzzard, LU7 9BP</b>
<b>PROPOSAL</b>	<b>Permission is sought for three additional residential caravans for three Gypsy Traveller families. The site to contain four static caravans, parking for eight vehicles and associated hardstanding and water treatment plant. Retention of workshop building</b>
<b>PARISH</b>	<b>Billington</b>
<b>WARD</b>	<b>Eaton Bray</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Janes</b>
<b>CASE OFFICER</b>	<b>Peter Vosper</b>
<b>DATE REGISTERED</b>	<b>19 May 2015</b>
<b>EXPIRY DATE</b>	<b>14 July 2015</b>
<b>APPLICANT</b>	<b>Mr &amp; Mrs McCarthy</b>
<b>AGENT</b>	<b>BFSGC</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The Development Infrastructure Group Manager recommends that the application be determined at Committee given the public interest and the objections lodged by Billington Parish Council and Slapton Parish Council</b>
<b>RECOMMENDED DECISION</b>	<b>Full application - Recommended for Approval</b>

**Recommendation**

That Planning Permission be GRANTED subject to the following:

**RECOMMENDED CONDITIONS**

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

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

- 2 The business use of the premises hereby permitted shall only be operated by those persons named on the permission hereby granted or on a relevant planning permission as being permitted to reside on the adjoining Toddbury Farm, Traveller Site.

Reason: The Local Planning Authority considers that the personal circumstances of the applicant and adjoining Traveller site override the planning objections which would normally compel the authority to refuse permission for the development hereby permitted.  
(Section 9, National Planning Policy Framework)

- 3 No caravan located on the Site shall be occupied for residential purposes by persons other than Gypsies and Travellers, as defined in annexe 1 of Planning Policy for Traveller Sites 2015.

Reason: To ensure that the occupation of the residential caravans on the site is restricted to Gypsies and Travellers.

(Section 9, National Planning Policy Framework)

- 4 The occupation of the residential caravans on the Site hereby permitted shall be limited to the following persons and his/her dependant relatives:

1. Patrick Nolan
2. Kathleen Nolan
3. James Nolan
4. Barbara Nolan

Reason: In recognition of the location of the site in the Green Belt and the "very special circumstances" case accepted.

(Section 9, National Planning Policy Framework)

- 5 No more than four caravans, of which up to four can be static caravans, shall be located on the Site and occupied for residential purposes.

Reason: In recognition of the location of the site in the Green Belt and the "very special circumstances" case accepted.

(Section 9, National Planning Policy Framework)

- 6 In the event that a residential caravan ceases to be occupied by those named and identified in Condition 4 above the residential use hereby permitted shall cease and that residential caravan shall be removed from the Site within 28 days of that date.

Reason: In recognition of the location of the site in the Green Belt and the "very special circumstances" case accepted.

(Section 9, National Planning Policy Framework)

- 7 **The uses hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the Local Planning Authority and the scheme has been implemented accordingly.**

**Reason: To demonstrate that discharge to the nearby watercourse would be attenuated to greenfield run-off rates and to protect and prevent the pollution of controlled waters (particularly the Secondary aquifer and River Ouzel to the south of the site) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework.**

**(Section 11, National Planning Policy Framework)**

- 8 **Before the premises are occupied, details of surfacing for all on-site vehicular areas shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with the approved details to ensure satisfactory parking of vehicles outside highway limits.**

**Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.**

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

**(Policy BE8, S.B.L.P.R)**

- 9 **Before development begins, a landscaping scheme to include any hard surfaces and earth mounding, and hedgerow planting of the 2m strip located on the northern boundary of the site as shown on plan PP-04187533, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**

**Reason: To ensure a satisfactory standard of landscaping in this rural, Green Belt location.**

**(Policy BE8, S.B.L.P.R and Sections 7 and 9, National Planning Policy Framework)**

- 10 **The proposed vehicular access shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 10m into the site, measured from the highway boundary, before the premises are occupied. Arrangement shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.**

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

- 11 **The business use hereby permitted shall not be undertaken outside the hours of 08:00 to 18:00 on Mondays to Fridays and outside the hours of 08:00 to 14:00 on Saturdays, Sundays, Bank and Public Holidays.**

**Reason: To protect the amenities of the area.**

**(Policy BE8 S.B.L.P.R)**

- 12 **The business premises shall only be used for vehicle, mobile home and caravan repairs with ancillary sales and no other purpose (including any other purpose falling within Class B2 or A1 of the Schedule to the Town and Country Planning (Use Classes) Order 2006), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.**

**Reason: To control the development in the interests of amenity.**

**(Policy BE8 S.B.L.P.R)**

- 13 No vehicles, goods, waste or other materials shall be stored, stacked or deposited outside the buildings to a height exceeding 2 metres, excepting where the height of a single vehicle or mobile home is higher.

Reason: To safeguard the amenities of the area and Green Belt.  
(Policy BE8, S.B.L.P.R and Sections 7 and 9, National Planning Policy Framework)

- 14 The uses hereby permitted shall not commence until the parking arrangements for cars, commercial vehicles and mobile homes, and turning areas, within the confines of the site shown on drawing no. PP-04187533 have been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and the parking shall thereafter be retained for such use.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway.  
(Policies BE8 & T10 S.B.L.P.R)

- 15 No residential caravan shall be positioned on the site until the northernmost workshop building has been demolished and the resulting debris removed from the site.

Reason: In order to control the development and to protect the openness of the Green Belt. (Section 9, National Planning Policy Framework).

- 16 This consent relates only to the details shown on the submitted plans, numbers PP-02910172 and PP-04187533

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

## INFORMATIVE 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 National Planning Policy Framework (NPPF).
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. In respect of condition 9, the hedge specimens should be made up of "Transplants" of a size category being 60 to 90 cm, with the hedge planted as a double staggered row, with each row set 500mm apart, and the transplants set 500mm apart in each row. This will provide for a good, thick, dense and strong hedge. The following mixture is recommended:-  
50% Hawthorn (*Crataegus monogyna*)  
30% Blackthorn (*Prunus spinosa*)



10% Dogwood (*Cornus sanguinea*)  
10% Spindle (*Euonymus europaeus*)

**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 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 additional consultation received from The Tree and Landscape Officer, Buckingham & River Ouzel Internal Drainage Board and one further letter of objection.

This page is intentionally left blank

## Item No. 6

<b>APPLICATION NUMBER</b>	<b>CB/16/00637/FULL</b>
<b>LOCATION</b>	<b>165A Castle Hill Road, Totternhoe, Dunstable, LU6 1QQ</b>
<b>PROPOSAL</b>	<b>Demolition of buildings and redevelopment for 20 dwellings, an estate road, open space and associated works.</b>
<b>PARISH</b>	<b>Totternhoe</b>
<b>WARD</b>	<b>Eaton Bray</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Janes</b>
<b>CASE OFFICER</b>	<b>Nicola Darcy</b>
<b>DATE REGISTERED</b>	<b>09 March 2016</b>
<b>EXPIRY DATE</b>	<b>08 June 2016</b>
<b>APPLICANT</b>	<b>Taylor French Developments Ltd</b>
<b>AGENT</b>	<b>Wilbraham Associates Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Cllr Ken Janes - Public interest with the support of the Parish Council.</b>

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

### **Recommendation**

That Planning Permission be REFUSED for the following reasons:

### **RECOMMENDED REASONS**

- 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 (NPPF). The proposal would spread built development across the whole site, including an undeveloped and open area of the site and as such would have a greater impact on the openness of the Green Belt and would be more intrusive in the landscape than the existing buildings, therefore the proposal would be inappropriate within the meaning of the NPPF. The very special circumstances put forward do not 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 Section 9 to the National Planning Policy Framework (NPPF).
- 2        The limited facilities within Totternhoe are likely to result in additional journeys by private car to other locations to access health, retail and leisure opportunities. The proposal is not considered to be sustainable development and therefore is contrary to the National Planning Policy Framework and Policy SD1 of the South Bedfordshire Local Plan Review.

- 3 Insufficient information has been provided to enable a proper assessment of the proposal in terms of landscape and visual impact. The site extends to open countryside and the proposal would introduce a new urban edge into the landscape, detrimental to the rural landscape of the locality. The proposed landscaping is inadequate to ensure integration or appropriate wildlife habitat. At present the proposal conflicts with the National Planning Policy Framework (NPPF) and policy BE8 of the South Bedfordshire Local Plan Review.
- 4 The proposed development would have inadequate garden sizes and would result in a cramped form of development which would be incongruous and out of character with the existing uniform grain of development and with adjoining dwellings in the locality, exacerbated by the close proximity of the proposed development against the eastern boundary hedgerow which would result in the likely loss of the hedgerow which provides significant greening and visual screening of the site. The visual impact of the proposed development would also be exacerbated by the gradient of the land and thereby would be harmful to the visual amenities of the countryside and to the character of the area. The proposal therefore fails to conform with policy BE8 of the South Bedfordshire Local Plan Review, the Central Bedfordshire Design Guide and Section 7 of the National Planning Policy Framework (NPPF).

#### **INFORMATIVE NOTES TO APPLICANT**

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

#### **Statement required by the Town and Country Planning (Development Management Procedure) (England) 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 the consideration of the application the Committee received representations made under the Public Participation Scheme.
- (2) In advance of the consideration of the application the Committee were advised of additional consultation received from an adjacent occupier and The Agent.

<b>Item No. 9</b>
-------------------

<b>APPLICATION NUMBER</b>	<b>CB/15/04872/OUT</b>
<b>LOCATION</b>	<b>Land rear of 43 to 91 Silver Birch Avenue South of Alder Green and Aspen Gardens, Aspen Gardens, Stotfold</b>
<b>PROPOSAL</b>	<b>Outline application for the development of up to 100 houses with all matters reserved except for access.</b>
<b>PARISH</b>	<b>Stotfold</b>
<b>WARD</b>	<b>Stotfold &amp; Langford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dixon, Saunders &amp; Saunders</b>
<b>CASE OFFICER</b>	<b>Nikolas Smith</b>
<b>DATE REGISTERED</b>	<b>21 December 2015</b>
<b>EXPIRY DATE</b>	<b>21 March 2016</b>
<b>APPLICANT</b>	<b>Taylor Wimpey Strategic Land</b>
<b>AGENT</b>	<b>DLP Planning Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>This is a major application to which the Town Council has objected</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - approval</b>

**Recommendation:**

That Planning Permission is approved subject to the successful completion of a legal agreement reflecting the terms set out above and the following conditions:

That the application be refused for the following reasons:

1. The development by reason of its location would represent the encroachment of built development into the countryside, thereby causing harm to the character and appearance of the site as a result of urbanisation of the open countryside, would cause harm to the wider landscape, and result in the loss of Best and Most Versatile Agricultural Land, contrary to Policies CS14, CS16, DM3, DM4 and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009), the Central Bedfordshire Design Guide (2014) and the National Planning Policy Framework (2012). Together, these adverse impacts would significantly and demonstrably outweigh the benefits of the development.

**Notes**

- (1) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.
- (2) In advance of the consideration of the application the Committee were advised of additional consultation received from the County Archaeologist.

This page is intentionally left blank

<b>Item No. 8</b>
-------------------

<b>APPLICATION NUMBER</b>	<b>CB/16/01476/FULL</b>
<b>LOCATION</b>	<b>The Harrow PH Carpark, Woodside Road, Woodside, Luton, LU1 4DQ</b>
<b>PROPOSAL</b>	<b>Erection of a single storey dwelling on the site of the redundant carpark of 'The Harrow' public house.</b>
<b>PARISH</b>	<b>Slip End</b>
<b>WARD</b>	<b>Caddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Collins &amp; Stay</b>
<b>CASE OFFICER</b>	<b>Debbie Willcox</b>
<b>DATE REGISTERED</b>	<b>14 April 2016</b>
<b>EXPIRY DATE</b>	<b>09 June 2016</b>
<b>APPLICANT</b>	<b>Mr Rooney</b>
<b>AGENT</b>	<b>Butler</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called-in by Cllr Stay for the following reasons:</b> <ul style="list-style-type: none"><li>• The proposal is entirely in keeping with current policies;</li><li>• The proposal is in keeping with and will enhance the existing village scene;</li><li>• The proposal does not impact on neighbouring properties;</li><li>• The parking is adequate;</li><li>• The design is in keeping with local housing;</li><li>• A fully supported application which will complete the conversion of the former public house and tidy up a local eyesore.</li></ul>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Recommended for Refusal</b>

Delegated Decision: DM/16/8

That the authority be delegated to the Group Infrastructure Development Manager to approve the application subject to the following conditions and informatives.

**RECOMMENDED CONDITIONS**

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

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

- 2 No work shall take place on the construction of the walls and roof of the development, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the dwelling 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 building in the interests of the visual amenities of the locality.

(Policy BE8, SBLPR and Section 7, NPPF)

- 3 No hard or soft landscaping shall be installed 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.

(Policy BE8, SBLPR and Sections 7 & 11, NPPF)

- 4 Notwithstanding the provisions of Part 1, Class A, B, C and D of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or alterations to the dwelling hereby permitted shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the external appearance and bulk of the dwelling in the interests of the openness of the Green Belt.

(Section 9, NPPF)

- 5 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures other than that shown on approved drawing no. DDBP-0099 Sheet 1 shall be erected or constructed within the curtilage of the property without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the development in the interests of the openness of the Green Belt. (Section 9, NPPF)

- 6 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 dwelling is first occupied and shall be retained thereafter. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional fences, gates, walls or other means of enclosure shall be erected within the curtilage of the dwelling or adjacent to Public Footpath No. 4



without the grant of further specific planning permission from the Local Planning Authority.

Reason: To safeguard the appearance of the completed development, the public footpath and the openness of the Green Belt.  
(Policy BE8, SBLPR and Sections 7, 9 & 11 NPPF)

- 7 **Notwithstanding the submitted details, no development shall take place until details of the existing and proposed final ground and slab levels of the dwelling, shed and the final proposed levels of the garden 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: The condition must be discharged prior to commencement to ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.**  
(Policy BE8, SBLPR and Section 7, NPPF)

- 8 The cycle / storage shed and the bin store shown on approved drawing no. DDBP-0099 Sheet 1 shall not be constructed until details of these buildings have been submitted to and approved in writing by the Local Planning Authority. The cycle / storage shed and the bin store shall be constructed in accordance with the approved details prior to occupation of the dwelling hereby approved and shall be retained thereafter.

Reason: In the interest of the visual amenities of the area.  
(Policy BE8, SBLPR and Section 7, NPPF)

- 9 Prior to the occupation of the dwelling on the site, a scheme for the provision of waste receptacles for the dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The receptacles shall be provided before first occupation takes place.

Reason: In the interest of residential amenity and to reduce waste generation in accordance with the Council's Minerals and Waste Local Plan 2014, Policy WSP5 and the adopted SPD "Managing Waste in New Developments" (2006).

- 10 **No development shall take place until a scheme for the repositioning of the public footpath sign has been submitted to and agreed in writing by the Local Planning Authority and the sign has been repositioned in accordance with the approved details.**

**Reason: The sign must be repositioned prior to the commencement of the development to protect the amenity of users of the public footpath, including during the construction phase of the development.**  
(Policy BE8, SBLPR and Section 8, NPPF)

- 11 If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

Reason: To protect human health and the environment.  
(Section 11, NPPF)

- 12 **The amended rear access to the dwellings known as 1 & 2 Whyley Cottages shown on approved drawing no. DDBP-0099 Sheet 1 shall be provided and brought into use prior to the commencement of development and shall be maintained in perpetuity thereafter. The access shall not be provided until details of the construction and surfacing of the vehicular access have been submitted to and approved in writing by the Local Planning Authority. These details shall include arrangements 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. The access shall be constructed and surfaced in a stable and durable manner in accordance with the approved details for a distance of 5m into the site, measured from the highway boundary before the access is brought into use.**

**Reason: The condition must be discharged prior to commencement to ensure that off street car parking is maintained for the occupiers of Nos. 1 & 2 Whyley Cottages to prevent on-street parking in the interests of highway safety and to minimise danger, obstruction and inconvenience to users of the highway and the Cottages including during the construction period.  
(Policies BE8 & T10 and Section 4, NPPF)**

- 13 The amended vehicular access to Whyley Cottages shall not be brought into use until details of the junction of the proposed amended vehicular access with the highway have been submitted to and approved in writing by the Local Planning Authority and the junction has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.  
(Policy BE8, SBLPR and Section 4, NPPF)

- 14 Before the amended access to Whyley Cottages 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 in perpetuity free of any obstruction to visibility exceeding a height of 600mm above the adjoining foot way 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 BE8, SBLPR and Section 4, NPPF)

- 15 Before the amended access to Whyley Cottages is brought into use an area of land across the whole of the site frontage measuring at least 2.4m from and parallel to the nearside edge of the adjacent road carriageway shall be provided and thereafter be kept free of all obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the vehicular access and to make the accesses safe and convenient for the traffic which is likely to use it.  
(Policy BE8, SBLPR and Section 4, NPPF)

- 16 The amended access to Whyley Cottages shall not be brought into use until details showing the closing of any existing access within the highway frontage of the land to be developed, that is not incorporated in the accesses hereby approved, as shown on approved drawing no. DDBP-0099 Sheet 1, have been submitted to and approved in writing by the Local Planning Authority and the accesses have been closed in accordance with the approved details.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.  
(Policy BE8, SBLPR and Section 4, NPPF)

- 17 The dwelling hereby approved shall not be first occupied until all on site vehicular areas, including the parking scheme shown on approved drawing no. DDBP-0099 Sheet 1, have been surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits and arrangements have been made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway. The parking areas shall be retained as such thereafter.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.  
(Policy BE8 and Section 4, NPPF)

- 18 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, drawing number DDBP-0099 Sheet 1.

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

### **Informatives**

- 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 National Planning Policy Framework (NPPF).

- 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 Highways Department. Upon receipt of this Notice of Planning Approval, the applicant is advised to seek approval from the Local Planning Authority for details of the proposed vehicular access junction in accordance with condition 12. Upon formal approval of details, 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 including the public footpath signage (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. To fully discharge condition 12, the applicant must provide evidence to the Local Planning Authority that the Highway Authority have undertaken the construction in accordance with the approved plan, before development on the site takes place.
- 4 The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from The Street Works Co-ordinator, Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8049.
- 5 The applicant is advised that the closure of any existing access shall include the reinstatement of the highway to include any footway, verge and kerbing and no works associated with the closure 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 Highways Department. Upon receipt of this Notice of Planning Approval, the applicant is advised to seek approval from the Local Planning Authority for details of the closure of the redundant access in accordance with condition 16. Upon formal approval of details, 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. To fully discharge condition 16 the applicant should provide evidence to the Local Planning Authority that the Highway Authority have undertaken the construction works in accordance with the approved plan, before the development is brought into use. The applicant will also be expected to bear all costs involved in closing the access.

- 6 The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Bedfordshire County Council's "Cycle Parking Guidance – July 2010".
- 7 At no time during the construction phase of the development shall Public Footpath No. 4 be obstructed. If the construction activities will result in any obstruction to the public footpath, the applicant should contact the Council's Rights-of-Way Team on [rightsofway@centralbedfordshire.gov.uk](mailto:rightsofway@centralbedfordshire.gov.uk) to ascertain if the Public Footpath would have to be temporarily closed on public safety grounds. Contact must be made a minimum of six weeks prior to the obstruction of the footpath. The applicant will be responsible for all costs associated with temporary closure of the footpath.

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

In the Council's view the proposal was unacceptable in principle and the fundamental objections could not be overcome through dialogue. The applicant was invited to withdraw the application. The Council has therefore complied with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**NOTES**

In advance of the consideration of the application the Committee were advised of additional consultation received from the Council's archaeologist confirming that they have no objections to the application. In addition comments had been received from nearby residents. In addition the Committee noted that an amended application form had been submitted and accepted, which detailed the amendment to the applicant details.

This page is intentionally left blank

<b>Item No. 10</b>
--------------------

<b>APPLICATION NUMBER</b>	<b>CB/16/01250/FULL</b>
<b>LOCATION</b>	<b>Green Hythe, Standalone Warren, Haynes, Bedford, MK45 3QG</b>
<b>PROPOSAL</b>	<b>Single storey rear front and side extensions and infill covered porch to dwelling house, render and cladding to exterior of dwelling house, construction of a pitched roof to detached garage building, roof alterations and enlargements to the dwelling house including replacement of flat roof dormer with pitched roof, addition of front and rear dormers, installation of roof light in the front roof slope and installation of a velux roof balcony in the rear roof slope.</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>Benjamin Tracy</b>
<b>DATE REGISTERED</b>	<b>05 April 2016</b>
<b>EXPIRY DATE</b>	<b>31 May 2016</b>
<b>APPLICANT</b>	<b>Ms K Oellermann</b>
<b>AGENT</b>	<b>Wastell &amp; Porter Architects Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The application is made on behalf of a Senior Officer of the Council.</b>
<b>RECOMMENDED DECISION</b>	<b>Approve Planning Permission.</b>

**Recommendation:**

That Planning Permission be **GRANTED** 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 the materials illustrated on drawing number: PL01A, 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, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

- 3 No equipment, machinery or materials brought on to the site for the purposes of the development hereby permitted shall be stored within the root protection area of any tree for the full period of construction works for the development hereby approved.

Reason: To protect trees, in accordance with Policies CS16 and DM14 of the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework.

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: PL01A; PL02; and 01A.

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

### INFORMATIVE NOTES TO APPLICANT

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

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

The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991. Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax.

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

The website link is:

<http://www.centralbedfordshire.gov.uk/council-tax/bands/find.aspx>

### **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 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.



## **LATE SHEET**

### **DEVELOPMENT MANAGEMENT COMMITTEE – 25 MAY 2016**

#### ***Item 6 (Pages 15-40) – CB/16/00637/FULL – 165A Castle Hill Road, Totternhoe, Dunstable, LU6 1QQ***

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

Objection from 11 Castle Close, Totternhoe;

I am writing rather late in the day with concerns for the planned application for 20 houses at 165 Castle Hill Road. I'm not sure many local people are aware of this application and those I have spoken to recently are surprised that more letters haven't been sent to people affected by this plan.

We are lucky in Castle Close to have clear views across Eaton Bray and the Dunstable Downs, and unless drawings show otherwise this site will change/spoil this and for that reason we are surprised there hasn't been further consultation.

Currently this site has single storey buildings, the new site has up to 2.5 storey high houses planned which will be a major change to the landscape and will block many of its surrounding views. Surely single storey accommodation would suit the local area and prevent such an intrusion on the site. It seems the designers are just adding standard housing design to the site without regard to the immediate area.

There is a caravan site adjacent to it again with single storey accommodation. I assume one objection must be from the house directly in front of the proposed site.

How is access being provided for vehicles? The road is extremely busy and adding a roundabout will have to incorporate other speed measures to prevent it being a dangerous junction.

I don't know what decision will be taken and don't suppose this will make a difference but based on what information I have certainly object to its current design.

##### **Additional Comments**

In the 'Planning History' section, a pre-application enquiry was referred to. The conclusion of the response provided by the Council was as follows:

The proposed development would be inappropriate within the meaning of the NPPF. Paragraph 87 advises that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. Further advice at paragraph 88 is clear that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Policy BE8 requires all development to, amongst other things, complement and harmonise with surrounding development, to carefully consider setting and to have no adverse impact upon amenity. This criterion is echoed in Policy 43 of the emerging Development Strategy for Central Bedfordshire (D.S.C.B). The proposed dwellings, due to the number of units and position on the site would represent an encroachment into the Green Belt and as such, a revision is recommended, limiting the built form to the existing hard standing area and retaining the eastern portion of the site as open grassland.

### **Additional Information Received from the Agent**

The Agent has submitted some additional information in response to the matters raised within the Officer's committee report which is attached as an Appendix to this Late Sheet. There is no officer response required to this information except that the containers and caravans shown on the site photos were not present on the site at the time of the officer's site visit. Those containers and caravans are unlawfully sited and would require planning permission.

### ***Item 7 (Pages 41-62) – CB/15/01907/FULL – 4 Toddbury Farm, Slapton Road, Little Billington, Leighton Buzzard, LU7 9BP***

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

In response to revised block plan PP-04187533:

Trees and Landscape - Further to my previous comments dated 9<sup>th</sup> June 2015, I have examined the amended block plan and have no further comments to make.

Buckingham and River Ouzel Internal Drainage Board - I wish to reiterate the comments in our response to the previous planning for this site.

One further letter of objection received raising the following grounds:

- Already have our fair share of this nature of homes for Gypsies and Travellers.
- Quite unreasonable to grant any further permission for extensive large sites and increase in population.
- Dangerous driving along Slapton Road.

#### **Additional Comments**

The issues raised in the letter of objection were raised in previous neighbour objections and are discussed in the Considerations section of the Committee Report.

In the Considerations section - Part 6 Very Special Circumstances the following paragraph,

*'Patrick Nolan is a named occupant on the unimplemented planning permission CB/13/04368, but is not living at Toddbury Farm at present. Kathleen Nolan, Barbara Nolan and James Nolan are part of the extended family currently living on the main Toddbury Farm site, but are not named occupants on any of the planning permissions. The current application would help in regularising this situation, i.e. the main Toddbury Farm site would be occupied by Gypsy and Travellers with almost all then having named occupant status. Similarly the number of caravans at the site would be compliant. The additional regularisation of the remaining un-named occupants is currently being pursued in parallel to this application.'*

should be changed to ....

*'Patrick Nolan is a named occupant on the unimplemented planning permission CB/13/04368, but is not living at Toddbury Farm at present. Kathleen Nolan, and James Nolan are part of the extended family currently living on the main Toddbury Farm site, but are not named occupants on any of the planning permissions. Barbara Nolan is also part of the extended family, but is not currently living on the main Toddbury Farm site and is not a named occupant on any of the planning permissions. The current application would help in regularising this situation, i.e. the main Toddbury Farm site would be occupied by Gypsy and Travellers with almost all then having named occupant status. Similarly the number of caravans at the site would be compliant. The additional regularisation of the remaining un-named occupants is currently being pursued in parallel to this application.'*

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

No residential caravan shall be positioned on the site until the northernmost workshop building has been demolished and the resulting debris removed from the site.

Reason: In order to control the development and to protect the openness of the Green Belt.

(Section 9, National Planning Policy Framework)

#### **Item 8 (Pages 63-78) – CB/16/01476/FULL – The Harrow PH Car Park, Woodside Road, Woodside, Luton, LU1 4DQ**

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

The Council's Archaeologist has confirmed that he has no objections to the proposal.

A response has been received from the occupiers of No 1 Whyley Cottages in support of the application for the following reasons:

- The site is a brownfield site;
- The proposal will improve the appearance of the village and complement the surrounding properties;

- The current state of the land is an eyesore;
- The proposal is supported by neighbours, the Parish Council and the Ward Councillor.
- The proposal provides access to Whyley Cottages;
- What else could be done with the land?

### **Additional Comments**

An amended application form has been submitted and accepted, which has amended the applicant details to Mr J Rooney & Mr R Gill.

### **Additional/Amended Reasons**

None

### ***Item 9 (Pages 79-106) – CB/15/04872/OUT – Land rear of 43 to 91 Silver Birch Avenue South of Alder Green and Aspen Gardens, Aspen Gardens, Stotfold***

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

The County Archaeologist has raised no objection subject to a condition which is set out below.

Further to my original comments (30th January 2016), the applicant has now commissioned an archaeological field evaluation of the proposed development site comprising a geophysical survey and programme of trial trenching. Reports on the geophysical survey and trial trenching have now been submitted so I am now able to assess the impact of the proposed development on archaeological remains.

Archaeological features were identified across the proposed development site with the exception of the north east corner. Evidence of Roman activity was found on the western edge of the site consisting of a number of linear features, which it is suggested relate to a trackway and field systems. A small quantity of ceramic building material may indicate the existence of a contemporary building in the vicinity, though there was no evidence of structures found in either the geophysical survey or trial trenching. It should be noted that a metal detecting find of a Roman coin (HER 18447) was also made in this field.

The features identified as a medieval moated site (HER 1774) were identified in both the geophysical survey and trial trenching. The shape and extent of the features, originally recognised from aerial photography, were confirmed by geophysics. The trial trenching examined both the main ditches and the interior of the enclosures encompassed by the ditches. The ditches are substantial, between 6m and 8m wide and 2m deep. In the excavated sections in the ditches no evidence of surviving

medieval deposits were encountered. The only dateable deposits in the main ditches were post-medieval to modern.

It is suggested that the moat ditches had been re-excavated and backfilled to stabilise the ground during the 20th century. A single feature on the island of the main ditched enclosure produced medieval pottery suggesting activity of that date on the moat island. Although there was little evidence for the survival of medieval deposits within the moat ditches or on the moat island, this does not mean that the ditches themselves were not medieval origin, only that they were significantly altered by recent earthmoving. It is possible that medieval deposits belonging to or associated with original construction and use of the moated site. A range of other features were identified in the evaluation but remain undated. While some of them may represent post-medieval and modern activity some will be associated with the Roman features and the moated site. The proposed development site contains evidence of Roman agricultural landscape with the possibility of occupation nearby and the remains of a much altered moated site which is likely to relate to the adjacent settlement of Stotfold Green. The investigation and understanding of Roman agricultural landscapes and regimes have been identified as local and regional research objectives (Going and Plouviez 2007, 21; Oake 2007, 11 and Medlycott 2011, 47) as have the examination of the diversity, character and forms rural Saxon and medieval settlements with the understanding how they appear, grow, shift and disappear (Wade 2000, 24-25; Oake 2007, 14 and Medlycott 2011, 70) and part of this is understanding the relationship between medieval moated sites and the wider medieval landscape. Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (CLG 2012). The proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of the archaeological heritage assets. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development; the post-excavation analysis of any archive material generated and the publication of a report on the works. In order to secure this, please attach the following condition to any permission granted in respect of this application.

Three neighbours of the site have written directly to Members of the Committee raising objections. This correspondence does not raise issues not already considered in the report.

One resident has written to the case officer asking that Members of the Committee are made aware that historic planning permissions for extensions to gardens on Silver Birch Avenue included conditions that removed Permitted Development Rights to prevent ad hoc structures from harming the appearance of the open countryside.

### **Additional Comments**

Members should note that the report describes that a contribution of £20,000 would be made towards measures to seek to prevent drivers from using Taylor's Road as a

link to a A1. It has been agreed by the applicant that the contribution could also be used for other highways works within the vicinity of the site if the Local Planning and Highways Authority thought that such measures would be more useful.

The recommendation set out in the report should be amended to include that:

In the event that a s106 agreement securing the obligations, including a Build Rate Timetable is not completed, that officers are awarded delegated authority to refuse planning permission for that reason.

### **Additional/Amended Conditions**

Condition 2 should be amended to read:

No development shall commence at the site before a Phasing Plan for the development has been submitted to and approved in writing by the Local Planning Authority. No development shall commence at any Phase of the development before details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") relating to that Phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out as approved.

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

Condition 8 should be amended to read:

No dwelling at the site shall be occupied until a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 6 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 6.

Reason: To ensure that the appearance of the site would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

Condition 11 should be amended to read:

**No development shall commence at the site before a plan identifying areas at the site where dwellings could be affected by noise and lighting from the Riverside Recreation Ground has been submitted to and approved in writing by the Local Planning Authority. No development shall commence at those areas before a scheme for protecting the proposed dwellings in those areas from noise and lighting from the Riverside recreation ground adjacent to the proposed development has been submitted to and approved in writing by the local planning authority. None of those dwellings shall be occupied until the approved 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 occupiers of the proposed dwellings and to safeguard the use of the recreation ground facilities in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009.

A new condition 17 should read:

**No development shall commence at the site before a Written Scheme of Archaeological Investigation that includes post-excavation analysis and publication has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved scheme.**

**Reason:** To ensure that the development is carried out in accordance with Paragraph 41 of the National Planning Policy Framework (2012).

Condition 17 should be re-numbered as Condition 18.

***Item 10 (Pages 107-114) – CB/16/01250/FULL – Green Hythe, Standalone Warren, Hayes, Bedford, MK40 3QG***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

This page is intentionally left blank



## Agenda Item 6 - CB/16/00637/FULL

### Supporting statement for Planning Application CB/16/00637/FULL

The application site is located within the village of Totternhoe and is presently in mixed commercial use including Offices (B1), General Industry (B2) and Storage/Distribution (B8). Currently the site is occupied by two large commercial buildings, a number of hard surfaced areas used for parking/servicing including various containers and structures. There is a brick building/structure to the south of the site and open air storage of caravans/containers takes place within the site.

The site has been in commercial use since 1970, with no restrictions on the site in terms of hours of operations, noise levels or outside storage. The site has previously been operated by the landowner on a 24 hour basis with HGV vehicles entering and leaving the site day and night

The proposal relates to a residential development of 20 dwellings within the village of Totternhoe including 30% affordable housing and an area of open land to be landscaped and retained to the south of the site.

### Local Support

The application is strongly supported by the Parish Council as well as neighbours, to date 18 neighbour letters / e-mails of support have been submitted to the Council.

The Council have recently conducted a 'call for sites' to inform the new local plan in meeting the future housing needs of Central Bedfordshire. The Parish Council were consulted as part of the 'call for sites' and are working on a Neighbourhood Plan. They have had considerable difficulty identifying land for anything other than minor infilling. The Parish Council therefore welcome the development and the much needed housing it would provide for the village.

The Committee report cites four reasons for refusal, each reason is addressed below:

### **1. Green Belt**

- Development in the Green Belt is generally not appropriate however, paragraph 89 of the National Planning Policy Framework (NPPF) allows for the construction of new buildings in the Green Belt provided one of six exceptions is met. One of these exceptions is the

*limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.*

- The site is previously developed (brownfield) land.
- The overall volume of the proposed housing would be less than the existing buildings on the site.
- The developed area does not extend as far south as the adjacent residential mobile home park.
- Reducing encroachment of development into the countryside by retaining a landscaped area to the south of the site.
- Members may recall granting approval, January 2015, for a scheme for 13 dwellings in the Green Belt at Lower Wood Farm, Sundon Road, Harlington where commercial buildings were replaced with housing. Members may also recall granting approval for 12 dwellings at Prebendal Farm, Slip End in September 2015. This site was also in the Green Belt. Unlike the site at Totternhoe this site was outside of the village boundaries and contained no existing buildings at the time it was reported to the Development Management Committee.

### **2. Sustainability of the site**

- The village has a range of facilities including public houses, primary school, village hall, pre-school group, butchers, sports facilities, high quality cricket and football grounds, a football clubhouse and numerous clubs and organisations.
- Local facilities and services within Totternhoe will be supported by future residents of the development.
- Reduced traffic movements from the proposed development in comparison to vehicle movements which would result if the site was operating at full commercial capacity.



- New homes would support the local school which is low on numbers. Ofsted considers the school to have good to outstanding features.
- There are regular bus services to Dunstable, Leighton Buzzard and the surrounding villages.
- Cycle storage would be provided on site – Both Eaton Bray and Edlesborough are within easy cycling distance, where there are ample facilities, including health care and shopping.
- Increased local population would mean busier local facilities and in turn increased local employment.
- Construction jobs for local people.

### **3. Landscape and visual impact**

- The volume of built development would be less than what is existing.
- Due to the significant drop in levels across the site there would be clear views from Totternhoe Knolls across to Dunstable Downs and Ivinghoe Beacon (see attached photographs).
- Will not impact on fields in the Eaton Bray Clay Vale. The redevelopment of the site will improve openness where the site meets these fields and vales.
- The proposed housing development would be a visual improvement on the existing site and the wider area by removing unsightly commercial buildings, structures and open air storage from the site.
- The dwellings would be set back from the highway and would be screened behind number 165 Castle Hill Road. There exists the opportunity to provide additional planting along the eastern and western boundaries of the site as well as planting to the open area at the southern end of the site, softening the appearance of the development in the wider landscape.
- It is acknowledged within the committee report that the density of the development at 24 dwellings per hectare does not constitute high density development.

### **4. Layout and Design**

- Each of the dwellings would have a private garden and at least two off street parking spaces.
- The proposed dwellings will not create overlooking to neighbouring properties and each will have a good quality environment with respect to sunlight and daylight.

- A section of the Cypress hedge along the eastern boundary will be replaced with boundary fencing while the rest of the hedge will be retained. There will be no loss of privacy to neighbouring properties to the east of the site.
- The tree officer has not objected to the removal of this section of hedge and replacement with boundary fencing, nor has the Council's ecologist objected to the development.
- The proposed dwellings would be constructed from a palette of materials in keeping with existing development in the village.

### **Summary of benefits**

- Will remove a commercial/industrial use in the village which has no restrictions in terms of noise, hours of operation, outside storage and will prevent the site being sold to an operator who can intensify the use of the site comparable to what has occurred at the Totternhoe lime works site.
- Will reduce commercial vehicle movements through the village.
- Effective use of previously developed (brownfield) land.
- The development would contribute to meeting the Central Bedfordshire five year housing land supply and is deliverable.
- The recent approvals at Sundon Road, Harlington and Prebendal Farm, Slip End relate to development in the Green Belt.
- The openness of the Green Belt is preserved as the volume of the proposed housing would be less than the existing buildings on the site.
- Would provide much needed housing including affordable homes.
- Totternhoe Lower School is low in numbers and needs more pupils from local families.
- The village is working on a Neighbourhood Plan and would welcome the site as part of the emerging plan.
- Traffic calming measures are needed in the village, the development would provide these through a highways agreement.
- Additional residents will support local businesses as well as generate Council Tax revenue.
- Job creation during construction as well as job creation following on from increased spending in the village by new residents.





View from bottom of Knolls that will be improved by our proposal in removing the front right building and opening up the views.



Our proposal removes the building on the right, which will open up and improve the countryside views.



View further along bottom of Knolls that shows our development will not be seen as view not changing.



Height of existing commercial buildings are same as 2 storey housing.



Show commercial coverage of site.

Shows commercial use of site including hard standing extends to furthest part of site abutting the countryside. Our proposal gives this end of the site back as open countryside with no buildings on it.



The site

Development further along the village

View from top of the Knolls. Arrow shows only the very end of the site can be seen (commercial containers) which we are giving back to open land with no buildings on.





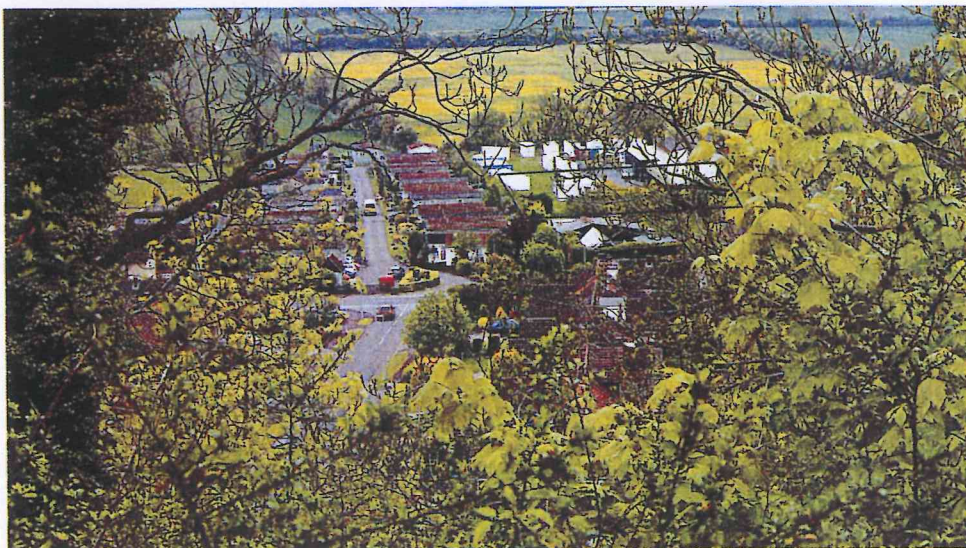
One of only 3 views available of the site from public rights of way on the Knolls.



Shows commercial use extends to furthest end (bottom) of site



General views seen from public rights of way on the Knolls highlighting how views are generally way over the top of our site such that the sight cannot be seen



Second of the 3 views where the site can be seen from the Knolls demonstrating how views of countryside will not be harmed and in fact improved as further part of site given over to open land



Another general view from the Knolls showing how views will not be adversely affected by our proposal.