

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 19 July 2017

PRESENT

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

Cllrs	M C Blair	Cllrs	C C Gomm
	Mrs S Clark		K Janes
	K M Collins		T Nicols
	I Dalgarno		T Swain
	F Firth		J N Young
	E Ghent		

Members in Attendance: Cllr B J Spurr

Officers in Attendance:	Mr D Ager	Principal Highway Officer
	Mr A Emerton	Senior Lawyer Planning, LGSS Law Limited
	Mr D Hale	Planning Manager South
	Mr A Harrison	Principal Planning Officer
	Mr M Huntington	Principal Planning Officer
	Mrs C Jagusz	Committee Services Administrator
	Mr D Lamb	Planning Manager East
	Mr L Manning	Committee Services Officer
	Mr T Mead	Planning Officer
	Mr R Page	Principal Highways Officer
	Mrs J Selley	Major Applications Manager
	Mr N Smith	Planning Project Manager
	Miss D Willcox	Senior Planning Officer

DM/17/32. **Chairman's Announcements and Communications**

The Chairman advised the meeting that the order of business in the morning would be Items 6, 11, 7, 12 and 8. The Items scheduled to be heard after 1.30 p.m. would be 9 and then 10.

The Chairman also reminded Members of the Committee that they had to be present throughout the entire debate on an Item (including the officer's introduction) in order that they could participate and vote upon it.

DM/17/33. **Minutes**

A Member stated that, at the last meeting, he had requested that certain information be recorded in the minutes but this had not been done. He was unable to identify the minute which he believed to be inaccurate.

RESOLVED

that the minutes of the meeting of the Development Management Committee held on 21 June 2017 be confirmed and signed by the Chairman as a correct record subject to the retrospective amendment of a minute if the omission can be identified by the Member.

DM/17/34. **Members' Interests**

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

	Item	Nature of Interest	Present or Absent during discussion
Cllr I Dalgarno	10	Has been involved in legal action due to noise levels	Absent
Cllr K Collins	11	Has previously met with the Parish Council's speaker	Present
All members of the Committee	12	The applicant's agent was a former CBC planning officer	Present
Cllr N Young	All	May have met applicants in his capacity as a former Portfolio Holder and as the current Executive Member for Regeneration	Present
Cllr N Young	6	Knows applicant and agent	Present
Cllr K Matthews	6, 7, 11 and 12	Knows some of the speakers	Present

(b) Personal and Prejudicial Interests:-			
Member	Item	Nature of Interest	Present or Absent during discussion
Cllr F Firth	11	As ward Member had requested that the application be called in for determination	Absent

(c) Prior Local Council Consideration of Applications			
Member	Item	Parish/Town Council	Vote Cast
None			

DM/17/35. Planning Enforcement Cases Where Formal Action Has Been Taken

The Chairman advised Members to raise any issues they might have with regard to planning enforcement cases with the Planning Enforcement and Appeals Team Leader.

NOTED

the monthly update of planning enforcement cases where action has been taken.

NOTE: PRIOR TO CONSIDERING THE PLANNING APPLICATIONS CONTAINED IN THE SCHEDULES ATTACHED TO THE AGENDA MEMBERS RECEIVED AND NOTED ANY ADDITIONAL INFORMATION RELATING TO THE APPLICATIONS AS DETAILED IN THE LATE SHEET FOR THIS MEETING

DM/17/36. Planning Application No. CB/16/01389/FULL

The Chairman referred Members to the Late Sheet which contained a recommendation that consideration of Planning Application No. CB/16/01389/FULL for the installation of a single wind turbine, substation, hardstanding area, access track, underground cabling and associated infrastructure on land off the A5 at Checkley Wood Farm, Watling Street, Hockliffe, Leighton Buzzard, LU7 9LG be deferred for up to two committee

cycles. The recommendation had arisen as the result of legal advice from Counsel and with particular regard to Green Belt issues.

On being put to the vote it was unanimously agreed.

RESOLVED

that Planning Application No. CB/16/01389/FULL relating to land off A5 at Checkley Wood Farm, Watling Street, Hockliffe, Leighton Buzzard, LU7 9LG be deferred for up to two committee cycles to allow full consideration of the legal advice received from Counsel and, in particular, those issues relating to the Green Belt.

DURING CONSIDERATION OF ITEM 11 BELOW COUNCILLOR F FIRTH, HAVING DECLARED A PERSONAL AND PREJUDICIAL INTEREST IN THIS ITEM, LEFT THE CHAMBER

DM/17/37. Planning Application No. CB/17/01339/FULL

The Committee considered a report regarding Planning Application No. CB/17/01339/FULL for the erection of one new dwelling at 24 Ickwell Green, Ickwell, Biggleswade, SG18 9EE.

In advance of consideration of the application the Committee received representations from Northill Parish Council, an objector to the application and the applicant's agent made under the public participation scheme. Clarification on some of the points raised was sought by Members.

(Note: Before the Committee proceeded to consider the application the Chairman referred Members to the Late Sheet and the section headed 'Amended Development Strategy Policy Note for all applications'. For the benefit of all present the Chairman read out the amended Policy Note and made clear that that its content applied to all planning applications on the agenda and to those to be considered at the Committee's meetings for the foreseeable future).

The ward Member referred to the wide ranging objections to the application because of the perceived detrimental impact on the character of the village. He also referred to what he believed were contraventions of the Building Regulations. The Chairman advised that the latter did not form part of the Committee's deliberations and any issues relating to this issue would need to be determined separately.

The ward Member, having declared a personal and prejudicial interest, left the Chamber at this point in the proceedings.

The Committee considered the application. Members acknowledged that there were no planning reasons for refusal of the development. However, it was also felt that, because of the visual impact of the proposed dwelling on existing nearby housing and the visual character of the area a robust approach should be taken by officers to ensure that the final landscaping materials used (condition 5 refers) mitigated the impact of the development.

On being put to the vote 10 Members voted for approval, 0 voted against and 2 abstained.

RESOLVED

that Planning Application No. CB/17/01339/FULL relating to 24 Ickwell Green, Ickwell, Biggleswade, SG18 9EE be approved as set out in the Schedule attached to these minutes.

AT THE CONCLUSION OF ITEM 11 ABOVE COUNCILLOR F FIRTH RE-ENTERED THE CHAMBER

DM/17/38. Planning Application No. CB/17/01585/FULL

The Committee considered a report regarding Planning Application No. CB/17/01585/FULL for a residential development of 26 dwellings to include landscaping, access, parking and all ancillary works at land between Taylors Road and Astwick Road, north of 51 Astwick Road, Astwick Road, Stotfold.

The planning officer advised that in condition 9 a reference to plan 17772/103 had been omitted. The attention of Members was also drawn to the following as set out in the Late Sheet:

Any planning permission would be subject to a s106 obligation requiring that all of the dwellings were built within a five year period from the date of a permission (the 'Build Rate Timetable').

In advance of consideration of the application the Committee received a representation made by Stotfold Town Council under the public participation scheme. Clarification on the highways issues raised was sought by a Member.

The Committee considered the application and in summary discussed the following:

- A wish to see the dispersal ('pepperpotting') of the affordable homes throughout the development strictly enforced.
- The MANOP (Meeting the Accommodation Needs of Older People) request that a proportion of the dwellings be suitable for older people, the importance of gain in green infrastructure and the absence of a s106 contribution to health service provision. In response the planning officer

stated that there was no policy requirement for dwellings to be made available under MANOP and not on a development of this scale. He suggested that chalet bungalows constructed under the application might prove attractive in this context. With regard to the green infrastructure the planning officer stated that condition 10 could be amended to place an emphasis on this matter. Last, he explained that the NHS would not be expected to reply on a development of under 100 units. Further, it would prove difficult to introduce additional contributions at this stage.

- Concerns at the failure by the NHS to take account of the cumulative impact of smaller housing developments. It was requested that local GP surgeries be contacted in future to establish their stance on the need for such contributions.
- The potential for strengthening condition 10 to ensure strict compliance with the requirements of the detailed surface water drainage scheme even at the expense of the eventual number of dwellings erected.
- The potential for a condition ensuring that a reasonable number of the dwellings erected were to Lifetime Standards, thereby making them suitable for older persons, and that the affordable homes were 'pepperpotted' through the development.
- The absence of any mention by the Landscape Officer on protecting the existing hedges along Astwick Road and on preventing their unnecessary removal. The planning officer undertook to consider how best to strengthen the existing landscape condition to meet this request. In response to comments regarding the proposed planting mix and boundary management the planning officer stated that the applicant had now addressed the Landscape Officer's initial concerns on these issues through the submission of revised landscaping details.

In response to the points raised by a Member, the Chairman, whilst fully accepting the Member's comments, reminded the meeting that the applicant had voluntarily agreed to a Build Rate Timetable and the provision of affordable homes could be jeopardised by the Member's demands.

The planning officer also stated that there were no development plan policies relating to 'pepperpotting' of affordable dwellings or Lifetime Homes for older persons on a development of this size and he advised against applying conditions without supporting policies. The use of informatives was a possible, if weaker, alternative course of action.

Following lengthy debate the Committee indicated that it would wish to see the strengthening of condition 10 relating to green infrastructure and the conditioning of 'pepperpotting' of affordable homes and the provision of a reasonable number of homes suitable for older persons through Lifetime Standards if possible. If it was not possible to do so then informatives should be used.

On being put to the vote 12 Members voted for approval, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/17/01585/FULL relating to land between Taylors Road and Astwick Road, north of 51 Astwick Road, Astwick Road, Stotfold be approved as set out in the Schedule attached to these minutes.

**AT THE CONCLUSION OF ITEM 7 ABOVE COUNCILLOR B SPURR LEFT THE MEETING
THE COMMITTEE ADJOURNED AT 11.20 A.M. AND RECONVENED AT 11.35 A.M. ALL MEMBERS OF THE COMMITTEE WERE PRESENT**

DM/17/39. Planning Application No. CB/17/02538/VOC

The Committee considered a report regarding Planning Application No. CB/17/02538/VOC for the variation of condition no. 8 on planning application CB/15/02315/FULL dated 13/08/15 for the slight adjustment to the position of plots 1 and 2, slight adjustment to chimney design, removal of box window to plots 1 and 2, removal of side door and window to plots 1 and 2 at 21 Arlesey Road, Stotfold, Hitchin, SG5 4HB.

In advance of consideration of the application the Committee's attention was drawn to the additional comments and revisions to the recommended conditions set out in the Late Sheet.

The planning officer reported that he had been contacted by the applicant's representative that morning regarding the distance between plot 2 and the western boundary of the site. Following a site visit with the applicant the planning officer was able to confirm that the previously approved distance of 1.1 meters had been reduced to 72 cms.

In advance of consideration of the application the Committee received representations from Stotfold Parish Council, an objector to the application and the applicant's agent under the public participation scheme. Clarification on the points raised by the public speakers was sought by Members.

Full debate took place on the action taken by the applicant regarding his adjustment to the position of plots 1 and 2 and the impact on adjoining dwellings, his motivation for doing so and what enforcement action, if any, could be taken by the Council in response. During the debate it was stressed by a Member that the Committee was required to act in a reasonable manner and that any action taken needed to be proportionate. Given the issues under consideration some Members felt that the Council could not be expected to implement enforcement action. It was also stressed that no evidence had been presented to suggest that the applicant's actions had been other than an innocent mistake.

It was suggested that the impact of the adjustment of the two plots could be mitigated by the robust implementation of conditions 2 and 3 by the officers.

On being put to the vote 7 Members voted for approval, 1 against and 5 abstained.

RESOLVED

that Planning Application No. CB/17/02538/VOC relating to 21 Arlesey Road, Stotfold, Hitchin, SG5 4HB be approved as set out in the Schedule attached to these minutes.

DM/17/40. Planning Application No. CB/16/04555/OUT

The Committee received a report regarding Planning Application No. CB/16/04555/OUT for the demolition of the existing dwelling and erection of 6 houses and 6 flats with 19 parking spaces and associated landscaping at 72 Hitchin Road, Henlow, SG16 6BB.

The Chairman drew Members' attention to the reference in the report to an appended Planning Inspectorate Appeal Decision notice. He stated that the notice had not been appended and so copies had been circulated to Members immediately prior to the start of the meeting.

The planning officer informed the meeting of an amendment to condition 13. He also explained that, since the dismissal of the applicant's appeal, the Planning Inspector's concerns regarding flooding and drainage had been overcome by the applicant to the satisfaction of the Environment Agency. Given there were no other material changes, it was felt that planning permission should be approved.

In advance of consideration of the application by Members the Committee received a representation from the applicant's agent under the public participation scheme. Members expressed their concern regarding road safety issues in Hitchin Road. When responding to Members' queries regarding a possible contribution towards additional highways safety works the applicant's agent stated that he would be willing to raise this issue with the applicant.

The Committee considered the application and in summary discussed the following:

- The opposition of a ward Member to the application together with his reluctant support for approval given the overcoming of the Planning Inspector's concerns.
- Concerns that the local schools were to the south of the application site and that it was necessary to cross the busy Hitchin Road to reach the footpath on the far side of the road. The proposed uncontrolled crossing

point was insufficient and it was requested that negotiations be undertaken to secure a reduction in the speed limit from 60 mph to 40 mph. Other Members concurred with the expressions of concern and discussion took place on the best mechanism by which the applicant could be expected to contribute towards this (condition, informative or s106).

- Concerns regarding the proposed housing mix and that neither the property types nor the tenure mix met local demand. However, the planning officer reminded the meeting that the Planning Inspector had accepted the proposed housing mix and so it was not advisable to revisit this issue.
- That the Council's Highways Officer had withdrawn objections to the application.

The meeting continued to express strong concerns regarding highways safety issues and consideration was given to whether Members could either abstain or simply refuse the application. The Senior Lawyer Planning strongly advised the Committee against either action. None the less a Member moved that the application be refused on public safety grounds. The proposal was not seconded.

On being put to the vote 12 members voted for approval of the recommendations as set out in the schedule and 1 abstained.

RESOLVED

- 1 that Planning Application No. CB/16/04555/OUT relating to 72 Hitchin Road, Henlow, SG16 6BB be approved as set out in the Schedule attached to these minutes;**
- 2 that authority be delegated to the officers to determine the most effective means of securing a financial contribution towards crossing improvements and speed reduction measures on the Hitchin Road with regard to negotiations with the applicant and in consultation with the Chairman and Vice-Chairman of the Development Management Committee, the Executive Member for Regeneration and the Committee ward Member.**

THE COMMITTEE ADJOURNED AT 1.00 P.M.AND RECONVENED AT 1.30 P.M. ALL MEMBERS OF THE COMMITTEE WERE PRESENT

DM/17/41. Planning Application No. CB/16/04918/OUT

The Committee considered a report regarding Planning Application No. CB/16/04918/OUT for the development of 20 dwellings, public open space, landscaping, parking and associated works (all matters to be reserved with the exception of access) at The Paddock, New Road, Clifton, Shefford.

In advance of consideration of the application the Committee was due to receive a representation under the public participation scheme but the registered speaker failed to attend in time.

Members considered the application and no specific issues were raised.

On being put to the vote 12 Members voted for approval, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/16/04918/OUT relating to The Paddock, New Road, Clifton, Shefford be approved as set out in the Schedule attached to these minutes.

AT THE CONCLUSION OF ITEM 9 ABOVE COUNCILLOR I DALGARNO LEFT THE MEETING

DM/17/42. Planning Application No. CB/17/01827/FULL

The Committee considered a report regarding Planning Application No. CB/17/01827/FULL for a change of use from former bar/restaurant and single dwelling to form 10no. new dwellings and B1 office and the demolition of the timber outbuilding and its reconstruction as a gatehouse at The Old Maltings, Church Street, Biggleswade, SG18 0JS.

In advance of consideration of the application the Committee's attention was drawn to additional consultation/publicity responses and additional comments as set out in the Late Sheet.

The Committee considered the application and in summary discussed the following:

- Concerns of Biggleswade Town Council regarding the lack of adequate parking. However, whilst not discounting the Town Council's concerns, it was suggested that, given the town centre location, the parking was adequate in the circumstances. Further, the regeneration of the building would enable it to remain an asset to the town rather than fall derelict.
- Whilst there would be under provision for car parking when compared to the Council's normal requirement, the Council's design guide acknowledged that the usual number of spaces could be reduced for town centre locations.

On being put to the vote 10 Members voted for approval, 1 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/17/01827/FULL relating to The Old Maltings, Church Street, Biggleswade, SG18 0JS be approved as set out in the Schedule attached to these minutes.

DM/17/43. **Late Sheet**

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

DM/17/44. **Site Inspection Appointment(s)**

NOTED

that the next meeting of the Development Management Committee will be held on 16 August 2017.

RESOLVED

that all Members and substitute Members along with relevant ward representatives be invited to conduct site inspections on 14 August 2017.

(Note: The meeting commenced at 10.00 a.m. and concluded at 1.45 p.m.)

Chairman

Dated