

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

**This meeting  
will be filmed.\***



**Central  
Bedfordshire**

**please ask for** Helen Bell  
**direct line** 0300 300 4040  
**date** 13 April 2017

## **NOTICE OF MEETING**

### **DEVELOPMENT MANAGEMENT COMMITTEE**

Date & Time

**Wednesday, 26 April 2017 10.00 a.m.**

Venue at

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

Richard Carr  
**Chief Executive**

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

Cllrs K C Matthews (Chairman), R D Berry (Vice-Chairman), M C Blair,  
Mrs S Clark, K M Collins, Cllr S Dixon, F Firth, E Ghent, C C Gomm, K Janes,  
T Nicols, T Swain and J N Young

[Named Substitutes:

D Bowater, A D Brown, Mrs C F Chapman MBE, I Dalgarno, R W Johnstone,  
Ms C Maudlin and I Shingler]

All other Members of the Council - on request

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

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

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# AGENDA

## Welcome

1. **Apologies for Absence**

Apologies for absence and notification of substitute members

2. **Chairman's Announcements**

If any

3. **Minutes**

To approve as a correct record, the Minutes of the meeting of the Development Management Committee held on 29 March 2017.

(circulated separately)

4. **Members' Interests**

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

## REPORT

<b>Item</b>	<b>Subject</b>	<b>Page Nos.</b>
5.	<b>Planning Enforcement Cases Where Formal Action Has Been Taken</b>	7 - 14

To consider the report of the Director of Regeneration and Business providing a monthly update of planning enforcement cases where action has been taken.

## Planning and Related Applications

To consider the planning applications contained in the following schedules:

6. **Planning Application No. CB/17/00106/OUT** 15 - 34

**Address:** Oakridge, 13 Orchard Close, Upper Gravenhurst,  
Bedford, MK45 4JF

Outline: Demolition of existing bungalow and removal of Equestrian Facility and erection of 10 dwellings and associated parking and roads.

**Applicant:** 2MC Homes

7. **Planning Application No. CB/17/00478/FULL** 35 - 56

**Address:** The Sugar Loaf, 25 High Street, Meppershall,  
Shefford, SG17 5LX

Alterations and extensions in regard to Change of use of public house (Use Class A4) to convenience store (Use Class A1). To include installation of 2 No. satellite dishes on the roof / elevations for use with the ATM, Lottery and TCG radio. Location of Plant equipment area. Installation of shopfront and ATM. Reconfiguration of car park to facilitate servicing/deliveries. (Amendment to application CB/16/02868/FULL)

**Applicant:** Hawthorn Leisure Ltd

8. **Planning Application No. CB/17/00293/FULL** 57 - 74

**Address:** Land at 118B High Street, Clophill, Bedford,  
MK45 4BJ

Demolition of existing dwelling and outbuilding and erection of six detached dwellings with associated garaging, parking, landscaping and ancillary works.

**Applicant:** Projectpart Homes Ltd

9. **Planning Application No. CB/17/01397/FULL** 75 - 82

**Address:** 25 Dunstable Road, Houghton Regis, Dunstable,  
LU5 5DB

A side, two storey extension on the footprint of a demolished garage with a single storey flat roofed rear 3 metre infill addition and loft conversion (Resubmission CB/16/02087/FULL)

**Applicant:** Matwicki

10. **Planning Application No. CB/17/01030/REG** 83 - 98

**Address:** Priory House, Monks Walk, Chicksands, Shefford,  
SG17 5TQ

Construction of 77 additional parking spaces at Central Bedfordshire Council Offices at Priory House.

**Applicant:** Central Bedfordshire Council

11. **Site Inspection Appointment(s)**

Under the provisions of the Members Planning Code of Good Practice, Members are requested to note that the next Development Management Committee will be held on **24 May 2017** and the Site Inspections will be undertaken on **Monday 21 May 2017**.

12. **Late Sheet**

To note representations as detailed in the late sheet to be circulated on 25 April 2017.

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**Meeting:** Development Management Committee

**Date:** 26<sup>th</sup> April 2017

**Subject:** Planning Enforcement cases where formal action has been taken

**Report of:** Director of Regeneration and Business

**Summary:** The report provides a monthly update of planning enforcement cases where formal action has been taken.

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Advising Officer: Director of Regeneration and Business

Contact Officer: Sue Cawthra Planning Enforcement and Appeals Team Leader  
(Tel: 0300 300 4369)

Public/Exempt: Public

Wards Affected: All

Function of: Council

#### **CORPORATE IMPLICATIONS**

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

This is a report for noting ongoing planning enforcement action.

##### **Financial:**

1. None

##### **Legal:**

2. None.

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

3. None

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

4. Not Applicable.

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

5. None

##### **Public Health**

6. None

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

7. Not Applicable.

**Sustainability:**

8. Not Applicable.

**Procurement:**

9. Not applicable.

**RECOMMENDATION(S):**

**The Committee is asked to:**

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

**Background**

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

**Appendices:**

Appendix A – Planning Enforcement Formal Action Spreadsheet



## Planning Enforcement formal action (DM Committee 26th April 2017)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	CB/ENC/11/0402	Land adjoining Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	2 Enforcement Notices 1 - Unauthorised encroachment onto field 2 - Unauthorised hard standing, fence and buildings	15-Oct-12	12-Nov-12	10-Dec-12			Not complied	Awaiting outcome of PFMT presentation.
2	CB/ENC/11/0499	Land at Erin House, 171 Dunstable Road, Caddington, Luton. LU1 4AN	Enforcement Notice - unauthorised erection of a double garage.	03-Sep-13	01-Oct-13	01-Dec-13	Appeal dismissed March 2014. Magistrates Prosecution successful. Crown Court prosecution successful.	15-May-17	Not complied	Appeal against the refusal of CB/16/01453 for a smaller, lower double garage in the same location dismissed. The property owner has until 15 May 2017 to fully comply with the enforcement Notice and demolish the whole structure.
3	CB/ENC/12/0199	Plots 1 & 2 The Stables, Gypsy Lane, Little Billington, Leighton Buzzard LU7 9BP	Breach of Condition Notice Condition 3 SB/TP/04/1372 named occupants	15-Oct-12	15-Oct-12	12-Nov-12				Awaiting outcome of PFMT presentation.
4	CB/ENC/12/0508	Land at Site C, The Stables, Stanbridge Road, Great Billington, Leighton Buzzard, LU7 9JH	Enforcement Notice- Unauthorised creation of new access and erection of gates.	17-Nov-14	15-Dec-14	15-Mar-15 & 15-June-15			Not complied	Legal advice being sought as to next steps.
5	CB/ENC/12/0521	Random, Private Road, Barton Le Clay, MK45 4LE	Enforcement Notice 2 - Without planning permission the extension and alteration of the existing dwelling on the land.	24-Aug-15	24-Sep-15	24-Mar-16 & 24-June-16		07-Apr-17	Revised appeal decision 07/04/16, appeal dismissed Enforcement Notice upheld. Demolition work has commenced on site	Decision to decline to determine new planning application CB/17/00185/FULL. Planning permission CB/16/02327/FULL granted 29/9/16, condition 2 requires submission of demolition scheme and demolition of unauthorised extensions as per compliance with Enforcement Notice. Appeal received 31/10/16 against Condition 2, awaiting decision from Planning Inspectorate. Enforcement Notice requires demolition of unauthorised extensions by 7/4/17. Demolition work on site has commenced.

## Planning Enforcement formal action (DM Committee 26th April 2017)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
6	CB/ENC/12/0633	Land at Plot 2, Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	Enforcement Notice - construction of timber building and the laying of hard standing.	17-Jan-13	14-Feb-13	14-Mar-13			Not complied	Awaiting outcome of PFMT presentation.
7	CB/ENC/13/0336	The Stables, Dunstable Road, Toddington, Dunstable, LU5 6DX	2 Enforcement Notices - 1. Change of use from agriculture to a mixed use of agriculture, residential and retail sales and 2. building works for commercial purposes	11-Jul-14	15-Aug-14	15-Oct-14	Planning appeal received 07/06	02-May-17	Not complied	Appeal against the refusal of the Section 191 application for the use of a dwelling house for residential purposes (CB/15/04424) was dismissed in January 2017. Land owner has until 2 May 2017 to cease the residential use of the single dwelling. Site inspection will be carried out to check compliance.
8	CB/ENC/13/0452	Long Yard, Dunstable Road, Studham, Dunstable, LU6 2QL	3 X Enforcement Notices - 1 -Erection of timber building  2 - Material change of use from agriculture to storage of motor vehicles  3 - Material change of use of the land from agriculture to a mixed use for agriculture and the storage of motor vehicles, a touring caravan and building and hardore materials.  1XEnforcement Notice - Material change of use from agriculture to storage of motor vehicles and building and waste materials.	12-Aug-15  12-Aug-15  12-Aug-15  04-Feb-16	12-Sep-15  12-Sep-15  12-Sep-15  07-Mar-16	12-Nov-15  12-Nov-15  12-Nov-15  07-May 16 07-June-16			Not complied with  Complied with	Enforcement Notice 1 has not been complied with.  No further action needed  Enforcement Notice 3 has been part complied with.  Prosecution case ongoing.
9	CB/ENC/14/0361	The Old Rose, 16 Blunham Road, Moggerhanger, MK44 3RA	Section 215 notice - untidy land and buildings	29-Apr-15	30-May-15	30-Aug-15				Works are continuing to comply with the Notice.
10	CB/ENC/14/0485	Clifton House and outbuildings, Church Street, Clifton, Shefford, SG17 5ET	Repairs Notice - Listed Building in state of disrepair	08-Jan-15	08-Jan-15	08-Mar-15		08/04/2015		On-going discussions with Conservation Officer to decide best way forward.

## Planning Enforcement formal action (DM Committee 26th April 2017)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
11	CB/ENC/15/0140	Springbank, Bottom Drive, Eaton Bray, LU6 2JS	Enforcement Notice - Unauthorised wall	09-Nov-15	08-Dec-15	08-Feb-16		27/09/2016	Appeal decision 27/7/16 - Enforcement Notice upheld	Prosecution to commence.
12	CB/ENC/15/0260	Gravenhurst Lane/A6, Silsoe	Section 215 notice - untidy land and buildings  Enforcement Notice - material change of use to a caravan site with the stationing of two static mobile homes	06-May-16  07-Apr-17	08-Jun-16  08-May-17	08-Jul-16  08-Jul-17 08-Aug-17				Part compliance with the Section 215 Notice. Tyres and scrap removed.  Check compliance 08/07/17 and 08/08/17
13	CB/ENC/15/0423	Land at, Astwick Road, Stotfold	Injunction served 22nd September 2015, continuation injunction served 5th October 2015 for unauthorised development for Gypsy and Traveller site.  Enforcement Notice served 11/12/15	11-Dec-15	11-Jan-15	11-Jul-16 11-Oct-16	Appeal	02-Mar-17 02-Jun-17	Appeal dismissed	Continuation of Injunction granted 5/10/15 to prevent further unlawful development.  Planning application refused.  Legal challenge against Council's decision to decline to determine planning application to temporarily retain a single pitch (one mobile and one static) - CB/16/05603. Injunction remains in place to prevent further development. Enforcement Notice remains in effect, compliance 2/3/17 and 2/6/17. No compliance yet, awaiting Counsel advice on further action.
14	CB/ENC/15/0466	Land at 13 Icknield Street, Dunstable, LU6 3AD	Enforcement Notice - the installation of a dormer	30-Nov-16	28-Dec-16	28-Jun-17				New application submitted under ref CB/17/01420/FULL to comply with enforcement notice.
15	CB/ENC/15/0530	47 Hitchin Road, Stotfold, SG5 4HP	Section 215 Notice - untidy land	31-Aug-16	30-Sep-16	30-Oct-16				No applications received, notice has not been fully complied with, report being prepared for legal to consider prosecution action.

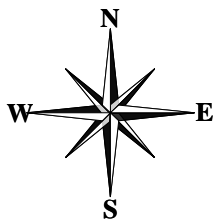
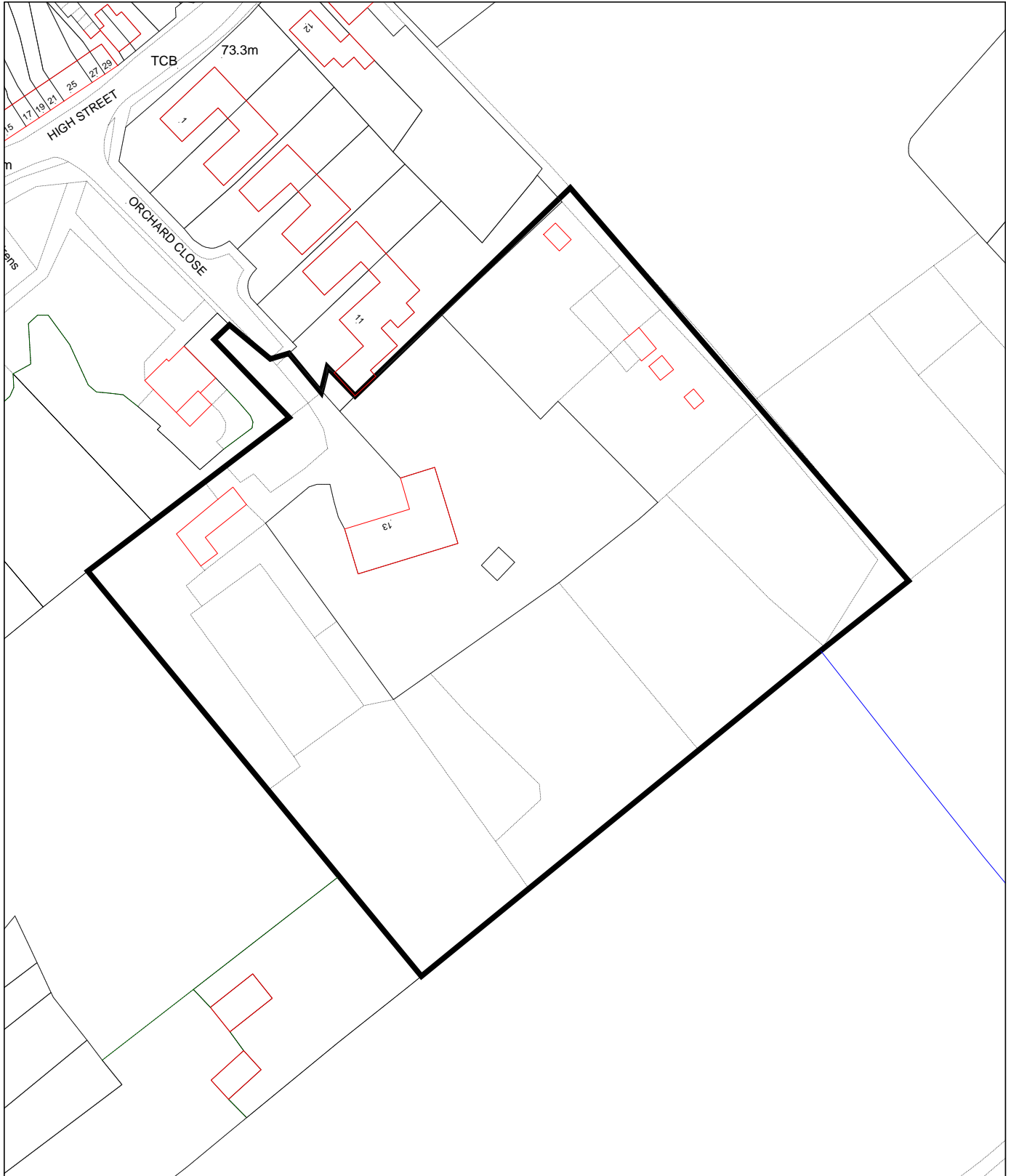
## Planning Enforcement formal action (DM Committee 26th April 2017)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
16	CB/ENC/15/0542	Land at Honeywicke Cottage, Honeywick Lane, Eaton Bray, Dunstable, LU6 2BJ	Enforcement Notice - Material change of use from agriculture to use for Class B8 storage as a scaffolding contractors yard and the laying of hardstanding.	10-Feb-16	10-Mar-16	10-Sep-16 10-Oct-16	Appeal	19-Jan-17	Appeal dismissed	Challenge against Appeal decision has now been lodged. All action held in abeyance.
17	CB/ENC/16/0001	Rear of, 2 Wrestlingworth Road, Potton, SG19 2DP	Enforcement Notice - Material change of use of the land from agricultural use to a use for the storage of materials, equipment and machinery associated with the unauthorised demolition business.	01-Jun-16	01-Jul-16	01-Aug-16	Appeal received 10/06/16		Complied with	Compliance check carried out end March 2017. Enforcement notice requirements complied with.
18	CB/ENC/16/0016	Grooms Cottage, 5 West Hill, Aspley Guise, MK17 8DP	S215 Notice - Building in state of disrepair	16-Nov-16	16-Dec-16	16-Mar-17				Await update from Highways but working with Agent to progress.
19	CB/ENC/16/0084	Unit 22 Pulloxhill Business Park, Greenfield Road, MK45 5EU	Enforcement Notice 1 (r/o Unit 14)- Material change of use of the land from amenity land to use for the storage, maintenance and cleaning of plant/machinery  Enforcement Notice 2 (r/o Unit 22)- Material change of use of the land from amenity land to use for the storage, maintenance and cleaning of plant/machinery	05-Apr-16  05-Apr-16	06-May-16  06-May-16	06-June-16 06-July-16  06-Jun-16	Appeal received 06/05/16		Notices withdrawn	Various non compliances with conditions placed on CB/15/04844 remain. Minimal impact upon amenity. Continued negotiations with the land owner.
20	CB/ENC/16/0179	Land at 81 The Rowlands, Biggleswade, SG18 8NZ	S215 Notice - Untidy land	02-Aug-16	02-Sep-16	02-Oct016				Court date set for 21/04/2017 at Luton Magistrates Court.
21	CB/ENC/16/0214	Land at 27 Gardeners Close, Maulden, Bedford, MK45 2DY	Enforcement Notice - Unauthorised erection of an outbuilding, a raised platform and supporting frame.	22-Aug-16	22-Sep-16	22-Oct-16			Complied with	Compliance with the Notice has been achieved and the case will now be closed.
22	CB/ENC/16/0216	Falcons Field, Lower Rads End, Eversholt, MK17 9EE	Enforcement Notice - Unauthorised construction of a tree house	08-Mar-17	08-Apr-17	08-May-17				Check compliance 08/05/17
23	CB/ENC/16/0237	Land at 3A Shannon Close and Land to the North, Lower Stondon, SG16 6EF	Unauthorised works to trees protected by Tree Preservation Orders							Charges withdrawn at court by LGSS Law as the evidence supplied by officers could not prove the charges set out by LGSS Law. Case therefore discontinued.

## Planning Enforcement formal action (DM Committee 26th April 2017)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
24	CB/ENC/16/0328	52 The Ridgeway, Flitwick, MK45 1DJ	Section 215 - Untidy Land	03-Oct-16	03-Nov-16	03-Dec-16				Await update following first hearing on 04/04/2017 at Luton Magistrates Court.
25	CB/ENC/16/0390	7 Lovers Walk, Dunstable, LU5 4BG	Section 215 - Untidy Land	20-Oct-16	20-Nov-16	20-Dec-16				Notice not complied with - file being prepared for Legal.
26	CB/ENC/16/0482	The Halt, Crawley Crossing, Bedford Road, Husborne Crawley, MK43 0UT	Breach of conditions - Condition 1 and 2 - Construction Traffic scheme and landscaping details.	16-Mar-17	16-Mar-17	15-Apr-17				Breach of Condition Notices were served on 16 March 2017 giving 30 days for compliance that being 15 April 2017.
27	CB/ENC/16/0548	2 Hockliffe Road, Leighton Buzzard, LU7 3FN	Enforcement Notice - Unauthorised change of use, taxi business.	12-Jan-17	12-Feb-17	12-Mar-17	Appeal received 09/02/17			Appeal submitted and questionnaire to be completed.
28	CB/ENC/17/0007	The Kings Head, Great North Road, Lower Caldecote	Breach of condition - Condition 2 - following first occupation of the dwelling, the existing dwelling shall be demolished and all resultant detritus be removed.	05-Apr-17	05-Apr-17	15-May-17				Check compliance 15/05/17
29	CB/ENC/16/0549	Land rear of Unit 14, Pulloxhill Business Park, Greenfield Road, Pulloxhill, MK44 5EU	Enforcement Notice - The unauthorised material change of use of the Land to open storage and cleaning of commercial plant and machinery with the associated provision of a 2.5 metre high earth bund along the north eastern site boundary and boundary bund, fencing with gates on the road frontage.	27-Jan-17	01-Mar-17	01-Apr-17 01-Jun-17				Work in progress with regard to the clearance of the plant/equipment in accordance with Enforcement notice requirements.
30	CB/ENC/17/0013	Lidlington Post Office, 35 church Street, Lidlington, MK43 0RJ	Temporary Stop Notice - The unauthorised erection of a structure.	24-Feb-17	24-Feb-17	24-Feb-17				Temporary Stop Notice served on 24 February 2017 expiring on 24 March 2017 - planning application submitted in the meantime under CB/17/01081/FULL.

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Central Bedfordshire Council  
Licence No. 100049029 (2009)  
Date: 10:April:2017  
Map Sheet No

Application No.  
CB/17/00106/OUT

Scale: 1:1250

Oakridge, 13 Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF

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**Item No. 06**

<b>APPLICATION NUMBER</b>	<b>CB/17/00106/OUT</b>
<b>LOCATION</b>	<b>Oakridge, 13 Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF</b>
<b>PROPOSAL</b>	<b>Outline: Demolition of existing bungalow and removal of Equestrian Facility and erection of 10 dwellings and associated parking and roads.</b>
<b>PARISH</b>	<b>Gravenhurst</b>
<b>WARD</b>	<b>Silsoe &amp; Shillington</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Ms Graham</b>
<b>CASE OFFICER</b>	<b>Nikolas Smith</b>
<b>DATE REGISTERED</b>	<b>10 January 2017</b>
<b>EXPIRY DATE</b>	<b>11 April 2017</b>
<b>APPLICANT</b>	<b>2MC Homes</b>
<b>AGENT</b>	<b>The Gillett Macleod Partnership</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr Graham called this application before the Development Management Committee for the following reasons:</b>
	<ul style="list-style-type: none"><li><b>• The development would be contrary to policy because it would not constitute limited infill</b></li><li><b>• Access to the High Street is already difficult</b></li><li><b>• The development would not be sustainable</b></li></ul>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Grant</b>

Reason for recommendation

The development, subject to conditions controlling the location and scale of new buildings, would have a good relationship with the existing built up area of Gravenhurst and would be located within the Settlement Envelope. There would be no serious harm to the landscape and the development would be acceptable in a highways context. The impact of the development on neighbours and the quality of accommodation provided could be controlled at Reserved Matters Stage. Whilst the development would not constitute 'limited infilling', there would be no direct harm associated with that conflict. There would be a net gain of 9 bungalows at the site. These are material considerations that would indicate that a conflict with Policy DM4 would be appropriate in this instance.

**Site Location:**

The site is an area of land of around 4.5ha on the east side of Orchard Close. It comprises a detached bungalow (No 13) and equestrian buildings. Orchard Close is a cul-de-sac of 7 bungalows (including that at the site) on the north side of the road. The lower and pre-school is on the south side of the road.

The ground levels at the site fall away to the southeast.

There are some trees within the site and two at the entrance to it. Existing hedgerow demarks the boundaries of the site within the countryside beyond it.

Part of the site (the curtilage of No 13 Orchard Close) is within the Settlement Envelope. The remainder of the site falls outside of the site and within the open countryside.

Upper Gravenhurst is designated by the development plan as a 'small village'.

**The Application:**

Outline planning permission, with all matters reserved for subsequent approval is sought for the erection of 10 dwellings at the site after the demolition of the existing bungalow and equestrian buildings. There would be a net gain of 9 dwellings at the site.

The applicant has provided an indicative layout which shows that all 10 dwellings could be accommodated within the part of the site that falls within the Settlement Envelope.

**Relevant Policies:**

National Policy and guidance

National Planning Policy Framework (NPPF) (2012)  
National Planning Practice Guidance (NPPG) (2014)

Local Policy and guidance

Central Bedfordshire Core Strategy and Development Management Policies - North (2009). The following policies

- DM3 High Quality Development
- DM4 Development Within and Outside of Settlement Envelopes
- DM10 Housing Mix
- DM14 Landscape and Woodland
- DM15 Biodiversity

Site Allocations (North) Development Plan Document (2011)

Central Bedfordshire Design Guide (2014)

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

### Relevant Planning History:

There is no recent, relevant planning history at this site. Outline planning permission was granted for up to 24 houses to the southwest of the site on land to the rear of 7-37 Barton Road in December 2016 (CB/15/04081/OUT).

### Consultation responses:

Neighbours were written to and a site notice was published. The responses are summarised below:

Gravenhurst  
Council

Parish Objection for the following reasons (summary):

- Traffic congestion – parents use Orchard close to drop off and collect children from the pre-school and primary school. This development would make that worse.
- Infrastructure and sustainability – the infrastructure provided by the village cannot accommodate more growth. There could be a harm to community spirit.
- Gravenhurst is defined as a small village and is not sustainable.
- Public transport is extremely limited.
- The scale of the development would not allow for s106 contributions to be sought.
- The development would be contrary to the NPPF, even if a five year housing supply could not be demonstrated.

Neighbours

22 letters of objection have been received. The responses can be summarised as follows:

- The existing parking situation is very problematic
- Gravenhurst is not a sustainable location for new development
- The development would not be 'limited infill'
- Construction could be very disruptive
- No low cost housing for the community would be provided
- All of the site – not just that within the Settlement Envelope – could be built upon. Further planning applications could be submitted
- The development would be out of character with the area
- There is ecological interest at the site
- The Settlement Envelope was manipulated to accommodate this planning application
- Trees would be removed at the site
- The water and sewage systems cannot accommodate further development
- There would be harm to living conditions

- The application lacks detail
- The development would be too dense
- The development would have a harmful impact on views in and out of the village
- Two storey dwellings would be especially harmful
- Sustainable energy sources should be controlled by condition
- The development would disproportionately increase the size of the village
- The site plan shows land owned by a neighbour
- The access to the site would be inadequate

One letter of support was received:

- This would be good project to expand the village in a controlled manner

A letter from the Manager of Gravenhurst and Villages Pre-School states:

- We have no strong oppositional views but are concerned that the development should provide sufficient car parking.

**Consultee responses:**

SuDS Team	Management	<p>We consider that outline planning permission could be granted to the proposed development and the final design and maintenance arrangements for the surface water system agreed at the detailed design stage, if the following recommendations and planning conditions are secured.</p> <ul style="list-style-type: none"><li>• 5.c. discharge of less than 5l/s can be sought due to technology now allowing better rates.</li><li>• 5.d. the EA do not issue discharge rights to ordinary watercourses, the IDB issue these consents on behalf of CBC.</li><li>• 6.a. 1 in 100+30% modelling will require exceedance flow paths to be shown; all surface water to 1 in 100+40% should be kept on site.</li><li>• Any proposed areas for adoption should be consulted with the proposed adopters at the earliest opportunity.</li><li>• Where the use of permeable surfacing is proposed, this should be designed in accordance with the</li></ul>
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'CIRIA RP992 The SuDS Manual Update: Paper RP992/28: Design Assessment Checklists for Permeable/Porous Pavement'.

- The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).
- To ensure future homeowners and subsequent homeowners will be aware of any maintenance requirements / responsibilities for surface water drainage; further measures should be proposed by the applicant and may include, for example, information provided to the first purchaser of the property and also designation/registration of the SuDS so that it appears as a Land Charge for the property and as such is identified to subsequent purchasers of the property. Any methods involving designation or registering a Land Charge are to be agreed with the LPA.
- Please note that Land drainage Consent under the Land Drainage Act 1991 must be secured to discharge surface water and details of this provided with the full detailed design. An easement should be provided on the developable side of the watercourse to allow for access for maintenance, this should be 9m but may depend on the maintenance requirements considered appropriate.
- We require detailed plans and drawings showing the proposed drainage system in its entirety, including location, pipe run reference numbers, dimensions, gradients and levels (in metres above Ordinance Datum). This shall include all elements of the system proposed, including source control, storage, flow control and discharge elements;
- The Council does not, and is not required to, adopt any SuDS feature. It is the responsibility of the

applicant to ensure that the surface water drainage system, in its entirety, will be effectively maintained in the long-term. We therefore expect confirmation of the proposed arrangements for maintenance to be provided with the final detailed design, including the future maintenance and operational needs and the responsible bodies for undertaking maintenance (for all public and private drainage components).

- We will expect that any components that require replacement and/or maintenance will be designed to be accessible without undue impact on the drainage system and adjacent structures or infrastructure.

**Condition 1** : No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed SuDS and assessment of surface water capability Report (no date) and assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and a restriction in run-off rates to a maximum of 5l/s as outlined in the SuDS and assessment of surface water capability Report. Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included.

The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

**Reason:** To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.

**Condition 2:** No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

**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.

Ecology Officer

The information submitted is not sufficient to allow a fully informed decision. As the proposal involves the demolition of buildings and affects open grassland and trees I would need to see an ecological appraisal identifying potential impacts to biodiversity. The NPPF looks for development to deliver a net gain for biodiversity and the appraisal would suggest opportunities for enhancement. No tree survey or design and access statement are provided and these would be equally useful in determining impacts of the development. I therefore object.

Highways Officer

The proposal is outline with all matters reserved, although an indicative layout for 10 dwellings including access has been submitted. The proposal takes access from the turning head of Orchard Close and involves the existing public highway being realigned.

The indicative layout has some issues which will need to be addressed, and the applicant should be advised of these prior to the reserved matter application;

- Vehicular access for no. 11 is shown blocked by a verge. The access should not be obstructed
- The 2.0m service strip should continue around all of the turning head within the site (plots 4 to 8)
- The turning head should be suitable for an 11.5m length refuse vehicle to turn and leave in forward gear, inclusive of tracking diagrams
- Garages should measure 3.3m x 7.0m internal dimension, and 5.8m x 7.0m internal dimension
- Parking provision should be to the current guidance, inclusive of visitor parking provision dispersed throughout the site. Tandem spaces should be no more than 2 vehicles

In principle the proposal is acceptable; please include the following in any permission issued:

Prior to commencement of development details of the junction/access arrangements shown for indicative purposes on the drawing no. 16/3031/3 Revision E inclusive of the junction/access arrangements for no. 9 and no. 11 Orchard Close shall be submitted to and approved in writing by the local planning authority and no dwelling approved under the subsequent reserved matters application shall be occupied until such time as the agreed works have been implemented

Reason: To ensure the provision of appropriate access arrangements and the interests of highway safety

Any subsequent reserved matters application shall include the following:

- The road designed and constructed to a standard appropriate for adoption as public highway
- Vehicle parking and garaging, inclusive of visitor parking, in accordance with the councils standards applicable at the time of submission
- Cycle parking and storage in accordance with the councils standards applicable at the time of submission
- A vehicular turning area within the curtilage of the site, inclusive of tracking diagrams, suitable for a refuse sized vehicle (11.5m length)
- Driver/driver intervisibility and pedestrian visibility from the residential accesses within the site
- A refuse collection point at each properties frontage, clear of the public highway and any visibility splays

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

This permission shall not extend to the indicative layout details submitted in support of the application

Reason: For the avoidance of doubt

No development shall commence until a details of the method statement of preventing site debris from being deposited on the public highway have been submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be implemented throughout the construction period and until the completion of the development.



Reason: In the interests of highway safety and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

Development shall not commence 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: To ensure adequate off street parking during construction in the interests of road safety.

### **NOTES TO APPLICANT**

- The applicant is advised that in order to comply with Condition 1\*\* 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 Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ
- The applicant is advised that no private surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system
- 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 Highways Help Desk tel: 0300 300 8049
- The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.

- The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ .
- The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

IDB

No comment

Environment Agency

We have no objection to this application.

### **Contamination**

The site is located above a Principal Aquifer. However, we do not consider this proposal to be High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination, which can be found here: <https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>

### **Infiltration Sustainable Drainage Systems (SuDS)**

The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13 which can be found here: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/297347/LIT\\_7660\\_9a3742.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297347/LIT_7660_9a3742.pdf). In addition, they must not be constructed in ground affected by contamination.

Tree Officer

The information supplied as plans appears to be of limited detail and quality, the area of development appears to be on the area containing the remaining orchard trees below, it is unclear whether the intention is to retain these but I will reiterate the points below in previous comments, we want to see the remaining orchard features incorporated into any development proposals and we will require details showing how these features will be retained in good order from start to finish of development. Why not put this smaller development around these features.

Landscape Officer

The site is open to views from the open countryside to the south east, which will include distant views from the Chilterns. Although the site is well contained by coniferous hedging, it will be important to mitigate visual intrusion, which is best achieved through limiting the building heights and securing a landscaped screen, particularly to the south and east. As Orchard Close is made up of bungalows, it would seem appropriate to limit development to one storey.

The other key landscape issue is to safeguard the existing orchard, which looks in good condition and helps to create the sense of place.

Very limited information is available on the plan, but the scheme appears to create a new settlement boundary which does not relate well to the existing features. Although each property has a tree associated with it - the planting as proposed will not form a cohesive design.

A detailed landscaping scheme will be required by Condition. This should address the site as a whole, develop a sympathetic setting for the remaining orchard and provide proposals for new orchard planting, to include appropriate grassland, such as one containing a wildflower mix.

It would benefit landscape character if the existing coniferous hedging was removed as part of the landscape gain associated with this scheme, as the leylandii are incongruous and also show signs of disease. A mixed native hedgerow would be more appropriate to the setting.

As well as the detailed planting scheme, a Landscape and Ecology Management Plan will be required, which will detail how the orchard will be managed in the future.

A design which provides a pedestrian link through to the adjacent development site would be a consideration - as the green infrastructure associated with Orchard Close would benefit the locality, including the Lower School.

## **Determining Issues:**

The considerations in the determination of this application are:

1. The principle of the development
2. The appearance of the development
3. The impact on neighbours
4. Traffic and parking
5. The quality of the accommodation provided
6. Biodiversity and trees
7. Conclusions

## **Considerations:**

### **1. Principle**

The applicant has submitted an indicative layout to demonstrate how the development could be accommodated at the site. It shows that all 10 dwellings could be accommodated within that part of the site which falls within the Settlement Envelope.

A condition would ensure that any future application for the approval of Reserved Matters also showed no built development outside the Settlement Envelope so as to limit the impact of the development on the open countryside, in accordance with the objectives of policy DM4.

Upper Gravenhurst is designated as a small village where policy DM4 states that 'limited infilling' will normally be acceptable, in principle. This development would not constitute limited infilling and so there would be a conflict with this aspect of that policy.

Planning applications should be determined in accordance with the Development Plan, unless other material considerations indicate otherwise.

### **2. Appearance**

Planning conditions would limit the location of the development to within the Settlement Envelope and the scale of the development to single-storey, bungalow accommodation. Together, these conditions would ensure that the appearance of the development would be acceptable. It would form quite a natural extension to the cul-de-sac and there would be opportunities for successful landscaping at the site to limit the impact of the development on wider views in and out of Gravenhurst. The levels at the site, falling away from High Street, would assist in limiting the visual impact of the development from the village.

Details of layout, scale and appearance would be considered in detail at reserved Matters stage.

### **3. Neighbours**

An indicative layout has been submitted at this stage and the impacts on existing neighbours would be considered in detail at Reserved Matters stage.

The level of information submitted demonstrates that a scheme could be achieved at this site that responded properly to the relationships with existing residents on Orchard Close because of the fact that the majority of the dwellings would be positioned away from existing neighbours.

Whilst there would be an increase in traffic using Orchard Close, this would not be of a scale likely to cause serious harm to existing residents through noise and disturbance.

### **4. Traffic**

Access would be a Reserved Matter but it is shown indicatively from Orchard Close. The Council's Highways Officer is satisfied that a safe access to the site could be achieved.

A number of residents have raised concern about parking on Orchard Close in the morning and afternoon associated with the pre and lower schools. On-street parking around schools can often be problematic at certain times of the day. Because of existing parking pressures, it would be especially important that the development provided sufficient off-street car parking spaces to avoid the need for future residents to park on-street, adding to what appears already to be a problematic situation. This would be controlled at Reserved Matters stage.

Given the number of units proposed, there is no concern that the existing highways network could not accommodate the increase in traffic.

### **5. Quality**

A planning condition would ensure that the dwellings were single-storey bungalows, which might be attractive to older people to live in. Compliance with the Council's internal space standards and garden space standards and the overall quality of the accommodation proposed would be assessed in detail at Reserved Matters stage.

### **6. Biodiversity and trees**

The Council's Ecology Officer has objected to the planning application because not enough information has been provided. Given the outline nature of the application, the scale of development proposed and the opportunities that would appear to exist for ecological enhancements within the part of the site that would not be built on, a condition could satisfactorily address those concerns on this occasion.

The access from Orchard Close would appear to result in the loss of two trees on the southwest side of the road. A landscaping scheme for the site would be assessed at Reserved Matters stage and a planning condition would require a survey of existing trees at the site and a method statement for the protection of those that would be retained.

## 7. Conclusions

A condition could ensure that all of the development at this site took place within the Settlement Envelope. Policy DM4 does restrict development in small villages, like Gravenhurst, to limited infilling. That would not be the case here.

That would not, though, result in any direct harm being caused. The appearance of the development could be acceptable, subject to conditions, and the quality of accommodation could be high.

The development would result in the provision of an additional nine bungalows, which are particularly attractive for older people. There is an identified need for older people's accommodation in Central Bedfordshire.

The provision of bungalows, taken together with the lack of harm that would be caused by the development are material planning considerations that in this case, indicate that a deviation from DM4 would be appropriate.

A number of residents have raised concerns over the limited infrastructure within the village. This development would result in an increase of only nine dwellings and those would be bungalows, less likely to be occupied by families with children. The development would not place the type of strain on infrastructure that could warrant the refusal of this planning application. Services within Gravenhurst are certainly limited, but the settlement is sufficiently sustainable for the scale of development proposed.

### Recommendation:

That Planning Permission is granted subject to the following conditions:

- 1 No development shall commence at the site before details of the access, layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") relating to the development 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.

- 2 An application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

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

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

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

4 Notwithstanding the submitted details, any application for the approval of Reserved Matters shall not include:

- Development, including dwellings, garaging, hard standing or means of enclosure taller than 1m in height outside of the area marked as 'Settlement Envelope' on plan reference 16/3031/2D
- Dwellings any greater in height than one storey

Reason: To ensure that the appearance of the development, its relationship with the existing settlement and its impact on the open countryside were acceptable in accordance with policies DM3 and DM4 of the Central Bedfordshire Core Strategy and Development Management Policies (2009)

5 Any application for the approval of reserved Matters at the site shall include details of existing and proposed levels at the site including cross-sections through the development and adjacent properties on Orchard Close.

Reason: To ensure that the appearance of the development and its impact on existing neighbours would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

6 Any application for the approval of reserved Matters at the site shall include an Ecological Survey of the site together with a scheme for mitigating the impacts of the development on existing biodiversity and ecology and for delivering a net-gain in biodiversity at the site, based on the findings of the submitted Survey.

Reason: To ensure that existing ecology at the site is protected and opportunities for enhancement are maximised in accordance with Policy DM15 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework (2012).

7 Any application for the approval of Reserved Matters at the site shall include:

- The road designed and constructed to a standard appropriate for adoption as public highway
- Vehicle parking and garaging, inclusive of visitor parking, in accordance with the councils standards applicable at the time of submission
- Cycle parking and storage in accordance with the councils standards applicable at the time of submission
- A vehicular turning area within the curtilage of the site, inclusive of tracking diagrams, suitable for a refuse sized vehicle (11.5m length)
- Driver/driver intervisibility and pedestrian visibility from the residential accesses within the site
- A refuse collection point at each properties frontage, clear of the public highway and any visibility splays.

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times in accordance with policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

Any application for the approval of Reserved Matters at the site shall include an Arboricultural Impact Assessment to seek to justify the retention or removal of existing trees at and around the site and a Method Statement detailing how retained trees would be protected during construction.

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

- 9 **No development shall commence at the site before a detailed surface water drainage scheme for the site, based on the agreed SuDS and assessment of surface water capability Report (no date) and assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and a restriction in run-off rates to a maximum of 5l/s as outlined in the SuDS and assessment of surface water capability Report. Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included.**

**The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

**Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.**

- 10 No building/dwelling shall be occupied until a Maintenance and Management Plan for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The system shall be managed and maintained in accordance with the approved Plan.

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.

- 11 Other than where expressly set out by a condition attached to this permission, the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 16/3031/1A, 16/3031/2D

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. The applicant is advised that in order to comply with conditions attached to this planning 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 Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ
3. The applicant is advised that no private surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system
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 Highways Help Desk tel: 0300 300 8049
5. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
6. The applicant is advised that if it is the intention to request Central

Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ .

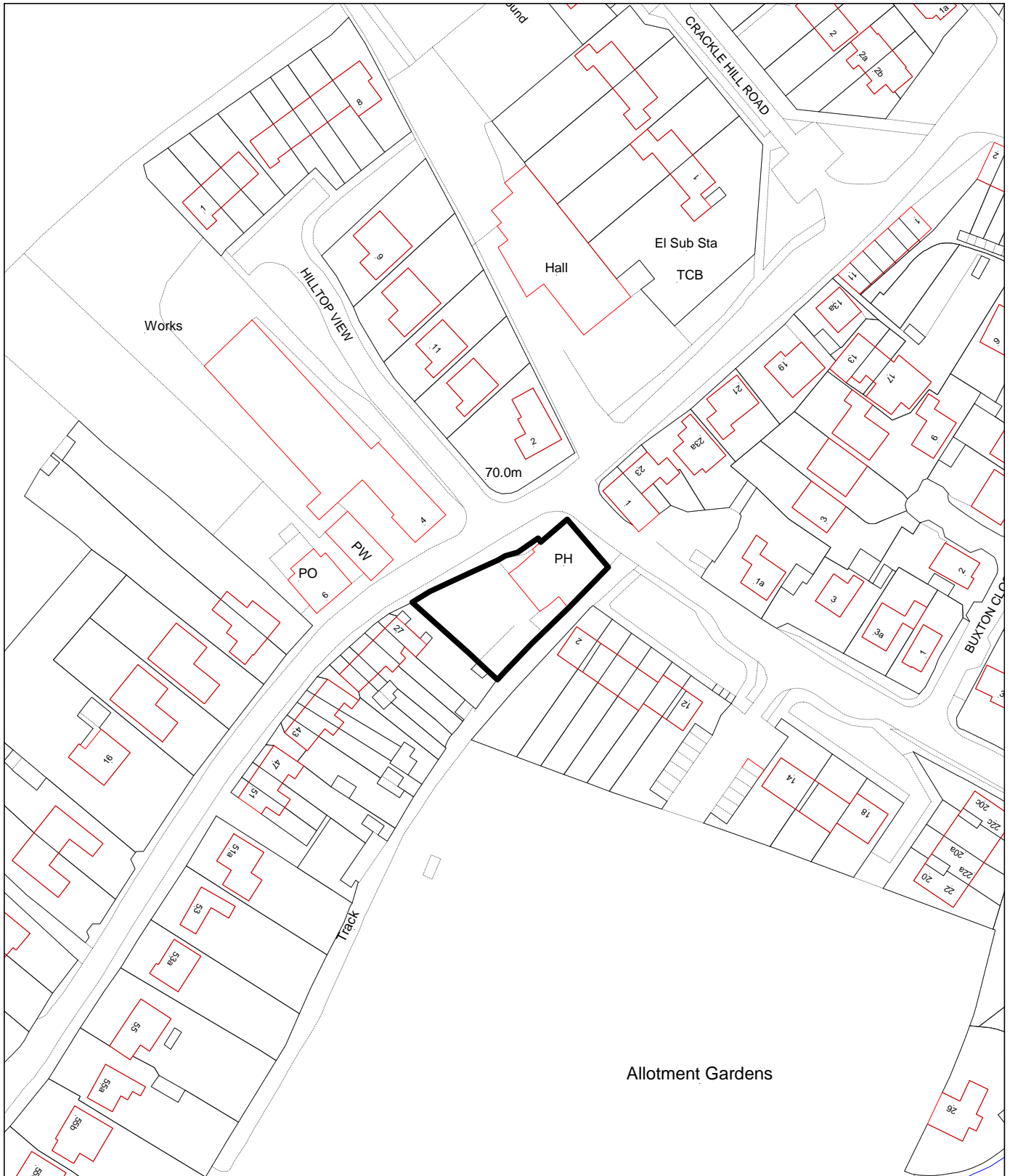
7. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

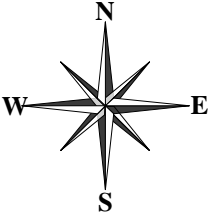
**Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35**

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.

**DECISION**

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	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No. <b>CB/17/00478/FULL</b>
	Date: 10:April:2017  Map Sheet No	
Scale: 1:1250	<b>The Sugar Loaf, 25 High Street, Meppershall, Shefford, SG17</b>	

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**Item No. 7**

<b>APPLICATION NUMBER</b>	<b>CB/17/00478/FULL</b>
<b>LOCATION</b>	<b>The Sugar Loaf, 25 High Street, Meppershall, Shefford, SG17 5LX</b>
<b>PROPOSAL</b>	<b>Alterations and extensions in regard to Change of use of public house (Use Class A4) to convenience store (Use Class A1). To include installation of 2 No. satellite dishes on the roof / elevations for use with the ATM, Lottery and TCG radio. Location of Plant equipment area. Installation of shopfront and ATM. Reconfiguration of car park to facilitate servicing/deliveries. (Amendment to application CB/16/02868/FULL)</b>
<b>PARISH</b>	<b>Meppershall</b>
<b>WARD</b>	<b>Shefford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Birt &amp; Brown</b>
<b>CASE OFFICER</b>	<b>Donna Lavender</b>
<b>DATE REGISTERED</b>	<b>30 January 2017</b>
<b>EXPIRY DATE</b>	<b>27 March 2017</b>
<b>APPLICANT</b>	<b>Hawthorn Leisure Ltd</b>
<b>AGENT</b>	<b>WYG</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Ward Councillor Call In request (Cllr A Brown) on the following grounds:</b> <ul style="list-style-type: none"><li>• <b>Loss of the last public house in the village</b></li><li>• <b>Highway Safety issues throughout the day due to increase in vehicles moving within a small area in the centre of the village</b></li><li>• <b>Additional parking problems due to the hours of use</b></li><li>• <b>Major development proposals for the village will change the size and number of residents who will be left without a community centre</b></li></ul>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Recommended for Approval</b>

**Reason for Recommendation**

The proposal for the change of use of the Public House, would allow the retention of community facilities with the provision of a retail element thereby retaining suitable uses of community benefit in accordance with policy DM8. The proposal would have an impact on the character and appearance of the area however this impact is not considered to be significant or demonstrably harmful. The proposal is also considered to be acceptable in terms of highway safety and neighbouring amenity and therefore accords with Policy DM3 of the Core Strategy and the Council's adopted Design Guidance (2014).

### **Site Location:**

The application site consists of a public house known as "The Sugar Loaf" and associated parking facilities located at the junction with Fildyke Road and accessed off High Street within the village of Meppershall. The site is flanked by to the South east by a parcel of open space and an access track which serves the back of properties 27 - 37 High Street. The streetscene consists of a mixture of residential and small scale village shop and commercial premises.

The site is located within the village core of Meppershall and as such within the designated settlement envelope of Meppershall however is not located within any other designation.

### **The Application:**

Permission is sought for the change of use from A4 (Drinking Establishment) to A1 (Retail) and for associated extensions, parking and facilities to be used in conjunction with the proposed change of use such as ATM machine and satellite dishes for operations in connection with the ATM and lottery. The proposed extension would provide 105m<sup>2</sup> of additional floor space. Parking spaces are indicated at 7 with 1 x spaces proposed wheelchair accessible.

The application has been accompanied by the following statements:

- Phase 1 Ecological Assessment
- Acoustic Testing Report
- Planning Statement
- Design & Access Statement
- Transport Statement
- Delivery & Servicing Plan
- Marketing Report
- Viability Report
- Heritage Statement

Planning permission was previously applied for which included a larger extension under planning permission CB/16/02868/FULL which was refused on highway grounds only and is the subject matter of an outstanding appeal. The proposal herein results in a reduced extension to resolve those highway related concerns.

Whilst this change of use would normal constitute permitted development, as the property is listed as an asset of Community Value, permitted development rights are removed for the duration of its listing.

### **RELEVANT POLICIES:**

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

Section 1: Building a strong, competitive economy

Section 3: Supporting a Prosperous Rural Economy

Section 4: Promoting sustainable transport

Section 7: Requiring good design

Section 8: Promoting healthy communities

Section 11: Conserving and enhancing the natural environment

## **Core Strategy and Development Management Policies - North 2009**

CS1 Development Strategy  
CS3 Healthy & Sustainable Communities  
CS9 Providing Jobs  
CS12: Town Centres & Retailing  
CS14 High Quality Development  
CS16 Landscape & Woodland  
CS18 Biodiversity & Geological Conservation  
DM3 High Quality Development  
DM8 Village Shops & Pubs  
DM14 Landscape & Woodland  
DM15 Biodiversity

### **Development Strategy**

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

### **Supplementary Planning Guidance/Other Documents**

1. Central Bedfordshire Design Guide (March 2014)
2. The Localism Act (2011)

### **Relevant Planning History:**

Application Number	<b>CB/16/02868/FULL</b>
Description	Alterations and extensions in regard to Change of use of public house (Use Class A4) to convenience store (Use Class A1). To include installation of 2 No. satellite dishes on the roof / elevations for use with the ATM, Lottery and TCG radio. Location of Plant equipment area. Installation of shopfront and ATM. Reconfiguration of car park to facilitate servicing / deliveries.
Decision	Refused (Appeal in receipt and yet to be determined)
Decision Date	19/12/2016

Application Number	<b>MB/90/01625/FULL</b>
Description	Full: provision of side porch, extension to toilet block and internal alterations
Decision	Full Application - Granted
Decision Date	23/01/1991

### **Parish Council:**

Meppershall Parish Council (01/03/16)

*(Verbatim)* -

I am writing this letter as Chairman of Meppershall Parish as unfortunately our clerk is on long term sick leave.

I must bring to your attention an issue that must be addressed before I make comment on behalf of the Parish Council on the above application.

As occurred with CB/16/02868/FULL the documentation upon which comment was invited was sent, in error yet again, to Shefford Town Council, resulting in unnecessary delays and delivery effort. Could you please ensure that all documentation relating to planning applications in this parish of MEPPERSHALL is carefully checked and sent here and not elsewhere, whatever is indicated by postcode software.

On behalf of the Parish Council I am writing to register, and repeat Councillors concerns and objection to this application. CB/17/00478/FULL is similar to CB16/02868/FULL but with a smaller retail footprint and a reduced parking provision. As you are aware the Sugar Loaf is listed as an Asset of Community Value and whilst the Owners, Hawthorne Leisure have appealed this listing initially to Central Bedfordshire which was not upheld and now to the First Tier tribunal, the listing remains.

Councillors remain appalled at the prospect of this application for a change of use being granted.

Its effect would be catastrophic to the community and village in many ways. The Sugar Loaf is the only public House within the village and has been at the centre of the village since 1870. There is no alternative within walking distance; the nearest being 1.8 miles away via unpaved and unlit roads. To remove this facility would remove a fundamental of village community and against Central Beds Council's reluctance to endorse the closure of the only public house in the village. The public reaction and opposition to the proposal has been universal demonstrated by a petition of over 500 signatures and 171 objections submitted to you for CB16/02868/FULL. We understand that the public have continued to post objections to you for this application and this is in excess of 90 as at today.

We are concerned that Hawthorne Leisure continues to portray the Sugar Loaf as not a financially viable use of the site to justify their stated commercial objective of achieving monetary gain from achieving change of planning use. Several councillors have questioned the narrow and biased financial assessment, prepared by their agents used to support their assertion that it is not viable. The council is aware that the community group Save the Sugar Loaf 2016 have prepared an alternative financial plan that suggests financial viability of the Sugar Loaf if it were freed from the constraints of a Tied Tenancy that the current tenant has to operate under. Based on this, the group have approached the owners to purchase the Sugar Loaf but the owners have refused. The Council is also aware that the existing tenant has offered to purchase the freehold of the property but this



too has been rebuffed.

Equally concerning to the council is the assertion that the change of business use to a convenience store would be a solution. There is an implied expectation that the new site would be financially more viable if operated as a convenience store but this is not proven. The marketing report produced by the owner's agents also demonstrates that success is not guaranteed. A councillor has referred the council to paragraph 8.5 of the said report' that "given its location, demands for both retail and office uses are limited to say the least." This lack of market interest and demand in retail outlets in the area may suggest that the proposal may also not be financially attractive/viable. This has been conveniently ignored by HL and their advisers.

The revised application continues to cause huge tension within the community and Councillors are very concerned at the effect of this application would have on the village and its residents, if it were successful. The existing retail outfits are suitable and appropriate for the communities' needs and would be threatened should this unnecessary and unwelcome second convenience store within the village. There is already healthy alternatives with the Tesco's Extra operating 24 hours per day 7 days a week on the bypass less than one mile away and a mid-sized Morrison's supermarket less than 2 miles away.

#### Site Changes

The new application CB/17/00478/FULL merely addresses the reason for rejection of CB16/02868/FULL but the Council wish to stress the fact the site has changed since that refusal.

Two planning applications have been approved since that date that will severely impact vehicular access to, and traffic flow past the entrance of, this proposed development. In the opinion of the Councillors, the impact of these new approvals largely invalidates the traffic survey evidence and the conclusions drawn in the report. The site and its environment are not the same.

The reason for rejecting CB16/02868/FULL would have been based on the environment and situation at that time (2nd August 2016) but the transport implications of CB/17/00478/FULL should be measured and assessed against the context now in February 2017, not what it was then.

The two approved developments are:

- CB/16/04896/FULL 4 High Street directly opposite the Sugar Loaf site entrance is for 7 dwellings. This development will include a new access road that will generate more traffic onto an already dangerous and congested area. Leaving the new road will be considerably more dangerous with delivery vehicles entering and leaving the Sugar Loaf site opposite. The width of this new site road is such that any on-street parking on it will make access significantly more dangerous and give rise to a significant loss of amenity to the new properties. On street parking in this new access road will make it difficult to turn parked vehicles round and unsafe reversing onto the crowded junction may result.
- CB/16/01769/FULL Development comprising of the demolition of the existing Meppershall Village Hall, a new Meppershall Village Hall, play pitches, public open space, a neighbourhood equipped area of play and 78 new residential dwellings. This development will generate a significant amount of extra traffic from both the new residential houses and the enlarged community village hall and will increase the traffic and worsen the safety environment in the immediate area. The entrance to this development is within 35m of the convenience store entrance and would generate a significant number of traffic movements in close proximity.

The Council still have grave concerns as the safety of the proposed site layout, particularly with the suggestion that delivery vehicles would perform complicated reversing manoeuvres in a public car park that would presumably require trained “guardians” to shepherd the delivery vehicles in and out. It is suggested that the proposed turning area is not large enough for the proposed delivery vehicles. It is also clear that the parking spaces would be restricted during such manoeuvres which are contrary to the Local Transport Plan. This plan is quite specific in its requirement that all parking spaces need to be accessible at all times. Furthermore the Plan is equally specific in that areas for circulation and turning must also be kept clear at all times.

Councillors and residents are almost 100% opposed to the concept of a convenience store being forced upon them when such a facility is not required, is unwanted and will change the appearance and the way of life in the

village for all time. There have been many examples pointed out to you by both this Parish Council and by responsible residents who object to seeing policies and standards being wantonly abandoned. We look to the members of the Planning Committee to support Meppershall's fight against this potential disaster for our village by refusing to sanction the application.

**Consultees:**

1. CBC Archaeology (21/02/17) - No Objection, subject to the imposition of a condition to secure a written scheme of archaeological investigation.
2. CBC Ecology (24/02/17) - No Comments
3. CBC Highways Officer (24/02/17) - No Objection, subject to the imposition of conditions to secure parking and access provisions and a service management plan.
4. CBC Pollution Team (23/02/17) - No Objection, subject to the imposition of a condition to prevent roll cage movements in association with deliveries outside of prescribed hours. Furthermore, all conditions such as hours of operation and plant noise controls as recommended on the previous application remain applicable to this submission.
5. CBC Community Engagement Manager (10/02/17)- An Asset of Community value, that should be given weight in the decision making process.
6. CBC Waste Services (24/02/17)- Private waste collection requirements would be required.
7. CBC Economic Development Officer (05/04/17)- No reason to contest results as previously advised on past application. We do note Meppershall village's dependence on this community facility (<https://www.meppershall.org/index.php/mag> section 3 of the report) but we appreciate that this application is for a convenience store which will also be a useful local amenity and provide employment.

**Other Representations:**

Neighbours x 170  
Objections received by the following addresses: *(Duplication numbers shown in brackets, this are as a result of reconsultation and as a result of number of occupants per unit)*

Objections on the following grounds in summary:

- Substandard parking
- Delivery issues in terms of turning and blocking of parking provision
- Pedestrian and highway safety issues
- Transport information supplied doesn't account for new developments in locality

- |   |  |
|---|--|
| <p>3, 4, 7, 10 (x2), 13, 16,<br/>18, 19, 20, 23, 24 (x2),<br/>34, 73, 74, 80 (x2), 81,<br/>90, 92, 98, 112, 116<br/>Shefford Road</p> | <ul style="list-style-type: none"> <li>• Increased traffic generation</li> <li>• Unsustainable Form of development</li> <li>• Inadequate roads to allow for delivery</li> <li>• Inaccuracies of the noise report in terms of collection of data</li> <li>• Noise concerns as a result of hours of operations, deliveries and use of ATM</li> </ul> |
| <p>7, 9, 19, 20 (x2), 22, 26,<br/>27, 47 Hoo Road</p>   | <ul style="list-style-type: none"> <li>• Loss of social facility failing to accord to policy DM8</li> <li>• Additional store surplus to requirements</li> </ul>  |
| <p>1, 4 Gregory Close</p>   | <ul style="list-style-type: none"> <li>• Anti social behaviour concerns</li> <li>• Village hall no substitution for public house and also invites a fee for social activities</li> </ul>   |
| <p>2, 3, 5(x3), 7, 10,11,16<br/>(x2) Buxton Close</p>   | <ul style="list-style-type: none"> <li>• Viability issues as a result of neglect</li> <li>• Loss of existing local stores as a result of this larger store</li> </ul>  |
| <p>4, 12, 14, 17, 23, 33<br/>Coneygate</p>  | <ul style="list-style-type: none"> <li>• Lack of need for additional store</li> <li>• Disproportionate scale extension</li> </ul>  |
| <p>1, 3 (x2), 3a, 4, 5, 8,<br/>11, 26, 37, 38, 45, 51,<br/>53, 63, 67, 67a, 84, 104<br/>Fildyke Road</p>                              | <ul style="list-style-type: none"> <li>• Shopfront and development as a whole out of character</li> <li>• Increased traffic generation and congestion</li> <li>• Loss of asset of Community Value</li> <li>• Asset should have been sold to the community</li> </ul>   |
| <p>1, 2, 14 (x2), 15,16, 26,<br/>28 (x3), 30 (x2), 33, 34<br/>Brookmead</p>   | <ul style="list-style-type: none"> <li>• No similar local facilities within walking distance</li> <li>• More appropriate faculties that the unit could be converted to such as restaurant, doctors surgery, office or affordable housing</li> </ul>  |
| <p>7 (x2), 10 Brookside</p>   | <ul style="list-style-type: none"> <li>• Concerns for children's safety using bus stop</li> </ul>  |
| <p>100 Meppershall Road</p>   | <ul style="list-style-type: none"> <li>• Loss of local group meeting ground (Evergreens, darts groups)</li> </ul>  |
| <p>71 Elgar Drive</p>   | <ul style="list-style-type: none"> <li>• No community benefit</li> <li>• Unsustainable public transport to other public houses</li> </ul>  |
| <p>6 (x2) Churchill Way</p>   | <ul style="list-style-type: none"> <li>• Bus service issues</li> <li>• Loss of employment</li> </ul>   |
| <p>2, 4, 18, 22, 27, 32, 37,<br/>39, 40 (x2), 42, 45, 46<br/>Orchard Close</p>  | <ul style="list-style-type: none"> <li>• Light pollution (adverts)</li> <li>• Historical asset</li> <li>• Impact on rural character (urbanisation)</li> <li>• Loss of residential above public house</li> <li>• Economic Competitiveness</li> <li>•</li> </ul>   |
| <p>1, 2, 6 (x2), 11, 14, 17,<br/>18, 23, 23a, 30, 39,<br/>53a, 64, 77, 94, 96 High<br/>Street</p>                                     | <ul style="list-style-type: none"> <li>• Investments required by future major developments towards road network, affordable housing and social facilities.</li> </ul>  |
| <p>2 Saxon Close</p>  | <ul style="list-style-type: none"> <li>• Inaccuracies of marketing report, bids have been made by community group</li> </ul>   |
| <p>5 (x2) Church Road</p>   | <ul style="list-style-type: none"> <li>• Pub just needs some investment</li> </ul>   |
| <p>3 Crackle Hill Road</p>  |  |

5 The Acres

3 St Marys Place

11 Taylors Close

1 Lyspitt Common

St Marys Church

4 Stondon Road

Outside of Meppershall:

53 Heron Way, Stotfold

78 Tritton Fields,

Ashford

9 Felstead Way, Luton

Old Orchard View,

Henlow

57 High Road,

Shillington

1 Derwent Road,

Henlow

25 River View, Shefford

63 Gainsborough Road,

Liverpool

375 High Street West,

Glossop

Chequers Lane,

Preston

15 Oak Crescent, Upper

Caldecote (x2)

8 Collenswood Road,

Stevenage

Poland

192 x signature petition

**Determining Issues:**

The main considerations of the application are;

1. **Principle**
2. **Affect on the Character and Appearance of the Area**
3. **Neighbouring Amenity**
4. **Highway Considerations**
5. **Other Considerations**

## Considerations

### 1. Principle

- 1.1 This application is a revision of a previous application for a similar proposal under planning reference CB/16/02868/FULL. This previous application was refused on highway grounds only and is the subject matter of an ongoing appeal. The reason for refusal of this previous application is material to the determination of this application.
- 1.2 In summary, the application site is located within the large village of Meppershall. The site is within the defined Settlement Envelope for Meppershall (as set out within the Core Strategy and Development Management Proposals Maps) and is therefore regarded as a Sustainable location, therefore the principle of new development is appropriate provided it reflects the size and character of the settlement.
- 1.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004, states that the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.
- 1.4 Paragraph 28 of The National Planning Policy Framework (NPPF) states that support should be given to the sustainable growth and expansion all types of business and enterprise in rural areas through conversion of existing buildings and further goes on to state that promotion should be given to the retention and development of community facilities within a village such as shops which is iterated within local policy CS12 of the Core Strategy for the North.
- 1.5 Paragraph 69 of the NPPF states that consideration should be given to proposals which allow social interactions within communities allowing opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity. Paragraph 70 of the NPPF goes further to state that the decision maker should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day need.
- 1.6 This is supported in local Policy DM8 of the Core Strategy of the North states that planning permission will not be permitted for the change of use or redevelopment of shops or pubs in villages which would result in the loss of such facilities unless there are other facilities performing the same function within easy walking distance of the village community, and the applicant provides evidence that there is no prospect of the use continuing even if permission is refused.
- 1.7 The Sugar Loaf is listed as an Asset of Community Value which is a material consideration in accordance with the Localism Act 2011. Whilst the applicant has indicated this matter is being appealed at the time of determination this listing is relevant and material. There is overwhelming local support for the retention of the public house , however the application has been supported with a viability report which demonstrates that the public house is economically unviable. This viability report has been assessed by the Councils Economic Development Team and they have confirmed that there is

no reason to doubt the conclusions contained within the report which suggested that there was a predominant struggle in "wet led" trading and due to the lack of hot food facilities or space for serving. Furthermore a marketing report was supplied which identified that marketing of the unit was carried out for 6 months in relation to the public house and found little viable interest in its retention as a public house. As such, whilst concerns have been expressed by the local residents and the Parish Council alike about the loss of a valuable and needed local facility, it is concluded that even if permission was refused, the retention of this facility is unlikely on the basis of the economic information supplied. Therefore it is difficult to demonstrate an appropriate need which would lead to its retention which is fundamentally relevant and is a matter that has been considered in a number of recent planning appeal decisions.

- 1.8 There is no other public house within the core of Meppershall, however it is acknowledged that an application has been submitted under reference CB/16/1769/FULL for a temporary and enhanced replacement village hall within Meppershall which would provide social facilities similar to a public house with provision for social functions, and community clubs and events which is within walking distance from the core of Meppershall. Whilst this is relevant, planning permission has not been yet obtained for this facility however there are existing facilities by way of a village hall available in Meppershall and the above application reference relates to a more appropriate replacement.
- 1.9 Furthermore, whilst this public house in question is the only within the village core, it has been demonstrated that the public house is not viable and the proposal would result in the replacement of one community facility with another.
- 1.10 Concerns have been expressed by the Parish Council and local residents in the respect of the impact on the existing village facilities such as the Post Office store and village bakery as a result of the introduction of a larger convenience store on this site. However section 1 of the NPPF seeks to promote economic competitiveness and there has been no evidence supplied that demonstrates that the viability of the existing facilities would be affected by the new use nor any evidence to suggest that the proposed new use would be compromised or unviable due to the existing facilities within the locality. Determinations can only be made on the basis of the facts presented and cannot be determined on predictive outcomes and competition itself is not a legitimate planning objective. In addition to this, it has been raised by local residents that an additional store is not needed however it is not the purpose of the planning system nor is there any overarching policy to determine whether or not another convenience shop is needed.
- 1.11 Concerns have also been expressed that a more appropriate re-use should be considered. The Planning statement and viability report supplied indicates that consideration was given to converting the premises to a restaurant however it was not considered to be economically viable.
- 1.12 NPPF para 49 states that the presumption for granting permission should be in favour of sustainable development. There are three dimensions to sustainable development which require consideration such as economic,

social and environmental roles. Paragraph 9 of the NPPF states that these roles are mutually inclusive and as such in order to achieve sustainable development all three of the dimensions should be sought simultaneously.

- 1.13 There would be some economic benefits as a result of the proposal in terms of supporting a level of employment, with associated benefits to the local economy, within the local area on a temporary basis during the construction period which could be expected to last no longer than 1 year and also associated employment benefits for the local store. In addition, the planning balance should take into account the social benefits which include providing an additional local store with additional choice. The development site would not result in environmental implications and therefore the proposal would accord with the NPPF in this regard.
- 1.14 The proposal would also result in the loss of residential occupation within the public house however this accommodation is offered to the tenant for the running of the public house and therefore it is reasonable to conclude that the loss of the public house as a result of its unviability would lead to the same level of residential accommodation loss. Furthermore the loss of 1 residential unit does not significantly or demonstrably outweigh the economic and social benefits surrounding the proposal.
- 1.15 As such, it is considered, that the public house is unviable and in any event would be unlikely to remain in operation irrespective of the outcome of this application and the proposal herein would result in the creation of a local facility which offers some community value and economic benefits which is in accordance with the objectives and aims of the NPPF.

## **2. Affect on the Character and Appearance of the Area**

- 2.1 The Central Bedfordshire Design guide states that proposals should be visually distinctive and should be designed as a sensitive response to the site and its setting. This is iterated in policy DM3 & DM4 respectfully.
- 2.2 The current building boasts a variety of extensions and alterations which are not seen as an enhancement to the overall appearance of the building and site as a whole and provide little interaction within the streetscene. The proposed extensions have been reduced in scale since the previous application and they remain of a single storey nature, follow the established building lines and would provide greater continuity in design and scale than the existing extensions to the building. Furthermore, the proposal would result in a reasonable of the amount of glazing providing a greater level of active frontage along the High Street. Concerns have been expressed by local residents that the scale of the development is disproportionate to the scale of the settlement as a whole or the site itself. However the site coverage with built form does not amount to a cramped form of development and the level of built form has been indicated by the applicant as a result of required viable floor space and there are no design grounds which would contribute to the refusal of this scale of development as buildings within the vicinity have comparable footprint coverage.
- 2.3 Paragraph 135 of the NPPF states that consideration should be given to the impact of development on a non designated heritage asset. Whilst some references have been made by local residents about the loss of a historic asset,



the building is not listed as a designated or considered to be of a quality design that could be regarded as a local non designated historic asset. It is acknowledged and local archives conclude, that a public house has been present on the site since 1870 and the internal of the premises is quintessentially a traditional English public house. However there have been a number of alterations to the building since its first license as a public house such that there are no historical external features which require protection for its retention and the Heritage Desk Based Assessment supplied in support of the application identifies the building as an asset with limited importance.

- 2.4 However Paragraph 134 of the NPPF states that where proposals would result in less than significant harm to an historical asset, the harm should be weighted against the public benefits of the proposal. The proposal herein would result in the improvements and extensions of a building to be used in conjunction with providing local services which would provide social and economic benefits which is considered to outweigh the harm to the asset. Therefore the proposal would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and sections 7 & 12 of the NPPF.

### **3. Neighbouring Amenity**

- 3.1 A noise report was supplied with the application and indicated that if the installed plant were similar to plant utilised at another store there would be a requirement for noise mitigation measures to the plant to ensure CBC noise standards would be met at neighbouring residential properties. At this stage the details for the plant to be installed are not known and the hours of operation for the air conditioning plant is also not specified. However the Councils Pollution Officer is satisfied that a plant noise scheme condition could be imposed that would ensure plant noise is not detrimental to residential amenity.
- 3.2 The delivery hours are stated as after 0700 hrs and through the day but it is not clear at what time they will cease later in the day. The Councils Pollution Officer advised that a delivery/collection hours condition should be attached to any approval because noise from deliveries would be detrimental to amenity at night. A further condition to restrict the use of roll cages and other delivery mechanisms outside of prescribed hours and an opening hours condition should be attached to any approval to limit the impact of customer and car park use noise on neighbours. The applicant was advised of these restrictions and has raised no objection to the imposition of these restrictive conditions.
- 3.3 In terms of the extensions itself, due to their siting and the low rise nature of the extensions there would be no amenity impact in terms of loss of light or overshadowing. There is some glazing and openings proposed on the elevation facing 27 High Street however again the glazing is on a ground floor level with openings at 27 High Street at a first floor level and therefore would not give rise to mutual overlooking concerns.
- 3.4 Concerns have been expressed by local residents in terms of antisocial behaviour however no concerns or comments have been raised by the Police Architectural Liaison Officer in this regard. Furthermore the operational hours of the store will be restricted and therefore this will be preventative measure against any predicted antisocial behaviour and the glazing surrounding the

main core of the store will afford some surveillance of activities in the car park by shop workers. In addition, the ATM is located on the main highway which offers natural surveillance from surrounding residential properties and passing traffic. Therefore the proposal would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and sections 7 & 8 of the NPPF.

#### **4. Highway Considerations**

- 4.1 The application proposes alterations and extensions to the existing public house and its change of use from a public house (Use Class A4) to a convenience store (Use Class A1). This is an amendment to the previous scheme which was refused under application CB/16/02868/FULL. In order to address the previous reason for refusal which was that the proposal would have resulted in delivery vehicles manoeuvring in a way that would be prejudicial to highway safety by resulting in a conflict between reversing vehicles and pedestrians either on the footway or within the car park together with other vehicles on High Street, the size of the single storey extension has been reduced and a small section of the existing building will now be demolished. This results in the provision of additional manoeuvring space for delivery vehicles within the site and provides a larger delivery/unloading area at the rear of the site.
- 4.2 As before there are no changes proposed to the existing means of vehicular access to the highway. However there are changes to the pedestrian means of access as the existing access to the front of the public house is to close and a new pedestrian access is shown to the front of the proposed shop. The existing doorway providing access onto Fildyke Road is to be bricked up and a new access created mid-way along the side of the building.
- 4.3 The level of visibility available at the existing/proposed site access is compliant with the standards required in Manual for Streets for traffic approaching on the nearside in a south-westerly direction but given the slight curvature in the road, is below standard when measured to the nearside kerb for vehicles approaching on the off-side in a north-easterly direction. However on-street parking is permissible in marked bays across the frontages of the properties to the south-west and as these are well used, vehicles are highly unlikely to be driving along this section of road on the off-side. Therefore in this instance it is reasonable to accept that visibility can be measured to the centre line of the road. In such circumstances the level of visibility available at the existing/proposed site access can be deemed acceptable.
- 4.4 The existing car park will be reduced in size to accommodate part of the extension and the remaining area reconfigured to provide 7 no. car parking spaces, including one for use by those with disabilities and the proposed turning area.
- 4.5 The existing building has a total floor area of 239.5m<sup>2</sup> (GIA) comprising 175m<sup>2</sup> on the ground floor and 64.5m<sup>2</sup> on the first floor. If permission is granted the extended building would have a total floor area of approximately 356m<sup>2</sup> (GIA) comprising 264m<sup>2</sup> on the ground floor of which 184m<sup>2</sup> would be for retail sales and 92m<sup>2</sup> on the upper floor. The Council's parking standards for retail units

below 1000m<sup>2</sup> is 1 space per 35m<sup>2</sup>. Thus with a retail floor space of 184m<sup>2</sup>, the provision of 7 spaces can be deemed acceptable.

- 4.6 The application is accompanied by a Transport Statement prepared by Transport Planning Associates which includes the results of Parking Beat Surveys undertaken on Friday 13<sup>th</sup> and Saturday 14<sup>th</sup> January 2017. These results would suggest that there is spare capacity, in terms of potential on street parking spaces along the frontage of the High Street, to accommodate additional parking should the car park be full.
- 4.7 The Transport Statement includes an assessment of the likely increase in traffic movements that will occur during the early afternoon and typical evening peak hours (12:00-13:00 and 17:00-18:00) if the development is permitted. Whilst the trip rates used in the assessment are not all from sites located in rural villages, they do indicate that the traffic movements to/from the site will increase significantly. Furthermore it should be noted that traffic movements to/from the site will increase during each hour of the day, not just those reviewed by TPA.
- 4.8 However it is accepted that the majority of these trips will not be new to the road network and that most will either be pass-by (i.e. someone who would otherwise be travelling along the High Street and stops off along their journey) or diverted (i.e. someone who would otherwise be travelling to another convenience store and diverts to the new store).As a result it is accepted that the likely increase in traffic would not be severe and could be satisfactorily accommodated on the local road network.
- 4.9 The Transport Statement also includes a track plot at Appendix D which shows that a 10m rigid vehicle can enter the site, turn and leave in forward gear without impacting upon the car parking provision or the need to undertake multiple manoeuvres within the site. The Transport Statement states that a Servicing Management Plan will be produced and provided to all suppliers servicing the site. The contents of this plan will need to be agreed with the Council in order that it can ensure, so far as is reasonably practicable, that the site can be properly serviced and any issues addressed.
- 4.10 In conclusion, it is considered that the amendments undertaken in respect of this proposal can be considered acceptable in highway terms and therefore the Councils Highways Officer has not wished to raise an objection to the granting of this permission subject to imposition of conditions. The proposal therefore is considered to accord with policy DM3 of the Core Strategy and Section 4 of the NPPF.

## **5. Other Considerations**

### **5.1 Archaeology**

The proposed development has the potential to contain archaeological remains relating to the origins and development of Meppershall in the Saxon and medieval periods. The investigation of rural Saxon and medieval settlements to examine diversity, characterise settlement forms and understand how they appear, grow, shift and disappear is a local and regional archaeological research objective (Wade 2000, 24-25, Oake 2007, 14 and Medlycott 2011, 70). 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). While there may have been some truncation of archaeological deposits as a result of past use and development of the site, it is now well proven that archaeological deposits do survive such successive periods of use within village settlements.

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 which can be controlled by condition. Consequently, the Councils Archaeologist has raised no objection to this application on archaeological grounds. Therefore the proposal is considered to accord with policies CS18 & DM15 of the Core Strategy for the North and Section 11 of the NPPF.

## 5.2 **106/Obligations**

Current advice contained within the National Planning Practice Guidance sets out the Government's position that tariff-style planning obligations and affordable housing provision should not be sought for small developments of 1,000 square metres of gross floor space. As such despite concerns expressed by residents that this and other schemes within the locality should contribute to local infrastructure, none is required to be sought for this scheme due to its scale. All other applications are treated on their own merits and contributions sought in line with what is appropriate to make the scheme acceptable in planning terms.

## 5.3 **Human Rights issues**

The proposal raises no Human Rights issues.

## 5.4 **Equality Act 2010**

Appropriate level access is proposed into the building and acceptable heights have been considered for the ATM machine. Therefore the proposal raises no surmountable issues under the Equality Act but an informative to advise of the responsibilities of the applicant could be attached to any approval.

### **Recommendation:**

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

### **RECOMMENDED CONDITIONS**

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

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

- 2 **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: Materials are required to be ordered in advance of the construction stage and in the interest of controlling the appearance of the building in the interests of the visual amenities of the locality. (Policy DM3 of the Core Strategy for the North and Section 7, NPPF)**

- 3 **No development shall take place until 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 hereby approved shall only be implemented in full accordance with the approved archaeological scheme.**

**Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development. This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework* that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.**

- 4 Before the development hereby permitted is first occupied or brought into use, the scheme for parking, servicing and manoeuvring shown on Drawing No 15.2091.110 Rev P1 shall be laid out, drained and surfaced in accordance with details submitted to and approved in writing by the Local Planning Authority and those areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise conditions of danger, obstruction and inconvenience to users of the adjoining highway. (Policy DM3 of the Core Strategy for the North and Section 4 of the NPPF).

- 5 Before the development hereby permitted is first occupied or brought into use, a Servicing Management Plan shall be submitted to and approved by the Local Planning Authority. The plan shall contain details of:

- The maximum size of vehicle to be permitted onto the site;
- The arrangements to be put in place to ensure that no more than one delivery vehicle is permitted on site at any given time;
- The arrangements to be put in place to minimise the potential conflict between service vehicles and customer vehicles when manoeuvring on site;

- The arrangements to be put in place to ensure that no goods, containers or trollies are stored or placed on the public highway; and
- the responsible person who can be contacted in the event of a complaint.

The use of the building shall be in accordance with the approved plan.

Reason: In the interests of highway safety.(Policy DM3 of the Core Strategy for the North and Section 4 of the NPPF)

- 6 No goods, pallets or roll cages shall be moved and/or stored in the external open areas between the hours of 1800 hrs to 0700 hrs Monday to Saturday, 1800 hrs Saturday to 1000 hrs Sunday and 1600 hrs Sunday to 0700 hrs Monday.

Reason: To protect the amenity of neighbouring residents.

- 7 Prior to first use, commencing details, including acoustic specifications, of all fixed plant, machinery and equipment to be installed, located or used on the site shall be submitted to the Local Planning Authority and approved in writing. The submitted details shall include a noise attenuation scheme, as appropriate, to ensure that noise resulting from the use of the plant, machinery or equipment shall not exceed a noise rating level of -5dB when measured in accordance with BS4142:2014 at any noise sensitive premises. The approved plant noise scheme shall be fully implemented before the use commences and thereafter maintained in accordance with the approved details.

Reason: To protect the amenity of neighbouring occupiers. (Policy DM3 of the Core Strategy for the North and Section 7 of the NPPF)

- 8 Deliveries, collections, loading and unloading of commercial vehicles to/from or at the premises shall only be permitted between the hours of 0700 to 1800 hrs Monday to Saturday and 1000 hrs to 1600 hrs on Sundays, Bank and Public Holidays.

Reason: to protect the amenity of neighbouring occupiers. (Policy DM3 of the Core Strategy for the North and Section 7 of the NPPF)

- 9 The premises shall not be open to serve customers except between the hours of 0700 hrs to 2200 hrs Monday to Saturday and 1000 hrs to 1800 hrs Sundays, Bank and Public Holidays without the prior agreement in writing of the Local Planning Authority.

Reason: To safeguard the residential amenity which the occupiers of neighbouring properties might reasonably expect to enjoy.  
(Policy DM3 of the Core Strategy for the North and Section 7, NPPF)

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Heritage Desk Based Assessment (August 2016), 15.2091.110 Rev P1 (Site Layout), 15.2091.113 Rev P1 (Proposed Elevations),

15.2091.111 Rev P1 (Proposed Ground Floor Plan), 15.2091.112 Rev P1 (Proposed first floor plan), 15.2091.114 Rev P1 (Proposed Elevations Section), 4958/01 (Topo Survey), 4958/02 (Existing Survey), Marketing Report (Oct 2016), Acoustic Testing Report (July 2015), 15.2091.115 Rev P1 (Block Plan), Transport Statement (Jan 2017), Phase I Ecological Assessment (July 2016), Design & Access Statement (Jan 2017).

Reason: To identify the approved plan/s 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 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 all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".
  - The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.
  - The applicant is advised that, under the provisions of the Highways Act 1980, no part of the structure, including cellars, foundations and surface water hardware shall be erected or installed in, under or overhanging the public highway and no window, door or gate shall be fixed so as to open outwards into the highway.
  - The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway.
  - The applicant is advised that there is an area of public highway maintainable at the public expense within the red edge of the application site. Development shall not be commenced unless and until the area of public highway shall have been stopped up by order of the Secretary of State under Section 247 of the Town and Country Planning Act 1990 as amended.

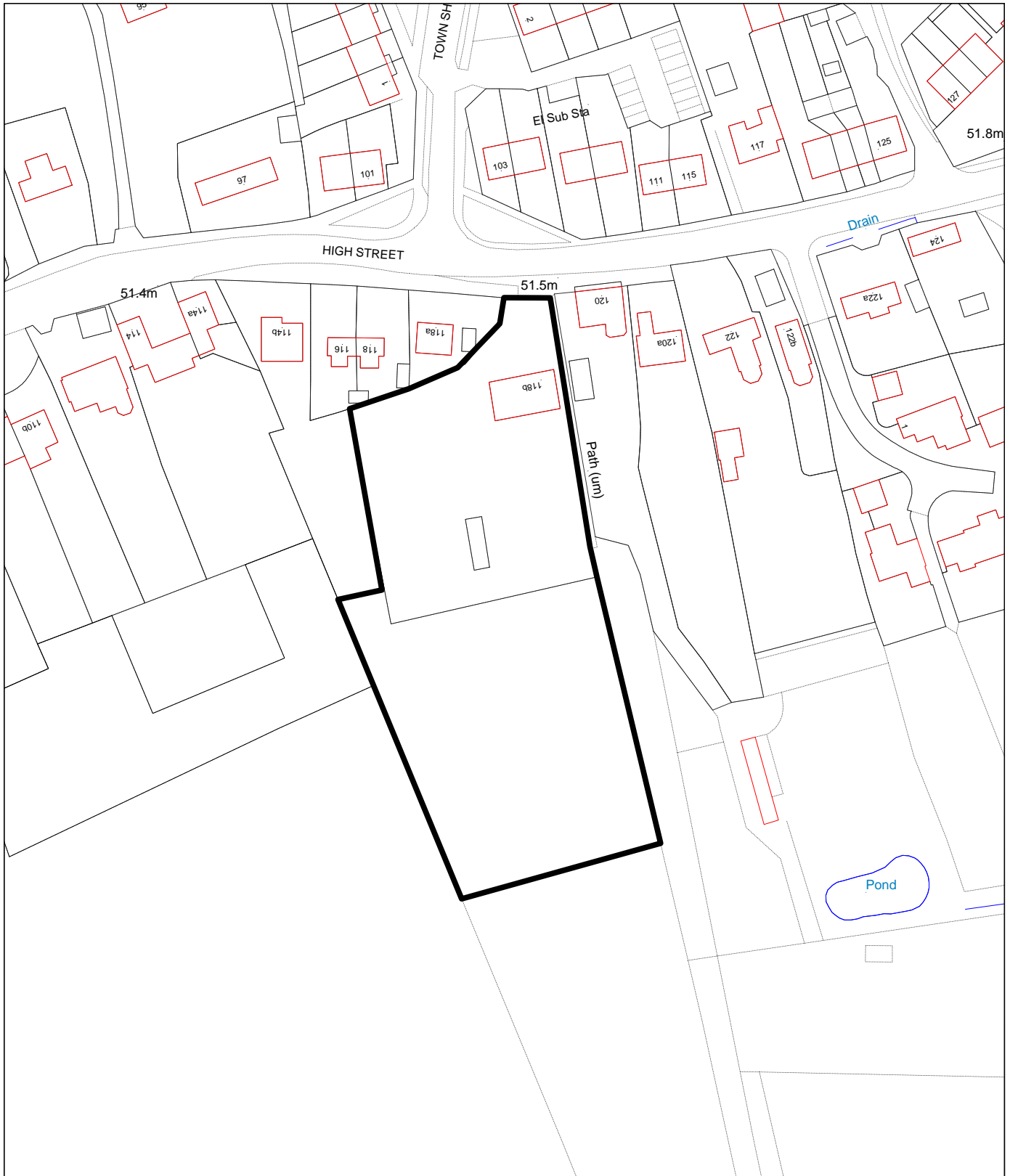
**Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35**

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.

**DECISION**

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	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	<b>CASE NO.</b>  Application No. <b>CB/17/00293/FULL</b>
	Date: 10:April:2017	
	Map Sheet No	
Scale: 1:1250	Land at 118B High Street, Clophill, Bedford, MK45 4BJ	

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**Item No. 08**

<b>APPLICATION NUMBER</b>	<b>CB/17/00293/FULL</b>
<b>LOCATION</b>	<b>Land at 118B High Street, Clophill, Bedford, MK45 4BJ</b>
<b>PROPOSAL</b>	<b>Demolition of existing dwelling and outbuilding and erection of six detached dwellings with associated garaging, parking, landscaping and ancillary works</b>
<b>PARISH</b>	<b>Clophill</b>
<b>WARD</b>	<b>Amphill</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Duckett, Blair &amp; Downing</b>
<b>CASE OFFICER</b>	<b>Dee Walker</b>
<b>DATE REGISTERED</b>	<b>23 January 2017</b>
<b>EXPIRY DATE</b>	<b>20 March 2017</b>
<b>APPLICANT</b>	<b>Projectpart Homes Ltd</b>
<b>AGENT</b>	<b>Woods Hardwick Planning Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Ward Cllr Downing called in on grounds of Overdevelopment, overbearing, highways safety and impact on landscape</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**Site Location:**

The application site comprises of 0.4ha of undeveloped rear garden and grass land to the rear of nos. 116, 118, 118a and 118b High Street in Clophill. The land is located to the south of the High Street and a Public Right of Way runs along the eastern side of the site. A proportion of the site is located inside of the Clophill Settlement Envelope and the frontage of the site sits within the designated Clophill Conservation Area.

**The Application:**

Full planning permission is sought for the erection of 6 no. detached dwellings following the demolition of no. 118b. The proposed mix of units comprises of 5 x 4Bed (Plots 1, 2, 4, 5 & 6) and 1 x 5Bed (Plot 3). They are two storey with plot 3 having a 1½ storey element. The development would be served by the existing access point to no. 118b.

**RELEVANT POLICIES:**

**National Planning Policy Framework (2012)**

- 4 Promoting sustainable transport
- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 11 Conserving and enhancing the natural environment
- 12 Conserving and enhancing the historic environment

**Central Bedfordshire Council's Core Strategy and Development Management Policies 2009**

Policy CS1	Development Strategy
Policy CS5	Providing homes
Policy CS6	Delivery and timing of housing provision
Policy CS16	Landscape and Woodland
Policy CB18	Biodiversity and Geological Conservation
Policy DM3	High Quality Development
Policy DM4	Development Within and Beyond Settlement Envelopes
Policy DM13	Heritage in Development
Policy DM14	Landscape and Woodland
Policy DM15	Biodiversity

**Development Strategy**

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

**Supplementary Planning Guidance/Other Documents**

Central Bedfordshire Design Guide (March 2014)

- 1 Placemaking in Central Bedfordshire
- 3 The historic environment
- 5 Residential development
- 10 Movement and streets

**Relevant Planning History:**

Application Number	MB/82/0677B/FULL
Description	One detached chalet bungalow
Decision	Full Application – Granted
Decision Date	22.11.1984

Application Number	MB/82/00677/OA
Description	Residential development one detached house
Decision	Outline Application – Granted
Decision Date	21.10.1982

Application Number	MB/82/0677A/FULL
Description	Temporary siting of mobile home
Decision	Full Application – Granted
Decision Date	23.10.1984

Application Number	MB/82/0677C/FULL
Description	Erection of stable block
Decision	Full Application – Granted
Decision Date	18.11.1986

Application Number	MB/00/00575/FULL
Description	Conversion of garage to playroom
Decision	Full Application – Granted
Decision Date	25.05.2000
Application Number	MB/04/01967/FULL
Description	Conservatory to side elevation (part retrospective)
Decision	Full Application – Granted
Decision Date	08.02.2005
Application Number	CB/13/00840/OUT
Description	Erection of 3 new dwellings and retention of existing house
Decision	Not Proceeded With
Decision Date	12.11.2013

**Consultees:**

Parish Council	<p>Objects for the following reasons:</p> <ul style="list-style-type: none"> <li>• The bulk of this development is outside the village settlement envelope and impacts on a conservation area;</li> <li>• Lack of affordable housing and the stance CBC has taken on this subject;</li> <li>• Applicant has not engaged with parish council to discuss proposal and mitigation;</li> <li>• Impact on local resources based on evidence that Anglia Water has identified a requirement to upgrade water/sewerage services and this place these services at an unmitigated risk;</li> <li>• Overbearing aspect of the properties to neighbours;</li> <li>• Where is the detailed feedback on how the questions in the pre-app have been addressed</li> </ul>
CBC Archaeology	No objection subject to pre-commencement condition for the submission of a written scheme of archaeological investigation
CBC Conservation	No objection
CBC Ecology	No objection subject to relevant condition being attached to any permission granted for the incorporation of mitigation measures and biodiversity management plan
CBC Highways	No objection to on-site parking provision and impact on local highway network
CBC Housing Officer	No affordable housing would be required on this site
CBC Trees & Landscape	No objection
CBC Waste Services	No objection
CBC SuDS Team	<p>Objects to application on grounds of:</p> <ul style="list-style-type: none"> <li>• No adopted surface water sewers in the vicinity, intention to dispose of surface water to the public foul sewer is not acceptable;</li> <li>• Connections to foul sewer for surface water discharge are unsustainable</li> </ul>

Bedfordshire Fire & Rescue Safety Team  
I.D.B

Fire hydrants should be installed due to distance of proposed houses to nearest hydrant  
Concerns with regards to proposed method of storm water disposal

**Other Representations:**

Neighbours

High Street – 112, 114b, 118, 118a

Summary of objections received:

- Loss of light & privacy due to close proximity of plot 6;
- Do not expect houses to be built in the conservation area and outside the settlement envelope;
- Six dwellings will surely overload the sewage & water supply;
- Houses will greatly increase the amount of traffic on the High Street and with Townshott junction in close proximity, thus posing a danger;
- Plots 3 & 4 extend into the River Flit flood plain & shouldn't be allowed;
- Old (400yrs) drainage ditch running beyond southern boundary of no. 114 should not be ignored & still an important flood release in extreme weather;
- Road at south side of site – indicates further future development;
- Proposals will impinge & endanger the 2 x Ash, 5 x Ancient Scots Pines & Holly tree on land at no. 112;
- Plots 5 & 6 will compromise privacy and light to neighbouring property;
- Development at Fossey Grove does not directly overlook any houses and are of a chalet style thus bedrooms are in the roof space therefore reducing ridge height;
- Why the need of an access point between plots 3 & 4;
- Condition required to retain trees on site and protect those immediately adjacent to site boundary in neighbouring land;
- Question the assessment of flood risk given the drainage ditch in close proximity.

Clophill Conversation Group

Concerns with encroachment on land outside the settlement envelope, cumulative impact of increased traffic flows together with the Lakes and the Quarry applications currently under consideration

### **Determining Issues:**

The main considerations of the application are;

1. Principle
2. Effect on the Character and Appearance of the Area
3. The Historic Environment
  - a) Archaeology
  - b) Conservation Area
4. Neighbouring Amenity
5. Highway Considerations
6. Other Considerations
  - a) Flood Risk & Drainage
  - b) Ecology Considerations
  - c) Tree Considerations
  - d) Fossey Grove development
7. Conclusion and the Planning Balance

### **Considerations**

#### **1. Principle**

- 1.1 The application site lies on the south side of the village of Clophill and the majority lies outside of the settlement envelope as defined on the Core Strategy Proposals Map. In this location, new residential development would not normally be acceptable in principle under Policy DM4 which seeks to protect the open countryside from inappropriate development.
- 1.2 In line with the core principles contained within the National Planning Policy Framework (NPPF), there is a requirement for planning authorities to *'proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.'* Paragraph 49 states, *'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.'* Paragraph 14 of the NPPF advises that where the development plan is absent, silent or out of date, permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the development.
- 1.3 Having regard to recent appeal decisions, it is accepted the Council is unable to demonstrate a five-year supply of deliverable housing sites at the present time. In such circumstances, it is appropriate to attach weight to policies relating to the supply of housing (including settlement envelopes), depending upon the level of supply shortfall. The Council is currently able to demonstrate a 4.89 year supply of deliverable housing land which represents 97.8% of the five-year supply. Members of the Committee will be aware that due to ongoing monitoring, the Council's position on its supply of housing is constantly under review. Should there be any change in its position by the time of the Committee then Officers will provide an update.

- 1.4 The proposal for 6 no. dwellings would provide limited benefit in terms of housing delivery. However, in considering the planning balance, it is necessary to consider whether the proposal is sustainable economic development or would cause significant and demonstrable harm. The planning balance is addressed in concluding on the proposal below.

## **2. Effect on the Character and Appearance of the Area**

- 2.1 High Street is the main road through Clophill and is characterised by a variety of house types fronting onto the road. To the north of the High Street there are uniform pair's of semi-detached properties and to the south and adjacent to the application site is predominantly detached dwellings.
- 2.2 The existing dwelling, to be demolished, is set back from the highway and as such, plot 1 would provide the initial termination point into the development with the remaining dwellings being a backdrop from the highway view point.
- 2.3 In close proximity is the Fossey Grove development. Although the proposed development would be largely outside the settlement envelope, given the extent of the surrounding built environment, including rear gardens with outbuildings, it would not unduly project any further into the landscape such as to cause any visual harm or harm to the settlement pattern.
- 2.4 Given the level of detail provided with the planning application, it is not considered that the proposed dwellings would appear out of scale or character with other similar dwellings along High Street or obstructive in wider views within the landscape. The proposal otherwise meets the Council's relevant design guidance and is considered to be consistent with Policies CS14 and DM3 in terms of the need for high quality design.

## **3. The Historic Environment**

### **3.1 a) Archaeology**

- 3.1.1 In December 2016, an archaeological trial trench evaluation was carried out at the proposed development site and the draft report has been submitted with this planning application (Albion Archaeology 2017, v1.1). The archaeological evaluation demonstrated that remains dating to the medieval period are present at the proposed development site.
- 3.1.2 The proposed development site is located within the historic core of the village of Clophill (HER 16998) and is known to contain archaeological deposits dating to the medieval period. Therefore, the site is considered to have the potential to contribute to our understanding of the development of the medieval and post medieval village at Clophill.
- 3.1.3 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).



3.1.4 The proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present on site, and therefore upon the significance of the heritage assets with archaeological interest. However, 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.

3.1.5 This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development; post-excavation analysis of any archive material generated and the publication of a report on the works. In order to secure this, a condition can be attached to any planning permission granted.

3.2 b) Conservation Area

3.2.1 The site entrance is located within the designated Clophill Conservation Area. The buildings to be demolished have little architectural interest that makes a neutral contribution to the character of the Conservation Area. As such the principle of demolition of these buildings is acceptable.

3.2.2 The proposed development would be sympathetic to the character and appearance of the Conservation Area in terms of scale, siting, design, materials and detailing. Hard and soft landscaping are of key importance in order to create an access to the development that positively contributes to the character of the Conservation Area.

**4. Neighbouring Amenity**

4.1 To the east of the site is no. 120 High Street, which fronts directly onto the High Street with a large detached two storey outbuilding that abuts the boundary with the public footpath that separates it from the application site. To the west lies the extended rear garden for no. 114b. The site abuts the properties fronting onto the High Street namely nos. 116 (partially), 118 and 118a. From the neighbour representations received, the following plots have caused concerns:

4.2 Plot 1

4.2.1 The principal property that is likely to be affected by the proposal is no. 120 High Street.

4.2.2 The first floor front elevation windows to plot 1 would have views towards the High Street and at an angle to the outbuilding of no. 120. The original proposal included a balcony on the side elevation of the rear projection but following negotiation this was removed and is now a window to lessen any potential impact as it will not face out onto the private area immediately to the rear of no. 120.

4.2.3 By reason of its siting, it is not considered that there would be any significant effect by way of loss of light or overbearing impact.

4.3 Plot 5

4.3.1 The principal property that is likely to be affected by the proposal is no. 114b High Street, in particular the rearmost part of its garden.

4.3.2 The two storey rear projection was originally 2.5m off the shared boundary with bi-folding doors at the first floor. Although it was considered that the size of the projection itself was not overbearing given its siting and the spatial surroundings, the bi-folding doors created an element of overlooking. Therefore, the scheme was amended to remove them and replace with a hi-level window and a balcony was inserted on the south elevation so that the occupants of the new dwelling would have views over their own garden.

4.3.3 By reason of its siting, it is not considered that there would be any significant effect by way of loss of light.

#### 4.4 Plot 6

4.4.1 The principal properties that are likely to be affected by the proposal are nos. 116, 118 and 118a High Street.

4.4.2 Concerns have been raised with regards to the siting of plot 6 in relation to the existing properties along High Street. The main two storey dwellinghouse has been set off away from the shared boundaries with nos. 118 & 118a and will be 17.5m away with a single storey double garage (10.5m away) and double driveway physically separating it. A first floor window is proposed facing these properties but as this serves an en-suite it will be obscurely glazed to protect the privacy of the future occupants. However, given the physical separation of the buildings, any overbearing is not considered to have a significant adverse impact on balance.

4.4.3 Furthermore, it is considered that there would be no loss of light or privacy to these existing residents as a result of the development.

#### 4.5 Summary

4.5.1 The proposed development would not result in any significant adverse impact upon any nearby residential property due to siting and design of each plot. It is judged there is suitable spacing between the proposed dwellings and all surrounding adjacent properties.

### **5. Highway Considerations**

5.1 The site lies within the 30mph speed limit and the level of visibility available at the access is considered acceptable by the Council's Highways Officer as is the separation between the access and the junction with Townshott.

5.2 The existing access is shown to be widened to create an extended dropped kerb footway/verge crossing and the internal access road is shown to be laid out as a shared surface with provision made within the site to accommodate turning for the refuse vehicle and the fire applicant. Furthermore, the on-site parking provision is deemed acceptable in highway terms.

5.3 The proposed development in this location has the potential to generate 40/45 additional traffic movements per day. Given that the means of access, the internal road layout and the off-street parking provision are deemed acceptable, it is considered that these can be satisfactorily accommodated on the local road network and the proposal is unlikely to have any adverse highway impact, once completed. Conditions have been suggested for matters including surfacing and garage accommodation usage.

**6. Other Considerations**

**6.1 a) Flood Risk and Drainage**

6.1.1 Concerns have been raised within the representations received and from the Council's SuDS Team and I.D.B with regards to the discharge of surface water. As such a condition will be attached to any planning permission granted for the submission of a Surface Water Drainage Strategy prior to the commencement of works on site.

**6.2 b) Ecology Considerations**

6.2.1 The submitted ecological appraisal has identified a bat roost in the property to be demolished and also the potential interest for reptiles and Great Crested Newts (GCN) on site. It is accepted that an area of meadow land to the south of the application site would be available to satisfy potential mitigation measures for compensatory habitat for GCN and reptiles.

6.2.2 In the case of the bat roost, the applicant commissioned further tests and the DNA results back from the bat droppings confirm that there are brown long eared bats roosting. There is also potential for crevice dwelling bat species such as pipistrelles but their presence did not show up in the DNA results.

6.2.3 As part of the bat mitigation strategy, suitable measures into the new development including roof space access for bats and integrated bat boxes/tubes will be incorporated. As such supporting plans were submitted to set out the location of such measures.

6.2.4 Therefore, the Council's Ecology Officer is happy that the development will deliver a net gain for biodiversity in line with the NPPF and the Greensand Ridge Nature Improvement Area aspirations.

**6.3 c) Tree Considerations**

6.3.1 The application included a detailed Arboricultural Impact Assessment and Method Statement that identified trees on and off site that could potentially be affected by the proposal or influence layout and design. The information indicates that there would be no need to remove any trees to allow development and layout should be such that future issues with trees would be avoided.

6.3.2 The Method Statement and Tree Protection Plan indicate all the steps required with regards to retaining trees in good order throughout development, it also indicates position of tree protection fencing. These steps and details should be followed throughout the development process as indicated.

**6.4 d) Fossey Grove Development**

6.4.1 Reference has been made to this development within the submission and representations in respect of how it differs from the proposal. However, this was an allocated site and therefore subject to different planning policies at the application stage.

6.4.2 Notwithstanding this, the development did create a built environment away from the High Street and the proposal under consideration within this application is similar. This is a material consideration in terms of the potential harm.

6.5 Human Rights issues

It is the officers understanding that the proposal would raise no Human Rights issues.

6.6 Equality Act 2010

It is the officers understanding that the proposal would raise no issues under the Equality Act 2010.

**7. Conclusion and the Planning Balance**

7.1 The provision of six houses would not contribute significantly to the supply of housing and therefore provide limited benefit in this regard.

7.2 However, the application site is partially within and adjacent to the settlement envelope boundaries to the north. Clophill is a large village which provides limited employment opportunities as a primarily residential settlement with a number of community facilities and local services but is accessible to strategic transport links.

7.3 The development would not be out of scale or character with other housing in the area or otherwise harm the rural character of the village or the Conservation Area. The proposal is considered to be acceptable in terms of amenity, highway, conservation, and other environmental impacts. In the specific circumstances of the site, there are no significant and demonstrable adverse impacts which would arise from the development.

7.4 It is considered that the proposal is considered to be a sustainable form of development having regard to economic, social and environmental roles. The development would not cause any significant or demonstrable harm and therefore planning permission should be approved in this instance.

**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 until details of the method of disposal of foul and surface water drainage, which shall demonstrate the proposed method of surface water drainage and management of flood risk, have been submitted to and agreed in writing by the Local Planning Authority, including any land drainage system. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.**

(Please see Notes to Applicant for further guidance.)

**Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected. (Section 10, NPPF). This is a pre-commencement condition as drainage systems need to be installed prior to commencement of the dwellings.**

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

**Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the NPPF that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.  
(Section 12, NPPF)**

- 4 **No development shall take place until details of the junction between the proposed internal access road and the highway have been submitted to and approved in writing by the Local Planning Authority and no dwelling shall be occupied until that junction has been constructed in accordance with the approved details.**

**Reason: In order to minimise conditions of danger, obstruction and inconvenience to users of the highway and of the proposed estate road.  
(Section 4, NPPF). This is a pre-commencement condition as a safe access to the site needs to be agreed prior to the construction of the dwellings.**

- 5 **No development shall take place for the new dwellings, notwithstanding the details submitted with the application, until details and samples of the materials to be used for the external walls and roofs of the proposed 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.**

**Reason: To ensure that the proposed development/work is carried out in a manner that safeguards the historic character and appearance of the Clophill Conservation Area. This is a pre-commencement condition as materials need to be agreed before construction of the dwellings begins.  
(Section 12, NPPF)**

- 6 No occupation of any dwelling hereby approved 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 occupation 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)

- 7 **All new doors and windows shall be timber and detailed drawings at a scale of 1:10 of all new doors (including garage doors) and windows shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. The works shall be carried out in strict 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 Clophill Conservation Area. This is a pre-commencement condition as construction details need to be agreed before construction of the dwellings begins.  
(Section 12, NPPF)**

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

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

- 9 Prior to the occupation of the first dwelling, a scheme shall be submitted for the approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be implemented. The boundary treatment shall be completed in accordance with the approved scheme before the building is occupied and be thereafter retained.

Reason: To ensure that the proposed development/work is carried out in a manner that safeguards the historic character and appearance of the Clophill Conservation Area and in the interests of amenity of existing and future residents. (Section 12, NPPF)

- 10 The proposed vehicular access shall be surfaced in bituminous or other similar durable material (not loose aggregate) and any new edging's to the access shall be in granite setts and not in concrete. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety and to ensure that the proposed development/work is carried out in a manner that safeguards the historic character and appearance of the Clophill Conservation Area. (Sections 4 & 12, NPPF)

- 11 Before the development hereby permitted is first occupied or brought into use, the scheme for parking, garaging and manoeuvring shown on Drawing No 17560/1002 shall be laid out, drained and surfaced in accordance with details previously submitted to and approved in writing by the Local Planning Authority and those areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise conditions of danger, obstruction and inconvenience to users of the adjoining highway. (Section 4, NPPF)

- 12 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, no doors or gates shall be affixed to the front of the car ports and those car ports shall not be used for any purpose, other than as a parking space, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users. (Section 4, NPPF)

- 13 All works to or affecting trees on or adjoining the site shall be carried out in accordance with the relevant recommendations of BS3998 2010.

Reason: To safeguard the existing trees on the site in the interests of visual amenity.  
(Sections 7 & 11, NPPF)

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 17560/100, 17560/102, 17560/103, 17560/104, 17560/105, 17560/106, 17560/107, 17560/108, 17560/109, 17560/110, 17560/111, 17560/112, 17560/1002, 17560/1003, 17560/1004, 17560/1006, 17560/1007, PR120879-01 Tree Reference Plans 1 & 2, PR120879 66 Bat Mitigation Strategy Plan, Ecological Appraisal, Archaeological Field Evaluation & Heritage Statement, Arboricultural Impact Assessment & Method Statement, Design & Access Statement, Planning Statement, Supporting Statement

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. The application states the intention is to discharge surface water to the mains sewer. Anglian Water's maps show there are no adopted surface water sewers in the vicinity and we therefore assume the intention is to dispose of surface water to the public foul sewer – in which case we do not find the proposal acceptable (see attached Anglian Water asset map).

Connections to the foul sewer for surface water discharge are considered unsustainable and should be avoided in all cases, as this can increase the risk of surcharge and flooding from the sewer. We therefore strongly object to a proposal to dispose of surface water to the public foul sewer.

All developments must comply with the drainage hierarchy set out in Part H of the Building Regulations, which the application fails to do.

### ***H3 - Rainwater drainage***

*(1) Adequate provision shall be made for rainwater to be carried from the roof of the building.*

*(2) Paved areas around the building shall be so constructed as to be adequately drained.*

*(3) Rainwater from a system provided pursuant to sub-paragraphs (1) or (2) shall discharge to one of the following, listed in order of priority:*

*(a) an adequate soakaway or some other adequate infiltration system; or, where that is not reasonably practicable,*

*(b) a watercourse\*; or, where that is not reasonably practicable,*

*(c) a sewer\*\*.*

*\*Any connection to a watercourse or sewer must not exceed greenfield run off rates with appropriate controls provided on site to limit run off.*

*\*\*public surface water sewer.*

We ask that an alternative discharge be investigated in accordance with the above hierarchy.

We also note that the site is located within an area at risk of the 1:1000 surface water event. The design and layout of the development must acknowledge existing drainage patterns on site and those off site that the proposed development has the potential to affect.

We expect details to demonstrate the proposed method of surface water discharge and management of flood risk to be provided. This should be in accordance with the Non-statutory technical standards for sustainable drainage systems (Defra, 2015) and the Central Bedfordshire Sustainable Drainage Guidance (CBC, Adopted April 2014 Updated May 2015).

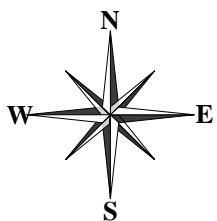
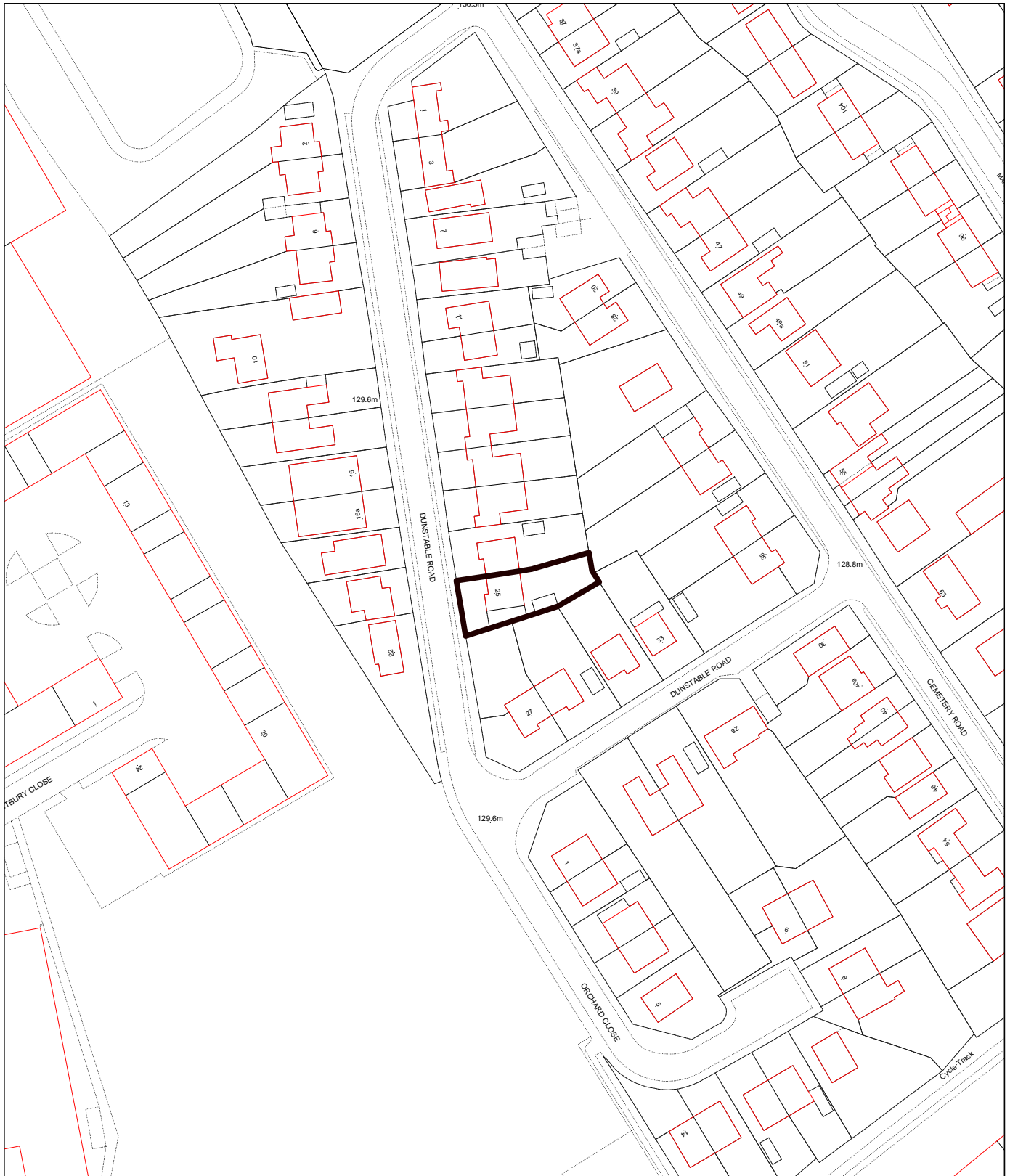


3. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedford shire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedford shire 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 Central Bedford shire Council's Highway Help Desk, Tel: 0300 300 8049.
5. The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedford shire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.

**Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, 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.

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Licence No. 100049029 (2009)

Date: 10:April:2017

Grid Ref: 501816; 223429

Application No.  
CB/17/01397/FULL

Scale: 1:1250

25 Dunstable Road, Houghton Regis, Dunstable, LU5 5DB

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**Item No. 09**

<b>APPLICATION NUMBER</b>	<b>CB/17/01397/FULL</b>
<b>LOCATION</b>	<b>25 Dunstable Road, Houghton Regis, Dunstable, LU5 5DB</b>
<b>PROPOSAL</b>	<b>A side, two storey extension on the footprint of a demolished garage with a single storey flat roofed rear 3 metre infill addition and loft conversion (Resubmission CB/16/02087/FULL)</b>
<b>PARISH</b>	<b>Houghton Regis</b>
<b>WARD</b>	<b>Houghton Hall</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Goodchild &amp; Kane</b>
<b>CASE OFFICER</b>	<b>Aimee Matthews</b>
<b>DATE REGISTERED</b>	<b>14 March 2017</b>
<b>EXPIRY DATE</b>	<b>09 May 2017</b>
<b>APPLICANT</b>	<b>Mr M Matwicki</b>
<b>AGENT</b>	<b>Soarbond Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Call in Cllr Goodchild 'I do not believe that the changes made to the plans would resolve the light issue to the neighbour's property which was the reason why you refused the previous application CB/16/02087/Full'</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Recommended for Approval</b>

**Reason for Recommendation**

The application is recommended for approval. The proposal has been amended to address the concerns of the previous application and therefore, the application as proposed is considered to comply with section 7 of the National Planning Policy Framework, policies BE8 and H8 of the South Bedfordshire Local Plan Review and the Central Bedfordshire Design Guide.

**Site Location:**

The application site is a semi detached bungalow located to the east of Dunstable Road, Houghton Regis. To the north of the site is No. 23 Dunstable Road and to the south are Nos. 27, 29, 31 and 33;and 34 Cemetery Road to the rear.

**The Application:**

The application seeks planning permission for the construction of a single storey rear extension, side (replacing the existing garage) and rear extension, roof extension and loft conversion with rear dormer.

The rear extension would measure 3m in depth, 11.65m wide and have a height of 2.6m.

The roof would be extended by 2.4m and the dormer would measure 3m deep, 9.2m wide and have a height of 2m.

The alterations would create an enlarged sitting room, kitchen and utility room on the ground floor, two bedrooms, a bathroom and office at first floor.

The application is a revision to refused planning application CB/16/02087/FULL.

**RELEVANT POLICIES:**

**National Planning Policy Framework (NPPF) (March 2012)**

**South Bedfordshire Local Plan Review**

- BE8 Design Considerations
- H8 Control of Extensions to Dwellings

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

**Development Strategy**

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

**Supplementary Planning Guidance/Other Documents**

**Central Bedfordshire Design Guide (March 2014)**

- 7 Householder Alterations and Extensions

**Relevant Planning History:**

<b>Case Reference</b>	<b>CB/16/04763/LDCP</b>
Location	25 Dunstable Road, Houghton Regis, Dunstable, LU5 5DB
Proposal	Lawful Development Certificate Proposed - To construct using materials as shown on drawings a rear single storey ground floor extension and a loft conversion within the existing roof loft space forming a rear facing mansard (Resubmission of CB/16/01888/LDCP)
Decision	Lawful Dev - Proposed - Granted
Decision Date	02/12/2016

<b>Case Reference</b>	<b>CB/16/02087/FULL</b>
Location	25 Dunstable Road, Houghton Regis, Dunstable, LU5 5DB
Proposal	A side, two storey extension on the footprint of a demolished garage with a single storey flat roofed rear 3 metre infill addition
Decision	Full Application - Refused
Decision Date	05/09/2016

<b>Case Reference</b>	<b>CB/16/01888/LDCP</b>
Location	25 Dunstable Road, Houghton Regis, Dunstable, LU5 5DB
Proposal	Lawful Development Certificate Proposed: Erection of single storey ground floor extension and loft conversion.
Decision	Lawful Development Certificate - Refused
Decision Date	23/06/2016

**Consultees:**

Houghton Regis Town Council - None received at present.

**Other Representations:**

Neighbours - None received at present.

**Considerations**

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

Due to the location of the proposed one and a half storey side extension, the proposed development would be visible from the public realm and from the highway, however, it would not be considered to appear as overly prominent from the public domain. The roof line of the existing bungalow would be continued which in this case is considered an appropriate design given the moderate scale of the proposal. The proposal would be set back over a metre from the boundary at first floor level. Given the existing buildline at ground floor level runs up to the boundary, the replacement garage would not be considered an inappropriate design. Due to the scale and modest projection of the proposed development, and being set away from the side boundary at first floor level, it is considered that as a whole, it would appear as a subservient addition to the host dwellinghouse, in accordance with design principles outlined within the Central Bedfordshire Design Guide (2014).

Therefore, subject to conditions that would ensure the materials used for the construction of the proposed development would match those of the host dwellinghouse, it is considered that the proposed development would not cause harm to the character and appearance of the area, in accordance with Policies H8 and BE8, of the South Bedfordshire Local Plan Review, Section 7 of the NPPF and the Central Bedfordshire Design Guide (2014).

**2. Amenity and Living Condition of Occupiers of Neighbouring Dwellings**

The boundary of the application site adjoins No's 23, 27, 29, 31 and 33 Dunstable Road and 34 Cemetery Road to the rear.

At the time for writing, no objections have been received but it is noted that the consultation period has not passed. The Committee will be updated regarding any comments received.

In the previous application objection was raised to the proposal due to the impact on light to the neighbouring property No. 23 Dunstable Road. The

application site forms the other half of the semi detached and is situated to the south of No. 23 Dunstable Road. The application follows the issuing of a Lawful Development Certificate for Proposed Development in 02/12/2016 for a single storey rear extension and rear dormer as, detailed above. The amended scheme submitted as this application follows the line of the proposed extension as submitted for the Lawful Development Certificate, in that the roof of the single storey rear extension would be a flat roof and not pitched as previously proposed and refused. Acknowledging that the roof pitch has been replaced by a flat roof and that the extension as proposed which would sit against the boundary of No. 23 could be built under permitted development, the proposed scheme is not considered to cause any greater harm than that which is already permitted.

The proposal would not have a detrimental impact on 34 Cemetery Road to the rear, No.27, 29, 31, or 33 to the south due to the scale and existing separation gaps. The only side windows proposed in the south elevation are narrow windows set up high in the wall and serve the garage which is a non-habitable room. As such the proposal is not considered to have a detrimental impact on the amenity of these neighbouring properties by way of a loss of light, loss of privacy or an overbearing impact.

The proposal is therefore considered to be in accordance with policy BE8 of the South Bedfordshire Local Plan Review and the Central Bedfordshire Design Guide.

### **3. Other Issues / Equality and Human Rights**

#### **Human Rights issues:**

The proposal raises no Human Rights issues.

#### **Equality Act 2010:**

The proposal raises no issues under the Equality Act 2010.

#### **Recommendation:**

That Planning Permission be GRANTED for the following reason:

#### **RECOMMENDED CONDITIONS**

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

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



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

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

(Policies BE8 & H8, SBLPR and Section 7, NPPF)

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1420-01, 1420-02, 1420-03, 1420-04, 1420-05, 1420-06, 1420-07, 1420-21 Rev A, 1420-22 Rev A, 1420-23, 1420-24 Rev A, 1402-25 Rev A and 1420-26 Rev A.

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. **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:

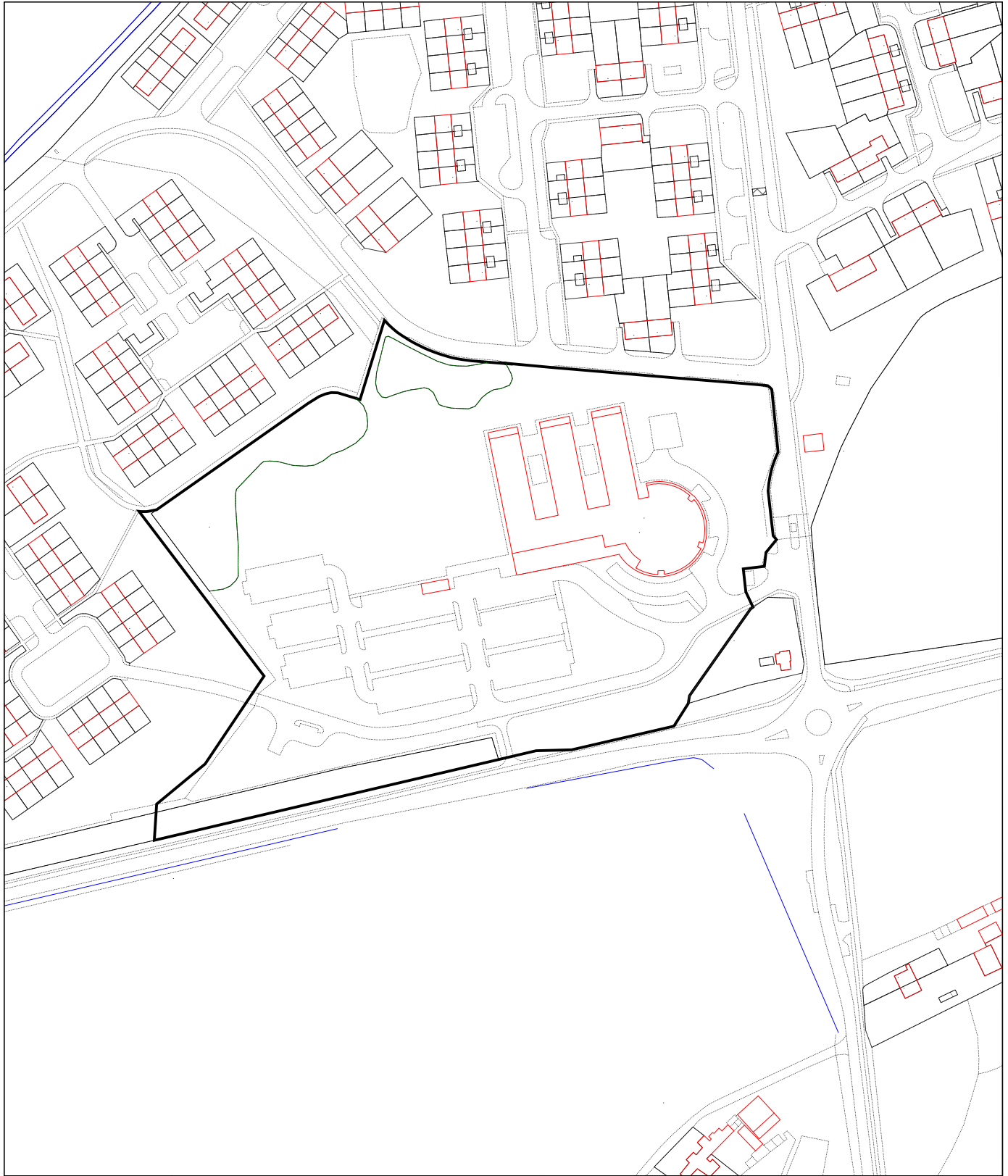
<http://www.centralbedfordshire.gov.uk/council-tax/bands/find.aspx>

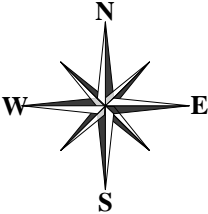
**Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35**

The applicant and the Council engaged in discussion at pre-application stage to address the concerns of previous application CB/16/02087/FULL. The applicant and the Council have 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.

**DECISION**

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	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No. CB/17/01030/REG3
	Date: 10:April:2017	
Scale: 1:2500	Map Sheet No	Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

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**Item No. 10**

<b>APPLICATION NUMBER</b>	<b>CB/17/01030/REG3</b>
<b>LOCATION</b>	<b>Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ</b>
<b>PROPOSAL</b>	<b>Construction of 77 additional parking spaces at Central Bedfordshire Council Offices at Priory House.</b>
<b>PARISH</b>	<b>Campton/Chicksands</b>
<b>WARD</b>	<b>Shefford</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Brown</b>
<b>CASE OFFICER</b>	<b>Nikolas Smith</b>
<b>DATE REGISTERED</b>	<b>28 February 2017</b>
<b>EXPIRY DATE</b>	<b>25 April 2017</b>
<b>APPLICANT</b>	<b>Central Bedfordshire Council</b>
<b>AGENT</b>	<b>Central Bedfordshire Council</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The Council is the applicant and objections have been made against the planning application.</b>

**RECOMMENDED DECISION** **Regulation 3 - Grant**

Reason for recommendation

The applicant has demonstrated that there is a need for the development, that it would not result in serious harm to the appearance of the site and that sustainable transport measures would be introduced and reinforced to help mitigate increased single vehicle trips to the site.

**Site Location:**

Priory House is a two-storey office building that is occupied by Central Bedfordshire Council. It is to the North of Ampthill Road, from which access to the site is taken off a roundabout. To the Northeast is the Chicksands Ministry of Defence base and to the Northwest and West is residential development. Access to that housing is taken along Monks Walk, which runs along the South of the application site.

Existing car parking to serve the building is located in the southern portion of the site. There are currently 473 car parking spaces and 40 cycle spaces at the site.

Existing surface water drainage is attenuated under the tarmac and is then discharged in to swales, which are now established with rushes. None of the swales link to surface water sewers.

**The Application:**

Planning permission is sought to increase the number of car parking spaces at the site by 77 to 550. This would involve the removal of some of the existing landscaping around the site. 4 of the spaces would be for car sharing.

**Relevant Policies:**

National Planning Policy Framework (2012)

Core Strategy and Development Management Policies (2009)

DM3 High Quality Development  
DM4 Development Within and Outside of Settlement Envelopes  
DM9 Providing a Range of Transport  
DM15 Biodiversity

Central Bedfordshire Design Guide (2014)

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

**Planning History:**

MB/08/01888/FA District Council Regulation 3: Erection of centralised offices for Mid Bedfordshire District Council and ancillary facilities on part of the MOD site at Chicksands, together with access and egress off the A507, provision of associated car parking, landscaping and servicing.

Approved: 9 February 2004

CB/14/00389/REG3 Extension to office car park for 146 car parking spaces

Approved: 04 April 2014

**Representations:**

Campton and Chicksands Parish Council No response at the time of writing

Neighbours Four responses have been received from neighbours to the site, which read as follows:

- Rather than 77 new parking spaces for Priory House, this money would be better spent on improving public transport services along the A507 corridor to provide a viable transport option to Priory House, benefitting both Council employees AND the community.

- The existing 200 bus between Flitwick/Amphill and Biggleswade (stops near Priory House) is not regular enough or has long enough hours for anyone to use to commute to work. If this was improved, Priory House employees could access Priory House from Flitwick or Biggleswade stations, as well as from villages along the A507 corridor. This would open up employment opportunities at the Council to residents of Cent Beds who don't drive or have access to a car.
- Campton, Chicksands and Chicksands military base (behind Priory House) is particularly poorly served by public transport. A significant improvement in the 200 bus would provide these residents the ability to use public transport to commute and get better access to the Health Centre (2 miles away), the leisure centre at Flitwick, and if the 200 route was slightly extended, the new retail park in Biggleswade.
- I have gathered evidence about the adverse affect of the inadequate public transport on non-driving members of the military community at Chicksands, including isolation (particularly when personnel are deployed) and limitations on the opportunities for teenage children of serving personnel. I would be happy to provide this.
- If viable transport options to Priory House are not addressed, the parking requirement is only going to increase. Why not do something sustainable and that benefits all of Central Beds?
- Increased traffic in this area would not only be harmful to wildlife but also cause congestion at peak hour when school children are travelling to Shefford and Campton, as well as staff going to work on Chicksands Camp and residents leaving for work in the local area.
- This tiny road is already congested and trying to get onto to the A507 via the Chicksands roundabout at peak hour is already difficult without encouraging an additional 70+ vehicles to the site.
- A better option would be to make the site better serviced by public transport which would not only make it more accessible and convenient for council staff to use but would reduce pollution and congestion as well as improving services for local residents and those who need to access the council building but may not have access to their own vehicle.
- Although I am fully aware of the difficulty in parking here due to having a need to do so for work on

- previous occasions, I am also increasingly aware of the lack of regular & reliable public transport in the area, which could go some way to eradicate some of the parking issues should employees have access to other means.
- Improving the local public transport routes & timings would have a positive affect on people in the whole community creating further opportunities for employment for teens & adults, better access for educational purposes, have an incredible value to the mental health of local residents giving them much more freedom to venture out if not for work purposes but for errands, visit GP, collect prescriptions, access to the train stations and in the main, improve well being.
- I feel a utilitarian approach is necessary when considering such funds and whereas as parking at the council offices is an issue, when looking at the greater picture there is a much more beneficial area of focus
- I believe the funds for this project would be better utilised to improving the public transport services to Chicksands. This would not only benefit the employees of the council offices at priory house but also the families and civil servants of MOD Chicksands and residents of Chicksands estate who all struggle with poor and unreliable public transport to the area.

**Consultee responses:**

Internal Drainage Board    No objection subject to condition

Environment Agency        No objection

Pollution Control         No objection

Ecology                        The Ecological Scoping Assessment find that 'On completion, the project has potential to result in a slight gain to the Site and local area's biodiversity if measures to incorporate planting to attract insects and bats to the Site and implemented.' However, the survey was undertaken in February which is outside of the appropriate botanical survey season hence it is inaccurate to make this statement. No acknowledgment is made to the site's current value for invertebrates due to all the wildflower planting which was already undertaken and the sensitive management ongoing in other areas, notably at the front of the Council offices.

The previous extension to the car park CB/14/0389 was mitigated through a landscaping scheme which



incorporated significant ecological enhancements together with a management plan under condition 4 of the permission. Much of these enhancements are now proposed to be lost as a result of the current proposal and it is not clear how this negative impact will be mitigated. The NPPF looks for development to deliver a net gain for biodiversity and in its current form the scheme falls far short of this with such a detrimental impact on wildflower grassland and is therefore contrary to National policy.

#### Trees Officer

The proposal will require the removal of a number of areas of trees and shrubs identified as either as scrub, ruderal or sapling trees in the supplied Landscape Impact statement, this is undoubtedly accurate but these features are providing established screening to parking areas from adjoining properties etc, as such it is a shame that they will be removed and replaced with parking and then require additional planting to establish and provide screening. However space for this additional parking is limited and as such the loss will be justified.

Proposed planting detail is a little lacking and simply mentions replacement planting as a like for like basis, no detail of sizes, densities or what species is intended for where.

I would suggest that the proposed planting to screen new parking spaces close to the A507 would be better provided as some form of native shelter belt along that frontage to provide screening of the increased parking and also the parking spaces that exist along the access road that are readily visible from the A507.

#### Highways

The travel plan is out of date and should be assessed, and if needed revised each year to alleviate discrepancies such as (Dec 2013 point 5.3.2) 'maximum capacity of desk space, maximum availability of 450 desks'; (Feb 2017) 'theoretical capacity of 685 which is an occupancy rate of 75%'.

The submitted information states it is not currently feasible to organise a travel survey, the following paragraph states, a travel survey will be carried out? The survey should be completed prior to any increase to ascertain and overcome any issues prior to their occurrence. A 'worse case scenario' of required parking provision could be calculated by including the additional staff that will possibly be using Priory House.

It would be beneficial if a basic survey could be completed each year to find if the sustainable transport measures are being effective and if the car parking provision is not over subscribed.

In principle the proposal is acceptable, however some further information is required;

- The current refuse storage area is 4 times the size of the proposed area. Where will the additional paladins, trailers and other paraphernalia be stored
- Tracking diagrams should be provided to show that the refuse vehicle can access the refuse storage area, and leave the site in forward gear. Currently the refuse vehicles reverse to the refuse storage area, which requires very little manoeuvring other than a straight path

Please also note that the smoking shelter does not appear to be shown on drawing no. 1002. Also the parking provision in this area is very tight and should have 6.0m in front of the bays. This area currently only works with vehicles parking overhanging the footpath adjacent to the council chamber, and vehicles on the grasscrete pulling right to the rear of the parking area.

#### Sustainable Drainage

We consider that planning permission could be granted to the proposed development and the final design and maintenance arrangements for the surface water system agreed at the detailed design stage, if the following recommendations and planning conditions are secured.

- Where the use of permeable surfacing is proposed, this should be designed in accordance with the 'CIRIA RP992 The SuDS Manual Update: Paper RP992/28: Design Assessment Checklists for Permeable/Porous Pavement'.
- The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).
- We require detailed plans and drawings showing the proposed drainage system in its entirety, including location, pipe run reference numbers, dimensions, gradients and levels (in metres above

- Ordinance Datum). This shall include all elements of the system proposed, including source control, storage, flow control and discharge elements.
- The Council does not, and is not required to, adopt any SuDS feature. It is the responsibility of the applicant to ensure that the surface water drainage system, in its entirety, will be effectively maintained in the long-term. We therefore expect confirmation of the proposed arrangements for maintenance to be provided with the final detailed design, including the future maintenance and operational needs and the responsible bodies for undertaking maintenance (for all public and private drainage components).
- We will expect that any components that require replacement and/or maintenance will be designed to be accessible without undue impact on the drainage system and adjacent structures or infrastructure.

**Condition 1:** No development shall commence until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and a restriction in run-off rates. Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included.

The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Sustainable Transport

The proposal to add 77 parking spaces at the CBC offices at Priory House has been subject of recent discussion between facilities, assets and sustainable travel. The travel plan submitted in support of the last phase of car

parking expansion (14/00389) has been delivered in part, and as such an addendum to this report to support this application is acceptable.

This focuses on the areas that aim to deliver the most benefit in terms of trip reduction considering the location and options available to staff. The aim of a travel plan is not only to promote travel options but also to be used as a tool to manage future parking demand. This will be particularly important as it is stated in the addendum that ideally parking provision would need to be increased by 140-150 spaces to accommodate potential relocated staff, and this application is only for up to 77.

As discussed at the pre-application stage, recent survey data is lacking, this is further confirmed by the supporting figures, postcode mapping etc. which is a resubmission of the 2013 information.

With this in mind it will be imperative to capture the travel preferences of relocated staff prior to their arrival at Priory House so it is suggested that a survey is carried out prior to the intensification of the use of Priory House, to ascertain how many extra staff will be using Priory House as their main base and this commitment is updated in this supporting document.

Along side this, the ongoing implementation and monitoring of the actions within the travel plan and addendum will need to be secured via an appropriate condition, wording below:

‘This development shall be carried out strictly in accordance with the terms and of the submitted and approved Travel Plan (prepared by WYG and dated December 2013) and the corresponding Travel Plan Addendum (prepared by CBC Assets and dated February 2017) unless otherwise agreed in writing with the Local Planning Authority.

Reason: to ensure the site continues to respond to the Council's sustainable travel objectives and to manage current and future parking demand.'

### **Determining Issues:**

The considerations in the determination of this application are:

1. The principle of the development
2. Sustainable transport
3. The appearance of the site
4. The impact on neighbours
5. Drainage
6. Other material planning considerations

### **Considerations:**

#### **1. The principle of the development**

The site is used for offices and an extended car park to serve the use of the building in that way would be acceptable in principle.

The applicant has explained that the building currently provides accommodation for 515FTE staff. Because of planned office closures in Bedford and Ampthill, a further 174FTE staff are likely to be based at priory House in the future. As a result, a further 77 car parking spaces are required.

#### **2. Sustainable transport**

Whilst the applicant has justified the need for additional car parking spaces, Central Bedfordshire Council is committed to promoting sustainable travel opportunities and reducing reliance on the private motor car. These objectives apply to all new developments in Central Bedfordshire, including at the Council's own sites.

The planning application submitted for an increase in the number of parking spaces at the site in 2014 was accompanied by a comprehensive Travel Plan. This application has been supported by an Addendum to that Plan, which sets out what measures have been implemented since that time.

It sets out that the Council's objectives are to:

- To reduce single occupancy vehicle trips;
- To increase usage and awareness of sustainable travel modes;
- To reduce the costs of business mileage; and
- To alleviate pressures on limited parking capacity

These objectives will be achieved through:

- Promoting and encouraging 'Smarter Working';
- Reducing the overall need to travel;
- Encouraging car sharing; and
- Providing improved travel information

Since 2014, the following measures have been introduced:

- The relocation of the smoking shelter to make the cycle storage facilities at the site more attractive to potential users
- Improvements to showering and changing facilities
- Removal of 'short-stay spaces'
- Segregation of visitor and disabled spaces

Given the comprehensive nature of the 2014 Travel Plan, its aims and objectives remain relevant to this application. The various methods to seek to reduce single car trips should continue to be explored and implemented where appropriate and testing has found them to be successful.

Potential methods to reduce single car trips include:

- The creation of a Sustainable Travel Steering Group
- A car sharing scheme
- Increased information to staff of sustainable transport methods

The Council's Sustainable Transport Team are satisfied that continued compliance with that Travel Plan (and its Addendum) would be appropriate in this case and no objection has been raised to this application.

It is the case that the location of Priory House does mean that travel by car is likely to remain the principle travel method to the site but it is hoped and anticipated that adhering to the Travel Plan will reduce single car trips over time.

### **3. The appearance of the site**

An extension to the car park would change the appearance of the site and would result in the loss of some green space and its replacement with hard standing. That visual impact would be acceptable because of the existing commercial character of the site, where additional hard standing would not appear out of context.

Whilst the loss of some landscaping is undesirable, it has been justified and the key strategic landscaping along the northern and southern boundaries of the site would not be undermined to an extent that it would fail to serve its purpose as useful screening of the site and the car park.

#### 4. The impact on neighbours

The extension to the office car park would bring activity nearer to existing houses to the North and West and as a result, noise and disturbance caused by activity associated with the use of the car parking would increase for those neighbours. The increase would likely be modest, though, and it would be limited to hours when the office is in use, which is predominately during conventional working hours. The use of additional lighting columns would not likely result in an impact significantly greater for those neighbours than the current situation.

#### 5. Drainage

Details of drainage to accommodate the additional car parking spaces would be secured by condition.

#### 6. Ecology

Limited details have been provided in respect of the protection and enhancement of biodiversity at the site, which would be required to comply with the objectives of the National Planning Policy Framework, which seeks a net gain in biodiversity as a result of development. This is particularly important in this case because existing landscaping would be removed to facilitate the development. A planning condition would require the submission of a scheme for biodiversity protection and enhancement at the site.

#### **Recommendation:**

That Planning Permission is granted subject to the following planning 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 development shall be carried out strictly in accordance with the terms and of the submitted and approved Travel Plan (prepared by WYG and dated December 2013) and the corresponding Travel Plan Addendum (prepared by CBC Assets and dated February 2017) unless otherwise agreed in writing with the Local Planning Authority.

Reason: to ensure the site continues to respond to the Council's sustainable travel objectives and to manage current and future parking demand in accordance with Policy DM3 of the Central Bedfordshire Core Strategy Core Strategy and Development Management Policies (2009).

- 3 **No development shall commence at the site before a scheme for mitigating harm caused to biodiversity and for providing a net gain in biodiversity at the site together with a timetable for completing that scheme has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.**

**Reason: To ensure that biodiversity at the site is properly protected and opportunities are enhanced in accordance with Policy DM15 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework (2012).**

- 4 **No development shall commence at the site before a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and a restriction in run-off rates. Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included.**

**The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

**Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.**

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1001, 2001, 2002, 2003, Priory House Travel Plan and appendices (December 2013), Travel Plan Addendum (February 2017), Landscape Impact Statement, Ecological Survey, Design and Access Statement

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. As the site is of long historic use there may be unexpected materials or substances in, on or under the ground. It is the responsibility of the Applicant to ensure safe and secure development, so a watching brief for signs of contamination is advised and any indications of potential contamination problems should be brought to the attention of the Local Planning Authority for advice.

**Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, 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.

**DECISION**

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