

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 12 October 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
T Swain
J N Young

Members in Attendance: Cllrs P A Duckett
D McVicar
D Bowater

Officers in Attendance:	Mr D Ager	Principal Highway Officer
	Miss H Bell	Committee Services Officer
	Mr A Emerton	Senior Lawyer Planning, LGSS Law Limited
	Miss S Fortune	Planning Officer
	Mr D Hale	Planning Manager South
	Mr D Leverington	Rights of Way Team Leader
	Mr A Maciejewski	Senior Definitive Map Officer
	Mr J Prosser	Conservation and Design Officer
	M Spragg	Planning Consultant
	Miss D Willcox	Planning Officer

Mr C Ormondroyd Counsel

DM/16/59.

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 that the order of business would not be varied at this meeting.

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/16/60. **Minutes**

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on the 14 September 2016 be confirmed and signed by the Chairman as a correct record.

DM/16/61. **Members' Interests**

(a) Personal Interests:-			
Member	Item	Nature of Interest	Present or Absent during discussion
Cllr Blair	10	Know the applicant	Present
Cllr Ghent	6 & 7	Know members of Town Council present	Present
Cllr Matthews	6, 9 & 10	Know of Public Speakers in capacity as former Portfolio Holder for Planning	Present
Cllr Matthews	10	Have met applicant on a number of occasions and spoke on behalf	Present
Cllr young	6 & 7	Know members of The Ashton Foundation and met with developers. Personally know Public Speakers.	Present

(b) Personal and Prejudicial Interests:-

None declared.

(c) Prior Local Council Consideration of Applications

None declared.

DM/16/62. 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/16/63. Planning Application No. CB/1/03188/FULL

RESOLVED

that Planning Application no. CB/1/03188/FULL relating to Ashton Middle School, High Street North, Dunstable, be approved subject to the completion of a section 106 agreement as set out in the Schedule appended to these Minutes.

DM/16/64. Planning Application No. CB/16/03189/LB

RESOLVED

that Planning Application no. CB/16/03189/LB relating to Ashton Middle School, High Street North, be approved subject to no materially new issues being raised by consultation responses as set out in the Schedule appended to these Minutes.

DM/16/65. Planning Application No. CB/16/03232/FULL

RESOLVED

that Planning Application no. CB/16/03232/FULL relating to 54 Mill lane, Greenfield, be approved as set out in the Schedule appended to these Minutes.

DM/16/66. Planning Application No. CB/16/02172/FULL

RESOLVED

that Planning Application no. CB/09/05154/TP relating to Lynmore House, Sharpenhoe Road, Sharpenhoe be refused as set out in the Schedule appended to these Minutes.

DM/16/67. Update on Footpath No.28

The Committee received and considered a report of the Assistant Director of Highways, which provided an update on the recent involvement of the Secretary of State for Environment, Food and Rural Affairs and the courts in the attempt to extinguish and delete Footpath No 28.

The report also advised of legal comment and advice from the Secretary of State's decisions and summarised the opinion sought on the merits of applying to the Magistrates Court for a 'stopping up' order.

The Committee received detailed advice from Counsel on the updates outlined in the report.

RESOLVED

- 1. That in light of advice contained within the report of the Assistant Director of Highways, the decision made on 13 February 2013 to apply to the Magistrates Court under Section 116 of the Highways Act 1980 for a court order stopping up Maulden Footpath No.28 be rescinded.**
- 2. That no further action be taken to remove Maulden Footpath No. 28 unless one of the following specific criteria is met:**
 - (a) That there is a very significant change in the layout out of Maulden Bridleway No.24 that permits the separation of vehicular and non-vehicular traffic and consequently could allow the consideration of a new application under S.118 of the Highways Act 1980 to extinguish the footpath.**
 - (b) That there is an application for substantial development that necessitates the extinguishment of Maulden Footpath No.28 to enable that development to take place. An application to extinguish the footpath under S.257 of the Town and Country Planning Act 1990 could then be considered with the condition that any extinguishment order be revoked if no development takes place before consent expires**
 - (c) That new cogent evidence that is significantly different to that already considered is received by the Council as part of a new definitive map modification order application to delete Maulden Footpath No.28.**

DM/16/68. **Site Inspection Appointment(s)**

RESOLVED

That all Members and Substitutes of Development Management Committee be invited to conduct site inspections to be undertaken on Monday 7 November.

DM/16/69. **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: (1)The meeting commenced at 10.00 a.m. and concluded at 1.55 p.m.)

Chairman

Dated

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Item No. 06

APPLICATION NUMBER	CB/16/03188/FULL
LOCATION	Ashton Middle School, High Street North, Dunstable, LU6 1NH
PROPOSAL	Conversion and refurbishment of Grade II listed former school building and associated curtilage listed buildings to form apartments comprising: Main School - 7No.1-bedroom and 12No. 2-bedroom apartments; Science Block - 4No.2-bedroom and 2No.1-Bedroom; Gymnasium - 5No. dwellings. Associated refuse, cycle storage, open space and landscaping proposals. Demolition of other modern curtilage listed buildings and extensions. Erection of new dwellings and apartments including: 3No. 4-bed houses fronting Ashton Road; 17No 3-bedroom houses; 23No. 1-Bedroom and 40No. 2-bedroom apartments. Vehicular and pedestrian access via High Street North and further pedestrian access via Ashton Road and Dog Kennel Path
PARISH	Dunstable
WARD	Dunstable Northfields
WARD COUNCILLORS	Cllrs Freeman & Warren
CASE OFFICER	Debbie Willcox
DATE REGISTERED	18 July 2016
EXPIRY DATE	17 October 2016
APPLICANT	Trustees of the Ashton Foundation
AGENT	
REASON FOR COMMITTEE TO DETERMINE	This is a Major Application which has received objections from the Town Council
RECOMMENDED DECISION	Full Application - Recommended for Approval

Recommendation:

That Planning Permission be APPROVED subject to the completion of a Section 106 agreement and the following:

RECOMMENDED CONDITIONS

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

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

- 2 No demolition or groundworks shall take place until a written scheme of heritage asset resource management has been submitted to and approved in writing by the Local Planning Authority. The written scheme of heritage asset resource management must include provision for the structural recording and excavation of the Second World War air raid shelter; a contingency for investigating and recording any other archaeological remains that may be present on the site, the post investigation analysis of any archive material generated and the full publication of the results. The development hereby approved shall only be implemented in full accordance with the approved heritage asset resource management scheme."

Reason: The scheme of heritage asset resource management must be approved and implemented as agreed in the approved scheme prior to the commencement of any demolition or groundworks, as a failure to secure appropriate historical and archaeological investigation in advance of development would be contrary to paragraph 141 of the National Planning Policy Framework (NPPF) that requires developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.
(Section 12, NPPF)

- 3 The development shall be carried out in accordance with the Ecological Design Strategy by Ecology Solutions dated September 2016.

Reason: To prevent harm being caused to protected species and to ensure that the development delivers a net gain to biodiversity.
(Policy BE8, SBLPR and Section 11, NPPF)

- 4 No conversion works or above ground works shall take place until a scheme for protecting the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the Local Planning Authority. The scheme shall follow the recommendations identified in Stansted Environmental Services Ltd report (Ref: ENV1-DUNS-041Ashton Middle School) dated 7th September 2016. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with

those details thereafter.

Reason: In order to provide an acceptable noise environment and level of amenity for future occupants of the development.
(Policies BE8 & H2, SBLPR and Section 11, NPPF)

- 5 No demolition or ground works in association with the development approved by this permission shall take place until a Phase 2 investigation report, as recommended by the Stansted Environmental Services report (ref: CON1-DUNS-042-Ashton Middle School, Dunstable) dated 18th April 2016, has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 report a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action. No part of the development shall be first occupied until a Verification Report demonstrating the completion of the works set out in the remediation strategy has been submitted and approved by the Local Planning Authority.

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

- 6 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)

- 7 **Prior to the commencement of the development hereby approved a Code of Construction Practice shall be submitted to and approved in writing by the Local Planning Authority. This shall detail methods that all developers, contractors and sub-contractors will employ at all times during demolition, construction and other engineering operations on the site. The Code of Practice shall include:**

- **Measures to be used to control dust;**
- **Measures to be used to reduce the impact of noise and vibration arising from noise and vibration generating activities on site in accordance with best practice as set out in BS5228:2009 'Code of practice for noise and vibration control on construction and open sites';**
- **The siting and layout of any works compounds;**
- **The construction working hours for noisy works on site.**

The approved Code of Practice shall be implemented throughout the construction period.

**Reason: The condition must be discharged prior to commencement to safeguard the amenity of the occupiers of neighbouring residential premises throughout the construction period.
(Section 11, NPPF)**

- 8 No part of the development hereby approved shall be occupied until a finalised 'Maintenance and Management Plan' including a final detailed drainage layout drawing for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and confirmation that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.
(Section 10, NPPF)

- 9 The development hereby permitted shall not be occupied or brought into use and no external lighting shall be installed on the site until the details of any external lighting to be installed on the site, which shall utilise light emitting diodes (LEDs), including the design of the lighting unit, any supporting structure, the level of illumination and the extent of the area to be illuminated, have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details.

Reason: To ensure the proposed highways are adequately lit and to protect the visual amenity of the site and its surrounding area, to protect the habitats of bats and to protect the amenity of neighbouring residents.
(Policy BE8, SBLPR and Sections 7 & 11, NPPF, NPPF)

- 10 Notwithstanding the provisions of Part 1, Class A, B, C or 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 external alterations to the buildings 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 of the buildings in the interests of the character and historical significance of the application site and to protect the amenity of neighbouring residents
(Policies BE8 & H2, SBLPR and Sections 7 & 12, NPPF)

- 11 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 alterations to the boundary treatment to Dog Kennel Walk or the rear gardens of Plots 23, 24, 25, 26 and 27 shall be made without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the development in the interests of the amenity and

safety of the neighbouring public footpath.
(Policy BE8, SBLPR and Section 8, NPPF)

- 12 The maximum gradient of all vehicular accesses onto the estate roads shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.
(Policies BE8 & H2, SBLPR and Section 4, NPPF)

- 13 No construction access shall be taken from Ashton Road.

Reason: Ashton Road is a narrow residential street which is inappropriate for HGVs and other construction traffic and so the condition will ensure the safe operation of the surrounding road network in the interests of road safety.
(Section 4, NPPF)

- 14 **No development shall take place until a scheme detailing provision for on site parking for construction workers and deliveries for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

**Reason: The condition must be discharged prior to commencement to ensure adequate off street parking during the construction period in the interests of road safety.
(Policy BE8, SBLPR and Section 4, NPPF)**

- 15 No part of the development hereby approved shall be first occupied until a scheme for the management of the visitor parking spaces as shown on approved drawing no. WH182/16/P/10.03 rev B has been submitted to and approved in writing. These spaces shall not be allocated.

Reason: To minimise the potential for on-street parking and thereby safeguard the interest of the safety and convenience of road users.
(Policies BE8 & H8, SBLPR and Section 4, NPPF)

- 16 Prior to the occupation of any dwelling on the site, a scheme for the provision of waste receptacles for each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The receptacles shall be provided before 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).

17. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers WH182/16/P/05.01, WH182/16/P/05.02, WH182/16/P/10.01 Ref B, WH182/16/P/10.03 Ref B, WH182/16/P/10.04 Ref B, WH182/16/P/25.01, WH182/16/P/25.01 Rev A, WH182/16/P/25.02, WH182/16/P/25.03 Rev A,

WH182/16/P/25.05 Rev A, WH182/16/P/25.06 Rev A, WH182/16/P/25.07 Rev A, WH182/16/P/25.08, WH182/16/P/25.09, WH182/16/P/25.10 Rev A, WH182/16/P/25.11, WH182/16/P/25.12, WH182/16/P/25.13, WH182/16/P/25.14 Rev A, WH182/16/P/25.15, WH182/16/P/25.16, WH182/16/P/25.17, WH182/16/P/25.18 Rev A, WH182/16/P/25.19 Rev A, WH182/16/P/25.20, WH182/16/P/25.21, WH182/16/P/25.22, WH182/16/P/25.23, WH182/16/P/25.24, WH182/16/P/25.25, WH182/16/P/25.26 Rev A, WH182/16/P/25.27, WH182/16/P/55.01 Rev A, WH182/16/P/55.02 Rev A, WH182/16/P/55.03 Rev A, WH182/16/P/55.03 Rev A, 2677-LA-02B, 2677-LA-03B, 2677-LA-04B, 2677-PP-01A, 2677-PP-02B, 2677-PP-03A.

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

- 18 Prior to development, all tree protection measures and tree protection fencing shall be fully implemented in strict accordance with the document "Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan in Accordance with BS 5837 :2012" (Revision A) dated 15th July 2016, which includes the indicated positions of ground protection and protective barrier fencing as shown on the accompanying Drawing No. 5413-D Rev A. The protective fencing and ground protection shall remain securely in position throughout the entire course of development.

Reason: To secure the protection of retained trees by avoiding all forms of construction damage in the interests of maintaining good tree health.
(Policy BE8, SBLPR and Sections 7 & 11, NPPF)

- 19 All retained and proposed soft landscaping on the site shall be maintained in accordance with the submitted Landscape Management Plan prepared Allen Pyke Associates Ltd dated 02/08/2016.

Reason: To secure the ongoing maintenance of the soft landscaping on the site in the interests of the visual appearance of the site and the residential amenity of neighbouring occupiers.
(Policies BE8 & H2, SBLPR and Sections 7 & 11, NPPF)

- 20 No hard landscaping shall be laid on site until details of the hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The details shall include materials, colours, sizes, edge and surface finishes and laying patterns. The hard landscaping shall subsequently be implemented in accordance with the approved scheme.

Reason: In the interests of the visual appearance of the site and the wider area and the safety of users of the hard landscaping.
(Policy BE8, SBLPR and Section 7, NPPF)

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. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.
4. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
5. In order to discharge the surface water condition as recommended, the following information shall be provided, based upon the principles contained within the 'Flood Risk Assessment' (CWA-14-305, 16.10.15) compiled by CWA:
 - a) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated and proposed mitigation of blockages.
 - b) Details of the structural stability of the system, and the use of materials and/or construction techniques to ensure this during extreme events e.g. long periods of rainfall causing saturation, and management of health and safety considerations for the system.
 - c) Details of the long term operational and reasonable maintenance requirements, and which body will be responsible for vesting and maintenance of individual aspects of the drainage proposal, with confirmation of land ownership of all land required for drainage.
 - d) A final as built detailed drainage layout drawing for the entire surface water drainage system supplied to CBC flood risk /SuDS team.
 - e) Any relevant correspondence with stakeholders and drainage bodies.
 - f) CBC are unable to adopt public open space SuDS at present, the Highways team should be consulted regards to gully soakaways.

Additional advice;

Ref 6.16 of the FRA.

If permeable paving (this is better than using an interceptor) is used on car park areas the petrol/oil interceptor is not required, this could save costs in the long run. They will both require a maintenance plan, but an interceptor will require more regular maintenance by a specialist. The proper

construction of the permeable paving will also mean the soakaways for that area are unlikely to be needed, due to the good drainage on site it is likely to directly infiltrate.

6. 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.
7. 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.
8. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire (Design Supplement 7 - Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Street", or any amendment thereto.
9. The applicant is advised that in order to construct the access onto Ashton Road 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
10. The applicant is advised by the Development Management Committee that the Council would encourage the consideration of additional uses of the War Memorial/Library room to promote wider public access and to secure a more substantial long term viability of the upkeep of the room.

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 the consideration of the application the Committee were advised of additional consultation responses received from Historic England, The Tree & Landscape Officer, CBC Ecologist, Landscape Officer, The Public Art officer and neighbours and members of the public.

In addition a petition had been received containing 2,591 signatures.

The Planning Officer advised of an amendment to the name of the Applicant as detailed in the report, amendments to the Planning history section and additional conditions.

- (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. 07

APPLICATION NUMBER	CB/16/03189/LB
LOCATION	Ashton Middle School, High Street North, Dunstable, LU6 1NH
PROPOSAL	Full Planning and Listed Building Applications: Conversion and refurbishment of Grade II listed former school building and associated curtilage listed buildings to form apartments comprising: Main School - 7No.1-bedroom and 12No. 2- bedroom apartments; Science Block - 4No.2- bedroom and 2No.1-Bedroom; Gymnasium - 5No. dwellings. Associated refuse, cycle storage, open space and landscaping proposals. Demolition of other modern curtilage listed buildings and extensions. Erection of new dwellings and apartments including: 3No. 4-bed houses fronting Ashton Road; 17No 3-bedroom houses; 23No. 1- Bedroom and 40No. 2-bedroom apartments. Vehicular and pedestrian access via High Street North and further pedestrian access via Ashton Road and Dog Kennel Path
PARISH	Dunstable
WARD	Dunstable Northfields
WARD COUNCILLORS	Cllrs Freeman & Warren
CASE OFFICER	Debbie Willcox
DATE REGISTERED	18 July 2016
EXPIRY DATE	17 October 2016
APPLICANT	Trustees of the Ashton Foundation
AGENT	
REASON FOR COMMITTEE TO DETERMINE	This is a Major Application which has received objections from the Town Council
RECOMMENDED DECISION	Listed Building - Recommended for Approval

Recommendation:

Subject to consideration of any materially new comments received from the outstanding consultees, it is recommended that Listed Building Consent be APPROVED subject to the following:

RECOMMENDED CONDITIONS

- 1 The works shall begin not later than three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Notwithstanding the details submitted with the application, no works shall take place on any external modifications to the buildings to be retained until samples of materials to be used in the proposed external modifications to the retained buildings have been made available on site for inspection and approved in writing by the Local Planning Authority and the approved development shall be undertaken thereafter strictly in accordance with the approved details.

Reason: To ensure that the development is carried out in a manner that safeguards the historic significance and traditional character of the listed buildings of the site and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part. (Policy BE8, SBLPR and Section 12, NPPF)

- 3 Notwithstanding the details submitted with the application, and prior to the commencement of any external alterations to the buildings to be retained, a full external finishes Schedule for the existing buildings to be retained, including colours expressed as RAL nos. or demonstrated by colour swatches, has been submitted to and approved in writing by the Local Planning Authority and the approved development shall be undertaken thereafter strictly in accordance with the approved details.

Reason: To ensure that the development is carried out in a manner that safeguards the historic significance and traditional character of the listed buildings of the site and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part. (Policy BE8, SBLPR and Section 12, NPPF)

- 4 Notwithstanding the details submitted with the application, and prior to commencement of any works of demolition or alteration to the buildings to be retained, details and the proposed specification/method of any 'making good' to the internal fabric of the retained buildings required as a result of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the approved works shall be undertaken thereafter strictly in accordance with the approved details.

Reason: To ensure that the development is carried out in a manner that safeguards the historic significance and traditional character of the listed

buildings of the site and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.
(Policy BE8, SBLPR and Section 12, NPPF)

- 5 Notwithstanding the details submitted with the application, and prior to commencement of any works to the exterior of the buildings to be retained, full details of works of external making-good and exterior stonework/brickwork cleaning to be undertaken in respect of the retained buildings shall be submitted to and approved in writing by the Local Planning Authority and the approved development shall be undertaken thereafter strictly in accordance with the approved details.

Reason: To ensure that the development is carried out in a manner that safeguards the historic significance and traditional character of the listed buildings of the site and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.
(Policy BE8, SBLPR and Section 12, NPPF)

- 6 Notwithstanding the details submitted with the application, and prior to commencement of any external works to the buildings to be retained, full details of the windows and external doors (including depth of reveal), conservation rooflights and roof lantern proposed to be installed in respect of the retained buildings shall be submitted to and approved in writing by the Local Planning Authority and the approved development shall be undertaken thereafter strictly in accordance with the approved details.

Reason: To ensure that the development is carried out in a manner that safeguards the historic significance and traditional character of the listed buildings of the site and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.
(Policy BE8, SBLPR and Section 12, NPPF)

- 7 Notwithstanding the details submitted with the application, and prior to commencement of any alterations to the windows of the Grade II Listed Building hereby approved, full details of the refurbishment/modification of windows of the former school hall, to incorporate opening window sections, shall be submitted to and approved in writing by the Local Planning Authority and the approved development shall be undertaken thereafter strictly in accordance with the approved details.

Reason: To ensure that the development is carried out in a manner that safeguards the historic significance and traditional character of the listed buildings of the site and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.
(Policy BE8, SBLPR and Section 12, NPPF)

- 8 Notwithstanding the details submitted with the application, and prior to commencement of any works to the former school library / war memorial room, full details of the making good of the wall panelling of the retained former school library/war memorial room following removal of book cases hereby approved, shall be submitted to and approved in writing by the Local Planning Authority and the approved development shall be undertaken thereafter strictly in accordance with the approved details.

Reason: To ensure that the development is carried out in a manner that safeguards the historic significance and traditional character of the listed buildings of the site and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.
(Policy BE8, SBLPR and Section 12, NPPF)

- 9 Notwithstanding the details submitted with the application, and prior to commencement of any internal works to the former school hall and retained former library / war memorial room, a full internal finishes Schedule for the former school hall and retained former library/war memorial room, with colours expressed as RAL nos. or demonstrated by colour swatches, shall be submitted to and approved in writing by the Local Planning Authority and the approved development shall be undertaken thereafter strictly in accordance with the approved details.

Reason: To ensure that the development is carried out in a manner that safeguards the historic significance and traditional character of the listed buildings of the site and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.
(Policy BE8, SBLPR and Section 12, NPPF)

- 10 Notwithstanding the details submitted with the application, and prior to commencement of any works to the former school hall, full details of the proposed retention in situ of the School Award name plaques established across the north wall of the former school hall, shall be submitted to and approved in writing by the Local Planning Authority and the approved development shall be undertaken thereafter strictly in accordance with the approved details.

Reason: To ensure that the development is carried out in a manner that safeguards the historic significance and traditional character of the listed buildings of the site and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.
(Policy BE8, SBLPR and Section 12, NPPF)

- 11 Notwithstanding the details submitted with the application, and prior to commencement of any works to the roofs of the retained buildings, full details of any proposed roof repairs/refurbishment in respect of the retained buildings shall be submitted to and approved in writing by the Local Planning Authority and the approved development shall be undertaken thereafter strictly in accordance with the approved details.

Reason: To ensure that the development is carried out in a manner that safeguards the historic significance and traditional character of the listed buildings of the site and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.
(Policy BE8, SBLPR and Section 12, NPPF)

- 12 Notwithstanding the details submitted with the application, and prior to commencement of internal works to the buildings to be retained, drawn section details at a scale between 1:10 and 1:20 as appropriate clearly demonstrating the following, in respect of the retained buildings, shall be

submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

- new/replacement staircases to be installed
- new ceilings to be installed
- new floors to be installed.

Reason: To ensure that the development is carried out in a manner that safeguards the historic significance and traditional character of the listed buildings of the site and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.

(Policy BE8, SBLPR and Section 12, NPPF)

- 13 This consent relates only to the details shown on the submitted plans, numbers WH182/16/P/05.01, WH182/16/P/05.02, WH182/16/P/10.01 Ref B, WH182/16/P/10.03 Ref B, WH182/16/P/10.04 Ref B, WH182/16/P/25.01, WH182/16/P/25.01 Rev A, WH182/16/P/25.02, WH182/16/P/25.03 Rev A, WH182/16/P/25.05 Rev A, WH182/16/P/25.06 Rev A, WH182/16/P/25.07 Rev A, WH182/16/P/25.08, WH182/16/P/25.09, WH182/16/P/25.10 Rev A, WH182/16/P/25.11, WH182/16/P/25.12, WH182/16/P/25.13, WH182/16/P/25.14 Rev A, WH182/16/P/25.15, WH182/16/P/25.16, WH182/16/P/25.17, WH182/16/P/25.18 Rev A, WH182/16/P/25.19 Rev A, WH182/16/P/25.20, WH182/16/P/25.21, WH182/16/P/25.22, WH182/16/P/25.23, WH182/16/P/25.24, WH182/16/P/25.25, WH182/16/P/25.26 Rev A, WH182/16/P/25.27, WH182/16/P/55.01 Rev A, WH182/16/P/55.02 Rev A, WH182/16/P/55.03 Rev A, WH182/16/P/55.03 Rev A.

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

- 14 Notwithstanding the details submitted with the application, no removal, alteration or modification of the street frontage (High Street North) boundary railings, associated walling, gate piers, gates and gate overthrow shall be undertaken without the prior written approval of the Local Planning Authority, and any work thereby approved shall be undertaken thereafter strictly in accordance with the approved details.

Reason: To ensure the retention and preservation of the historic front boundary treatment in the interests of the historical significance of the setting of the Grade II Listed Building.

(Section 12 NPPF).

INFORMATIVE NOTES TO APPLICANT

1. This consent relates only to that required under the Planning (Listed Building and Conservation Areas) Act 1990 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) and the National Planning Policy Framework (NPPF).

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 the consideration of the application the Committee were advised of additional consultation received from Historic England and occupiers of neighbouring properties..

The Planning Officer advised of amendments to the report in the Applicant and planning history sections of the report and advised of an additional condition.

(2) In advance of the consideration of the application the Committee received representations made under the public participation scheme.

Item No. 08

APPLICATION NUMBER	CB/16/03232/FULL
LOCATION	54 Mill Lane, Greenfield, Bedford, MK45 5DF
PROPOSAL	Subdivision of the existing plot to erect a detached dwelling and associated curtilage.
PARISH	Flitton/Greenfield
WARD	Westoning, Flitton & Greenfield
WARD COUNCILLORS	Cllr Jamieson
CASE OFFICER	Mark Spragg
DATE REGISTERED	21 July 2016
EXPIRY DATE	15 September 2016
APPLICANT	Mr N Brown
AGENT	DLP (Planning) Ltd
REASON FOR COMMITTEE TO DETERMINE	The Applicants wife is an Officer working in Development Management

RECOMMENDED DECISION	Full Application - Approval
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Summary of Recommendation

The planning application is recommended for approval, it would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1, DM4, DM13, CS15. It would not have a significant impact upon the residential amenity of any adjacent properties, the significance or the setting of the adjacent Listed Building and would result in a new development suitable for the location. It is considered that the design is in accordance with the Central Bedfordshire Design Guide and National Planning Policy Framework.

Recommendation:

That Planning Permission be approved 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, notwithstanding the details submitted with the application, 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: To control the appearance of the building in the interests of

the visual amenities of the locality. (Section 7, NPPF)

- 3 **No development shall take place until drawings of all new and proposed replacement windows and doors to a scale of 1:10 or 1:20, together with a specification of the materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Details provided shall clearly show a section of the glazing bars, frame mouldings, door panels, the position of the door or window frame in relation to the face of the wall, the depth of the reveal and arch and sill details. The development shall be carried out only in accordance with the approved details.**

Reason: To ensure that the proposed development/work is carried out in a manner that safeguards the historic character and appearance of the adjacent listed building. (Section 12, NPPF).

- 4 **Notwithstanding the approved plans, all new rainwater goods shall be of black painted [cast iron/aluminium] and shall be retained thereafter.**

Reason: To safeguard the special architectural and historic interest of this statutorily listed building. (Section 12, NPPF)

- 5 **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 building is occupied and be thereafter retained.**

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.(Section 7, NPPF)

- 6 **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 public areas. (Section 7, NPPF)

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

**Reason: To ensure an acceptable standard of landscaping.
(Sections 7 & 11, NPPF)**

- 8 **No equipment, machinery or materials shall be brought on to the site for the purposes of development until substantial protective fencing for the protection of any retained tree(s), has been erected in the positions shown on Drawing No. 9175 TPP 01 Rev A (included within the Arboricultural Impact Assessment). The fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, unless otherwise agreed.**

**Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended.
(Sections 7 & 11, NPPF)**

- 9 The proposed vehicular access shall be constructed and surfaced in a bituminous or other similar durable material (not loose aggregate) as may be approved in writing by the Local Planning Authority for a distance of 5m 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: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises. (Section 4, NPPF).

- 10 Visibility splays shall be provided on each side of the junction of the vehicular access with the public highway. The splays shall extend to the limits of the site's highway frontage on each side of the access from a point on the centre line of the access measured 2.4m back from the road channel. The vision splays so described shall be maintained free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it.
(Section 4, NPPF).

- 11 **No development shall commence until details of a scheme showing the provision of a 1.5m wide footway on the western side of Mill Lane across the site frontage has been submitted to and approved by the Local Planning Authority and the proposed dwelling shall not be occupied until the footway has been constructed in accordance with approved details. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.**

**Reason: In the interests of road safety and pedestrian movement.
(Section 4, NPPF).**

- 12 The dwelling shall not be occupied until the junction of the proposed vehicular access with the highway has been constructed in accordance with the approved details
(see note to applicant)

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

- 13 The development shall not be brought into use until a turning space for a service/delivery sized vehicle (6.25m length) has been constructed within the curtilage of the site in a manner to be approved in writing by the Local Planning Authority.

Reason: To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles on to the highway. (Section 4, NPPF).

- 14 **Notwithstanding the submitted plans no development shall take place until a scheme showing off-street parking and turning has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

**Reason: To ensure provision for car parking and turning clear of the highway.
(Section 4, NPPF)**

- 15 Notwithstanding the provisions of Part 1, Classes A -E 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 development other than that approved shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the external appearance of the building/s in the interests of the amenities of the area and the setting of the listed building. (Section 7, NPPF)

- 16 All rooflights in the development shall be located a minimum of 1.7m above the floor of the rooms in which the windows are installed.

Reason: To safeguard the privacy of occupiers of adjoining properties
(Section 7, NPPF)

- 17 The dwelling hereby approved shall not be occupied until details of the bin [storage/collection] areas have 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] areas shall be retained thereafter.

Reason: In the interest of amenity. (Section 7, NPPF)

- 18 The development hereby permitted shall not be carried out except in

complete accordance with the details shown on the submitted plans, numbers PL100, PL201, PL202, PL203 (elevations and sections), PL203 (plans and elevations), 79175 TPP 01 Rev A.

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

19. All ecological measures and works shall be carried out in accordance with the details contained in Section 6 of the April 2016 Preliminary Ecological Appraisal.

Reason: To ensure the development delivers a net gain for biodiversity.(Section 11, NPPF)

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 National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
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 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.
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, SG17 5TQ
5. The applicant is advised that in order to comply with Condition 11 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 Control Group, Development Management

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 were advised of an additional condition.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation scheme.

Item No. 09

APPLICATION NUMBER	CB/16/02172/FULL
LOCATION	Lynmore House, Sharpenhoe Road, Sharpenhoe, Bedford, MK45 4SU
PROPOSAL	Formation of in-out drive with hardstand and landscaping in front of Lynmore House, including diversion of existing public footpath.
PARISH	Streatley
WARD	Toddington
WARD COUNCILLORS	Cllrs Costin & Nicols
CASE OFFICER	Sarah Fortune
DATE REGISTERED	23 May 2016
EXPIRY DATE	18 July 2016
APPLICANT	Mr Dawkins
AGENT	Michael Hardiman & Associates LLP
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Tom Nicols on grounds of public concerns raised over the loss of an area that has been used for general public purposes as an 'amenity area of grass' for many years.
RECOMMENDED DECISION	

Recommendation:

That Planning Permission be refused as follows

The application site lies on a prominent corner location within the Green Belt, the Chilterns Area of Outstanding Natural Beauty and Area of Great Landscape Value, as designated in the South Bedfordshire Local Plan Review. The proposed development would by virtue of the provision and retention of hardstanding areas and associated parking result in the urbanisation of the site and thereby have a harmful effect on the visual amenities and character of the locality, contrary to Policies BE8 and NE3 of the South Bedfordshire Local Plan Review and Sections 7, 9 and 11 of the National Planning Policy Framework.

NOTES

- (1) In Advance of the consideration of the application the Committee were advised that the Archaeology Officer had no comments to make. The Committee were advised that Land Registry had confirmed that the land to the front of the property is unregistered. In addition an amendment was made to Condition 3.
- (2) In advance of the consideration of the application the Committee received representations made under the public participation scheme.

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LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 12th October 2016

Item 06 (Pages 15-53) – CB/16/3189/FULL – Ashton Middle School, High Street North, Dunstable

Additional Consultation/Publicity Responses

Historic England In this case we would not object to the conversion in terms of our remit, but recommend the Council consider if the change of use would harm the building's historic significance. By building on the playing fields to such an extent we consider there could be a negative effect on the conservation area, perhaps resulting in harm to its significance in terms of the NPPF paragraph 132. Increasing the open space at the centre of the site could help reduce that effect and we suggest this is considered. Paragraph 134 asks the Council to weight the public benefit of the new housing against this impact and we recommend the Council do so before determining the application but in doing so consider the full effect on the historic buildings and the potential to reduce it by amending the scheme as suggested.

In response to the comments from Historic England, Weston Homes have submitted a letter, which is attached as Appendix A. The Conservation Officer has also made the following comments in response to the comments from Historic England:

In their formal response to the application, Historic England do not consider proposed building conversion objectionable, but draw specific attention to the implications of conversion in terms of impact upon the historic significance of the school buildings, associated playing fields and grounds, and the combined contribution that the buildings and grounds make to Conservation Area character.

Less than half of the application site lies within the designated Conservation Area, this comprising the High Street frontage composition of main building, Caretaker's House and Science block of 1907, with the remainder of the site forming immediate Conservation Area setting. The school playing fields are at the far end of the application site.

At present, principal views into the site, from the High Street North access gate, are restricted through established landscape planting, and by the presence of the Caretaker's House, with Science and Home Economics block beyond, and the historic Science block and Gym range which defines the east site (Dog Kennel Path) boundary.

Acknowledging the addition to this important frontage of proposed Block 4, behind established screen planting, along with the proposed clearance of the current Caretaker's House and the evident care that has been taken in the screening of

proposed on-site parking bays, I am fully satisfied that the essential character of this important part of the site has been maintained.

I consider that the developed Scheme secures the optimum viable use of the former school buildings and grounds. Building re-use and conversion inevitably impact upon internal circulation associated with former use, but I find the presented Scheme of conversion is notable for its 'light-touch' in respect of internal reorganisation and associated building alteration..

As such, and following the reality of School closure, I do not feel that change of use harms building significance. I am happy that the character of the High Street frontage of buildings in a landscaped setting has been maintained. I am happy that an adequate 'buffer' has been maintained, across the site, between the buildings to be maintained and the new build proposed, and am happy that development of former playing fields in immediate Conservation Area setting does not, in itself, impact negatively upon Conservation Area.

In conclusion to the advisory concerns given by Historic England, and in specific terms of key NPPF criteria for appropriate development in the historic built environment, I feel that this is a sympathetic and well-designed Scheme of sustainable building and site reuse, with clear public benefit as a result.

Tree & Landscape Officer Further to my previous comments, I have examined the revised plans, namely, the "Planting Schedule" (Revision A), the Planting Plans Sheets 1 to 3 (Drawing No's 2677-PP-01, 2677-PP-02 and 2677-PP-03 -Revision A), the Tree Planting Positions Sheets 1 to 3 (Drawing No's 2677-LA-02, 2677-LA-03 and 2677-LA-04 -Revision B) and the "Landscape Management Plan" (Ref 2677-RE-01) which was revised on the 2nd August 2016 . I am satisfied that the landscape scheme is now suitable for requirements, and that I am also in agreement with the Planning Landscape Officer's request that the Photinia is replaced with native hedging such as Beech or Hornbeam. I therefore have no objections to the application on the basis that the supplied condition is imposed.

CBC Ecologist The submitted Ecological Design Strategy is excellent. Assuming works would proceed in accordance with the strategy I see no requirement for a further condition.

Landscape Officer Soft landscape strategy acceptable subject to replacement of proposed Photinia with Beech or Hornbeam. Hard landscaping generally acceptable, but, given the historic character of the buildings and landscape setting of development the selection of appropriate hard surface materials is crucial:

The hard landscaping proposals include 'block paving' within the parking areas and bays defined by 'contrasting blocks';
- More detail on the block paving is required – will these be

granite, clay or concrete, tumbled or sawn ? Also sizes – will these be 100x200, or other mix of sizes? Plus laying patterns need to be confirmed as these can produce very modern pattern effects.

- The inclusion of contrasting coloured blocks to define parking would not be acceptable – different texture blocks such as picked granite setts may be more appropriate.

The proposed use of granite slabs could be appropriate to setting but again;

- Sizes and laying patterns need to be confirmed.
- The proposed finishes to paving slabs also needs to be clarified – for aesthetics and skid resistance – e.g. will slabs be flame textured and how effective a surface will this provide in wet and icy weather?

I would also add that design detail is lacking especially regarding treatment of edges / edge restraints/ treatment at changes of paving materials, also the potential inclusion of sett channels to carry surface water away from downpipes, paved surfaces (and ideally to bio retention areas) as traditional drainage features and in compliance with CBC SuDS guidance.

Given the level of detail still required could I suggest a Condition be applied requiring submission of detailed design and detailing of different external floor-scape / paved surfaces including materials, colours, sizes, edge and surface finishes and laying patterns along with a submission of a samples of proposed materials for approval if the application is approved?

Public Art Officer

I suggest a Condition be applied requiring that if the application were to be approved:

A Public Art Statement must be submitted confirming that in addition to the commitment by the developer to provide a sculptural feature commemorating former pupils later lost in the Great War that additional artistic interventions will be integrated in other external public spaces within the development. The Public Art Statement should confirm opportunities, selection and commissioning processes, timetables and confirmation on future maintenance. Such features could include seating, arbours, signage or mosaics and floor tiles but features must be produced via commission of public artists and / or craftsmen and it is crucial that features are unique and bespoke to the site and surroundings.

If a trigger is required could I suggest that artistic features would need to be commissioned and implemented on site by occupation of say 100th unit, but I rely on your advice and expertise on this.

Comprehensive guidance on what is required of a Public Art Statement / Public Art is included in the CBC Design Guide / Public Realm.

An online petition has been submitted containing 2,591 entries, of which 1,854 petitioners live within an area with an LU postcode. The petition is addressed to Ashton Foundation Trust, Central Bedfordshire Council and Dunstable Town Council and states the following:

Please help to preserve Dunstable Ashton Grammar School/Middle School, High Street North, Dunstable, which will close its doors for the last time in August 2016, bringing to an end 128 years of education at the site. This beautiful grade II listed school and grounds is now facing an uncertain future.

<p>Neighbours & Members of the Public (16 Richard Street, 16 George Street, 28 Crabtree Way, 1 Printers Way, 2 Ashton Road)</p>	<p>Object to the proposal for the following reasons:</p> <ol style="list-style-type: none"> 1) The Ashton Foundation Trust put forward a request to CBC for the school to become an upper school, but this was recommended for refusal by the officer in the Education Team, on the basis that there was insufficient need for the school in the local community. This decision is not felt to be correct. The school should remain a school. 2) It is feared that the developers will leave the building to deteriorate and then seek to demolish it in the future; 3) The interior of the Grade II Listed Building should be retained as well as the exterior; 4) The school has several famous alumni and should be preserved; 5) The loss of trees on Ashton Road and the development in general would have a detrimental impact on wildlife; 6) Parking 7) Privacy concerns
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Additional Comments

The applicant should read: "Weston Homes Plc and Trustees of the Ashton Foundation"

The recommendation should state "recommended for approval subject to the completion of a Section 106 Agreement"

The planning history section should include the following:

<p>Application Number Description Decision</p>	<p>CB/15/02723/PAPC Pre-application non householder charge - Redevelopment of the site Advice given on principle of development, conservation issues, layout, landscaping, open space provision, impact on Dog Kennel Walk, parking, archaeology, contamination,</p>
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Decision Date	planning obligations and affordable housing. 23/09/2015
Application Number	CB/16/02235/PPA
Description	Planning Performance Agreement
Decision	Advice given on design, layout, conservation issues, highways, landscape, archaeology, SuDS,
Decision Date	N/A

The report wrongly states that there would be 177 parking spaces on site. The actual number proposed is 178.

The first paragraph of the section entitled “The Application” may be confusing. It should be clarified that it proposed that all buildings on the site except the Grade II Listed main school building and the two early twentieth century, curtilage listed buildings are to be demolished. The proposal also includes the demolition of some post war extensions to the Grade II Listed main school building and one of the curtilage listed buildings.

Amended landscaping schemes have been submitted showing the replacement of the proposed Photinia with Hornbeam. Condition 17 is recommended to be amended as shown below to incorporate the plans setting out the landscape scheme.

The submitted petition and accompanying letter seek to retain the school as an educational establishment. However, in August 2014 the Executive Committee of CBC determined that Ashton Middle School was surplus to requirements and should be closed. It is not within the power of Development Management to re-examine the decision in regard to the requirements of the local Education Authority.

In response to the concern regarding the building being allowed to deteriorate, the Section 106 would include a phasing scheme for the development which would ensure that the restoration and conversion of the Listed Building would take place before / concurrently with the construction of the new build elements.

Public Art requirements will be included within the Section 106 Agreement.

Amended Conditions

- 3 The development shall be carried out in accordance with the Ecological Design Strategy by Ecology Solutions dated September 2016.

Reason: To prevent harm being caused to protected species and to ensure that the development delivers a net gain to biodiversity.
(Policy BE8, SBLPR and Section 11, NPPF)

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers WH182/16/P/05.01, WH182/16/P/05.02, WH182/16/P/10.01 Ref B, WH182/16/P/10.03 Ref B, WH182/16/P/10.04 Ref B, WH182/16/P/25.01, WH182/16/P/25.01 Rev A, WH182/16/P/25.02, WH182/16/P/25.03 Rev A, WH182/16/P/25.05 Rev A, WH182/16/P/25.06 Rev A, WH182/16/P/25.07 Rev

A, WH182/16/P/25.08, WH182/16/P/25.09, WH182/16/P/25.10 Rev A, WH182/16/P/25.11, WH182/16/P/25.12, WH182/16/P/25.13, WH182/16/P/25.14 Rev A, WH182/16/P/25.15, WH182/16/P/25.16, WH182/16/P/25.17, WH182/16/P/25.18 Rev A, WH182/16/P/25.19 Rev A, WH182/16/P/25.20, WH182/16/P/25.21, WH182/16/P/25.22, WH182/16/P/25.23, WH182/16/P/25.24, WH182/16/P/25.25, WH182/16/P/25.26 Rev A, WH182/16/P/25.27, WH182/16/P/55.01 Rev A, WH182/16/P/55.02 Rev A, WH182/16/P/55.03 Rev A, WH182/16/P/55.03 Rev A, 2677-LA-02B, 2677-LA-03B, 2677-LA-04B, 2677-PP-01A, 2677-PP-02B, 2677-PP-03A.

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

Additional Conditions:

- 18 Prior to development, all tree protection measures and tree protection fencing shall be fully implemented in strict accordance with the document "Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan in Accordance with BS 5837 :2012" (Revision A) dated 15th July 2016, which includes the indicated positions of ground protection and protective barrier fencing as shown on the accompanying Drawing No. 5413-D Rev A. The protective fencing and ground protection shall remain securely in position throughout the entire course of development.

Reason: To secure the protection of retained trees by avoiding all forms of construction damage in the interests of maintaining good tree health.
(Policy BE8, SBLPR and Sections 7 & 11, NPPF)

- 19 All retained and proposed soft landscaping on the site shall be maintained in accordance with the submitted Landscape Management Plan prepared Allen Pyke Associates Ltd dated 02/08/2016.

Reason: To secure the ongoing maintenance of the soft landscaping on the site in the interests of the visual appearance of the site and the residential amenity of neighbouring occupiers.
(Policies BE8 & H2, SBLPR and Sections 7 & 11, NPPF)

- 20 No hard landscaping shall be laid on site until details of the hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The details shall include materials, colours, sizes, edge and surface finishes and laying patterns. The hard landscaping shall subsequently be implemented in accordance with the approved scheme.

Reason: In the interests of the visual appearance of the site and the wider area and the safety of users of the hard landscaping.
(Policy BE8, SBLPR and Section 7, NPPF)

Item 07 (Pages 55-68) – CB/16/03189/LB – Ashton Middle School, High Street North, Dunstable

Additional Consultation/Publicity Responses

Historic England	See Item 06 (above).
The Society for the Protection of Ancient Buildings	No response – deadline 12/10/2016.
The Ancient Monuments Society	No response – deadline 12/10/2016.
The Council for British Archaeology	No response – deadline 12/10/2016.
The Georgian Group	No response – deadline 12/10/2016
The Victorian Society	No response – deadline 12/10/2016
The Twentieth Century Society	No response – deadline 12/10/2016

Responses to the public reconsultation have been received from the occupiers of 2 Ashton Road and 28 Crabtree Way, however, these do not refer to the impacts of the proposal on the Listed Building and have been referenced in Item 06 (above).

Additional Comments

The applicant should read: “Weston Homes Plc and Trustees of the Ashton Foundation”

The recommendation should read “recommended for approval subject to no materially new issues being raised by consultation responses.”

The planning history section should include the following:

Application Number	CB/15/02723/PAPC
Description	Pre-application non householder charge - Redevelopment of the site
Decision	Advice given on principle of development, conservation issues, layout, landscaping, open space provision, impact on Dog Kennel Walk, parking, archaeology, contamination, planning obligations and affordable housing.
Decision Date	23/09/2015
Application Number	CB/16/02235/PPA
Description	Planning Performance Agreement
Decision	Advice given on design, layout, conservation issues, highways, landscape, archaeology, SuDS,
Decision Date	N/A

Additional Condition

- 14 Notwithstanding the details submitted with the application, no removal, alteration or modification of the street frontage (High Street North) boundary railings, associated walling, gate piers, gates and gate overthrow shall be undertaken without the prior written approval of the Local Planning Authority, and any work thereby approved shall be undertaken thereafter strictly in accordance with the approved details.

Reason: To ensure the retention and preservation of the historic front boundary treatment in the interests of the historical significance of the setting of the Grade II Listed Building.
(Section 12 NPPF).

Item 08 (Pages 69-81) – CB/16/03232/FULL – 54 Mill Lane, Greenfield

Additional Consultation/Publicity Responses

None

Additional Comments

The applicant is the husband of a member of Development Management.

Additional Condition

All ecological measures and works shall be carried out in accordance with the details contained in Section 6 of the April 2016 Preliminary Ecological Appraisal.

Reason: To ensure the development delivers a net gain for biodiversity.(Section 11, NPPF)

Item 9 (Pages 85-97) – CB/16/02172/Full – Lynmore House, Sharpenhoe Road, Sharpenhoe, MK45 4SU.

Additional Consultation/Publicity Responses

Archaeology Officer: No objections

Additional Comments

Officers have checked with Land Registry who confirm that the land the subject of this application to the front of the property is unregistered.

Additional/Amended Conditions/Reasons

Condition 3 be amended to read:

No development shall commence until a 2m wide footway has been constructed between points A and B as shown on the approved plan number 2015/547/20/B in

accordance with the details of a scheme to be submitted to and approved in writing by the Local Planning Authority. The applicant will be required to enter into a section 278 agreement of the Highways Act 1980 in order to implement the scheme and any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interest of road safety and pedestrian movement.

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