

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 11 October 2017

PRESENT

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

Cllrs M C Blair
Mrs S Clark
K M Collins

Cllrs E Ghent
T Nicols
J N Young

Apologies for Absence: Cllrs Mrs C F Chapman MBE
I Dalgarno
F Firth
C C Gomm
K Janes
T Swain

Substitutes: Cllrs D Bowater (In place of F Firth)
B J Spurr (In place of I Dalgarno)

Officers in Attendance:

Mr D Ager	Principal Highway Officer
Ms P Bramwell	Planning and Highways Solicitor LGSS Law
Mrs S Hobbs	Senior Committee Services Officer
Mr D Lamb	Planning Manager East
Mr L Manning	Committee Services Officer
Mr R Page	Principal Highways Officer
Ms A Rowland	Team Leader Sustainable Transport Team
Mrs J Selley	Head of Planning Delivery
Mr P Vosper	Principal Planning Officer
Mrs D Walker	Senior Planning Officer
Ms J Ward	Senior Planning Officer

DM/17/72. **Chairman's Announcements and Communications**

The Chairman advised the meeting that the order of business for the planning applications would be Items 6, 7, 9 and 8.

The Chairman 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/17/73. **Minutes**

RESOLVED

that the minutes of the meeting of the Development Management Committee held on 13 September 2017 be confirmed and signed by the Chairman as a correct record.

DM/17/74. **Members' Interests**

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

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr M C Blair	8	Knows the agent/architect through the latter's work on the new Ampthill Town Council offices (Cllr Blair also being a Town Councillor).	Present
Cllr K C Matthews	8	Knows one of speakers (Note: speaker did not attend).	Present
Cllr Mrs S Clark	8	Knows one of speakers (Note: speaker did not attend).	Absent
Cllr Mrs S Clark	8	Called in planning application for determination by the Committee and has expressed opposition to it.	Absent
All	9	Applicant is CBC Member	Present

(b) Personal and Prejudicial Interests:-			
Member	Item	Nature of Interest	Present or Absent during discussion
Cllr K M Collins	9	Deputy to applicant in the latter's role as Executive Member for Corporate Resources.	Absent

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

DM/17/75. 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.

DM/17/76. Planning Application No. CB/17/03683/OUT

The Committee considered a report regarding Planning Application No. CB/17/03683/OUT, an outline application for the demolition of the former magistrates court and police station buildings, erection of a care home of up to 68 beds including day care facilities and associated hardstanding with access to be taken from Hockliffe Road at the former magistrates court and police station, Hockliffe Road, Leighton Buzzard, LU7 3FF.

In advance of consideration of the application the Committee's attention was drawn to additional consultation/publicity responses, additional/amended conditions/reasons and additional informatives.

In advance of consideration of the application the Committee received representations from an objector to the application and from the applicant's agent under the public participation scheme.

Clarification was sought from the objector regarding the position at which the possible overlooking of his property might occur, Members being aware that the development layout before them was indicative. Clarification was also

sought from the objector regarding a meeting on the proposals which he claimed had taken place in September 2017 but which he had not been advised of. The Vice-Chairman advised that the meeting had been organised by Central Bedfordshire Council staff, fully publicised and open to the public. However, the objector felt that in view of his immediate proximity to the site he should have been notified directly.

Clarification was sought from the applicant's agent regarding his request that the recommended conditions be varied to delegate authority to the officers to allow demolition of the site concurrently with reserved matters once the conditions relating to heritage and archaeology had been met. Members were aware that the existing conditions required that Reserved Matters were submitted and approved by the Council before demolition took place. The agent explained that the variation was sought in order to allow the applicant to market a cleared site to prospective purchasers whereas the existing conditions required the applicant to design a care home and submit a Reserved Matters application before being able to market the site. The requirement was viewed as unnecessary and wasteful given that it was almost certain that a care home operator would wish to design their own building and would therefore have to submit a Reserved Matters application of their own. In response the planning officer explained that the recommended conditions had been so worded to guard against a large site in Leighton Buzzard town centre from being left vacant and open, possibly for an extended period of time, and a possible change in market conditions in which there was no longer a need for a care home.

The ward Member indicated his support for the application. He referred to the various restrictions set out within the conditions and commented that they would give the objector some protection whilst adding that further details would be considered at a later stage. The ward Member then emphasised that he would not wish to see any relaxation of the highways conditions given the protection they offered to local residents and that the objector should be given the opportunity to view any proposals before any decisions were made. He also stressed the need to ensure all construction vehicles were kept within the site boundary and were not allowed to park outside and exacerbate existing highways problems.

The Chairman reminded the meeting that notification of the receipt of a Reserved Matters application should be sent to residents within the immediate vicinity of the application site thus providing them with an early opportunity to consider the building design, layout and access. However, he asked the objector to be vigilant regarding notification.

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

- The Council's Design Guide requirement that there should be a distance of at least 21 meters between buildings. Based on the indicative plans submitted the distance between the rear of no. 23 Hockliffe Road and

the front of the new building was slightly in excess of 21 meters and at least half of this distance lay within the application site. The planning officer's opinion, therefore, was that there would be no harmful loss of privacy in the rear garden of no. 23.

- That no increase in traffic levels was envisaged given that vehicle levels generated by the previous use of the site as a magistrates court and police station would be replaced by traffic linked to the care home. The highways officer had raised no concerns. The Vice-Chairman emphasised that the proposed new access to the site was an improvement over the original.
- The control of noise and disturbance by a construction management plan.
- The planning officer's statement that although the care home would be up to three stories high, and therefore one storey higher than other local buildings, it would be set back and could not, therefore, be considered a dominating presence.
- A Member's comment that whilst he was disappointed at the loss of the two existing and apparently viable houses on the site and the site being 'land locked' he supported the application and emphasised the care home's usefulness and importance as a resource for both Leighton Buzzard and the wider area.
- That a condition would limit the noise levels arising from the use of plant, machinery or equipment associated with the care home to prevent an adverse impact on the amenity of nearby residents.
- A Member's comments that despite a deficiency in care home provision in the west of Central Bedfordshire a proposed care home in Ampthill had been lost because the developer had been unable to find a care home operator willing to pay the developer's cost. Whilst expressing support for the application the Member made clear that his support was subject to the site being used for a care home and he queried how this could be guaranteed. Despite the Chairman's response that if no care home operator came forward to develop the site then Central Bedfordshire Council, as the landowner, would need to consider reducing the price. If this failed then any wish to change the use of the site would require the submission of a new planning application. However, the Member commented that the Ampthill site had eventually been used for a housing development because it had originally received permission for a care home.
- The Vice-Chairman's comment that the Town Council was completely in favour of the application. Further, consultation was currently being undertaken on the Westlands Residential Home in Leighton Buzzard which was likely to close thus increasing the need for a replacement facility both in the town and to help serve Central Bedfordshire in general.
- Confirmation by the planning officer that the proposed care home would provide up to 68 places and not 75 as stated by the MANOP (Meeting the Accommodation Needs of Older People) team. The planning officer

suggested that the larger figure could have been that included in a possible pre-application submission.

- The loss of attractive and historically important local buildings of character, the salvage of suitable items and outstanding features from them before demolition, their reuse and the possible reflection of the existing site entrance in the entrance to the new building.
- The submission of a requirement by the Council's Housing Development team for the provision of 30% affordable housing within the care home and the absence of any mention of securing nomination rights to some places in the care home. The planning officer advised that the request had since been withdrawn by the housing officer in recognition that the development was a class C2 care home but notification had arrived too late to be included in the Late Sheet. Whilst acknowledging this a Member indicated he would still seek an explanation for the submission.
- Expressions of sympathy and support by various Members for the agent's request that the recommended conditions be varied to allow demolition of the site concurrently with reserved matters once the conditions relating to heritage and archaeology had been met.

On being put to the vote 9 Members voted for approval, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/17/03683/OUT relating to the former magistrates court and police station, Hockliffe Road, Leighton Buzzard, LU7 3FF be approved as set out in the Schedule attached to these minutes.

DM/17/77. Planning Application No. CB/17/03402/FULL

The Committee considered a report regarding Planning Application No. CB/17/03402/FULL for the demolition of existing garages and development of 2 no. new dwellings with amenities and car parking on land to the east of 38 to 42 Carters Way and to the south of 1 to 8 Carters Walk, Carters Way, Arlesey.

In advance of consideration of the application the Committee's attention was drawn to an additional condition/reason as set out in the Late Sheet.

In advance of consideration of the application the Committee received a representation from Arlesey Town Council and a joint representation from two objectors under the public participation scheme.

A Member sought clarification on a point raised by both the Town Council and the objectors with regard to the current use of the 16 garages forming the two blocks which would be demolished should the application be approved. In response the Town Council representative stated that he believed 12 of the 14

occupied garages were used for vehicles whilst the objectors stated that they were personally aware that at least seven of the garages contained vehicles.

The Chairman advised the meeting that the applicant had stated that it would not know what its garages were used for until the tenants were evicted.

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

- Concerns over the major exacerbation of existing parking problems and the substantial loss of green amenity land and a tree as a direct result of the demolition of the garage blocks and the construction of the two new dwellings.
- That the construction of the new dwellings did not represent a significant contribution to the affordable housing stock, especially as a large number of affordable homes were to be built as a part of the Arlesey Cross development.
- Comment by a Member that whilst he was not opposed to development of garage sites the garage blocks that were proposed for demolition were in good condition. He was of the opinion that the application before the Committee was ill thought out and lacked sufficient information.
- A second Member's comment that, whilst he supported the refusal of the application because of the loss of amenity land, the Council had, in the past, approved the demolition of garage blocks and the construction of car parking bays involving the loss of such green space. He was also aware that such garages were often used for storage purposes by both individuals and small businesses. The Member therefore viewed the possibility of future demolition of the garage blocks as dependant to a degree on the applicant's submission of a scheme sufficiently imaginative to offset the loss of amenity.

It was proposed and seconded that the application be refused on the grounds of loss of existing parking provision leading to the exacerbation of existing parking problems, the loss of amenity land and a tree in order to provide the new parking spaces and that the proposed dwellings did not provide a significant contribution to the affordable housing stock.

On being put to the vote 9 Members voted for refusal, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/17/03402/FULL relating to land to the east of 38 to 42 Carters Way and to the south of 1 to 8 Carters Walk, Carters Way, Arlesey be refused as set out in the Schedule attached to these minutes.

THE COMMITTEE ADJOURNED AT 11.30 A.M. AND RECONVENED AT 11.40 A.M.

COUNCILLOR K M COLLINS WAS ABSENT FROM THE CHAMBER DURING CONSIDERATION OF ITEM 9 BELOW

DM/17/78. Planning Application No. CB/17/03624/FULL

The Committee considered a report regarding Planning Application No. CB/17/03624/FULL for a first floor extension over existing garage and single/two storey extension to rear of garage at 2 Jordan Close, Henlow, SG16 6PH.

In advance of consideration of the application the Committee's attention was drawn to additional comments, clarification of submitted plans and an amended condition.

In advance of consideration of the application the Committee received a representation from an objector to the application under the public participation scheme.

The objector drew the Committee's attention to an apparent error in the location plan because it included some of the objector's own land within the indicated application site. In response a planning officer stated that a planning application could include any area of land not within the applicant's control subject to the correct notice being served on the land owner and this had been done. However, he also referred specifically to the shared access within the application site as the issue which had given rise to the applicant's action. Given this he stated that there was no planning issue for the Committee to consider.

The Committee considered the application and no issues were raised.

On being put to the vote 8 Members voted for approval, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/17/03624/FULL relating to 2 Jordan Close, Henlow, SG16 6PH approved as set out in the Schedule attached to these minutes.

AT THE CONCLUSION OF ITEM 9 ABOVE COUNCILLOR E GHENT LEFT THE MEETING AND COUNCILLOR K M COLLINS RE-ENTERED THE CHAMBER

HAVING FIRST PRESENTED HER VIEWS AS WARD MEMBER COUNCILLOR MRS CLARK LEFT THE CHAMBER BEFORE ITEM 8 BELOW WAS CONSIDERED BY THE COMMITTEE

DM/17/79. Planning Application No. CB/17/03684/FULL

The Committee considered a report regarding Planning Application No. CB/17/03684/FULL for the demolition of an existing wooden storage barn, relocation of 3 existing wooden stables and construction of a new dwelling within the existing paddock and plot behind no. 65 High Street, Ridgmont, Bedford, MK43 0TX.

In advance of consideration of the application the Committee's attention was drawn to additional/amended conditions and reasons.

It was noted that a Parish Council representative, who had registered to speak under the public participation scheme, had been unable to attend because of another appointment.

In advance of consideration of the application the Committee received a representation from the applicant's agent under the public participation scheme. A Member sought clarification regarding the suitability of the existing access to the site of the proposed new dwelling given its narrow width, the need for a vehicle to carefully manoeuvre into the access and the possibility of it being obscured, for example, by the hedge in no. 63 High Street should it be allowed to grow out. In response the agent stated that the actions of the neighbour were outside the applicant's control whilst the risk of an incident when a vehicle was entering the access was minor given that the road was within a 20 mph zone with little, predominantly residential, traffic.

A ward Member read out a statement on behalf of the occupants of 61 High Street who objected to the application but who had been unable to attend in person due to a prior commitment.

The above ward Member then set out her case in objection to the application. She stated that there had been an error on the supplied map and there was no Green Belt boundary immediately to the front of the proposed dwelling as indicated as the entire village lay within the Green Belt. She also referred to the recent Green Belt review and its description of Ridgmont as having a sense of openness as a result of the village being mainly of ribbon development and usually only one building deep.

The ward Member referred to the village partly lying within a conservation area and the related description within the Council's conservation document of its special characteristics and attractive features including Listed Buildings and open spaces with particular reference to the Listed Building at no. 61.

The ward Member next described the size and position of the existing barn and stable in relation to the back of no. 61 and the relative position of the proposed new dwelling. She emphasised that, whilst the existing barn lay on the boundary with the back garden of no.61 and the stable was some 5 meters

from the boundary, the new dwelling would be only one and a half meters from the boundary. In addition whilst the existing barn lay on the boundary open, rural views could be had to either side from the rear garden of no.61. In contrast the proposed dwelling would lay almost the full length along the rear boundaries of nos. 61 and 63, was taller than the barn and stable and so replaced a rural, open, outlook with that of a new building.

Turning next to the trees on the boundary with no. 61, and in particular an ash tree, the ward Member commented on the difficulty in ensuring the ash tree's protection during the building works, even by condition, and she raised the possibility of it being lost for various reasons.

The ward Member considered the existing access between nos. 61 and 65 High Street which was to become the entrance for the new dwelling. She referred to the tight turn required into the access, the attractiveness of the wall to the right of the access and her concern at its possible future removal to increase the access width.

In conclusion the ward Member stated that the proposed dwelling would lead to overdevelopment of the site, being too large for the setting, and it would have a harmful impact on the neighbours' amenity being only 20 meters from the back of No. 61 High Street whereas the Council's own Design Guide required a minimum of 21 meters. Further, the new dwelling would be detrimental to the setting, laying as it did within both the Green Belt and a conservation area and located close to Grade II Listed Buildings at nos. 59 and 61. The ward Member stated that she believed these factors provided sufficient grounds for refusal and queried the reason for having the means to protect the integrity of an area if they were not used.

(Note: At the conclusion of her representation Councillor Mrs Clark left the Chamber and took no further part in the debate or in the vote on this item).

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

- Several expressions of concern by Members regarding the suitability of the access, in particular with regard to its width and the absence of a proposed alternative.
- The highways officer's statement that the visibility splay on leaving the access on to the High Street could be obstructed on one side by the planting in the garden of no. 63 and that this could not be controlled by condition as the land was not in the applicant's control. The visibility could, however, be increased on the side of no. 65. He had also stressed that, whilst the access was not to modern standards, it was currently in use, although he was personally unable to confirm this, and as such the Council did not have the authority to prevent such use from continuing.
- The highways officer's statement that the traffic calming measures and 20 m.p.h. limit on the High Street allowed drivers time to manoeuvre on

- the road in order to enter the access. The width of the access was estimated to be slightly over two metres based on the submitted plans.
- The planning officer's confirmation that the access was used for vehicular access by the occupants of no. 63 who enjoyed a retained 'right of way' to the end of their plot and by the applicant (no. 65) to reach the paddocks located on the application site.
 - The planning officer's statement that whilst the village was washed over by the Green Belt there was an infill boundary surrounding Ridgmont and the application site lay within it. Policy DM6 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 applied and set out when development within the Green Belt was permitted. Further, whilst the distance back to back between no. 61 and the new building was just over 20 meters the distance between the rear elevation of no. 61 and the two high level roof lights of the new dwelling was 22 meters and the distance was, therefore, compliant with the Council's guidelines.
 - The impact of the windows to the rear of the new dwelling on no. 61 would be controlled by requiring the windows to be above 1.7 meters. The windows would serve the en-suite and bathroom and so were unlikely to be used by the occupants to stand and look out of.
 - The planning officer's comment that the proposed dwelling had been reduced in size from that originally proposed in the pre-application and was set back and projecting away from nos. 61 and 63. As such it was not considered overdevelopment or harmful to the amenity of neighbours and any impact would not be considered sufficient to warrant refusal. Although the existing barn would be lost it was not considered to be of any significant architectural or heritage value.
 - That the tree officer was supportive of the proposed measures to protect the retained trees and that the recommended condition was of the pre-commencement type to ensure that protection took place.
 - A Member's comment that trees overhanging the new dwelling was not a planning issue.
 - The planning officer's comment that the application site already contained a built environment in the form of the barn and stables. Whilst there would be some impact it was not considered by the planning officer that it would adversely impact the locality.
 - The openness of the conservation area and that experienced by no. 61 was a separate issue to the openness of the Green Belt.
 - A Member's comment that whilst the Parish Council had submitted many comments it had not formally objected to the application.
 - The amendment of a condition to ensure semi mature trees were used on the border with no. 61 to assist in the screening of the new property.
 - That the materials to be used reflected the commentary in the planning officer's report and were of high quality complimentary conservation style.
 - A Member's comment that there would be minimal impact on the conservation area because the new building would not be visible from the High Street.

- The conditioning of a construction traffic management plan setting out the means of access to the application site by an alternative access prior to commencement.

On being put to the vote 6 Members voted for approval, 0 voted against and 2 abstained. Cllr Nicols asked for his abstention to be recorded.

RESOLVED

that Planning Application No. CB/17/03684/FULL relating to 65 High Street, Ridgmont, Bedford, MK43 0TX be approved as set out in the Schedule attached to these minutes.

DM/17/80. **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/17/81. **Site Inspection Appointment(s)**

NOTED

that the next meeting of the Development Management Committee will be held on 8 November 2017.

RESOLVED

that all Members and substitute Members along with the relevant ward representatives be invited to conduct site inspections on 6 November 2017.

(Note: The meeting commenced at 10.00 a.m. and concluded at 12.47 p.m.)

Chairman

Dated

Item No. 6

APPLICATION NUMBER	CB/17/03683/OUT
LOCATION	Former Magistrates Court and Police Station, Hockliffe Road, Leighton Buzzard, LU7 3FF
PROPOSAL	Outline: Demolition of former magistrates court and police station buildings. Erection of a care home of up to 68 beds including day care facilities and associated hardstanding. Access to be taken from Hockliffe Road.
PARISH	Leighton-Linslade
WARD	Leighton Buzzard North
WARD COUNCILLORS	Cllrs Johnstone, Spurr & Ferguson
CASE OFFICER	Peter Vosper
DATE REGISTERED	27 July 2017
EXPIRY DATE	26 October 2017
APPLICANT	Central Bedfordshire Council - Estates Management
AGENT	Barford+Co
REASON FOR COMMITTEE TO DETERMINE	Objections to a major scheme in which the Council has an interest and which cannot be overcome by condition.
RECOMMENDED DECISION	Full Application - Granted

Recommendation:

That Outline Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 Details of the access, layout, scale, appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any demolition or development begins and the development shall be carried out as 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.

- 2 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 The maximum gradient of the vehicular access shall be 10% (1 in 10).

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

- 5 Any gates provided shall open away from the highway and be set back a distance of at least 5.0m from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable vehicles to draw off the highway before the gates are opened.
(Section 4, NPPF)

- 6 **No development including demolition shall take place until a written scheme of heritage asset resource management; that includes archaeological investigation and historic building recording; provision for post excavation analysis and full 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 and historic building recording scheme.**

**Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation and historic building recording in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework* (NPPF) that requires developers to record and advance of understanding of the significance of any heritage assets affected by development before they are lost (wholly or in part).
(Section 12, NPPF)**

- 7 **No construction of the development hereby approved shall take place until an ecological enhancement strategy (EES) has been submitted to and approved in writing by the Local Planning Authority. The EES shall include the following:**

- a) Review of the site potential and constraints
- b) Purpose and conservation objectives for the proposed works
- c) Detailed working methods to achieve stated objectives including locations of integrated bird and bat boxes to be erected in accordance with RSPB guidelines on appropriate scale maps and plans
- d) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- e) Timetable for implementation demonstrating that works are aligned with proposed phasing of development.
- f) Details of initial aftercare and long-term maintenance.

The EES shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

**Reason: In the interest of biodiversity.
(Section 11, NPPF)**

- 8 **No construction of the development hereby approved shall take place until a Phase 2 investigation and report, as recommended by the**

previously submitted EPS Phase 1 Geo-Environmental Desk Study report dated 20th March 2017 (Ref: UK17.2600), has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 investigation and report, a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

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

- 9 No construction of the development hereby approved shall take place until an acoustic assessment of neighbouring land uses has been undertaken and a scheme for protecting the proposed residential care home from noise from any significant neighbouring noise sources has been submitted to and approved in writing by the Local Planning Authority. The residential care home shall not be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

Reason: To ensure a suitable noise environment is provided for the proposed use, and to protect the amenity of future occupiers of the residential care home.

(Section 11, NPPF)

- 10 No construction of the development hereby approved shall take place until a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

- a) The construction programme and phasing
- b) Hours of operation, delivery and storage of materials
- c) Details of any highway works necessary to enable construction to take place
- d) Parking and loading arrangements
- e) Details of hoarding
- f) Management of traffic to reduce congestion
- g) Control of dust and dirt on the public highway
- h) Details of consultation and complaint management with local businesses and neighbours
- i) Waste management proposals
- j) Mechanisms to deal with environmental impacts such as noise, air quality, light and odour.

Reason: In the interests of highway safety and the control of environmental impacts on neighbouring occupiers during development of the site.

(Policy BE8, SBLPR, and Sections 4 and 11, NPPF)

- 11 Prior to the first occupation of the development, a Public Art Plan shall be submitted to and approved in writing by the Local Planning Authority.

Installation of Public Art shall commence on site prior to occupation of 50% of the residential units. The Public Art Plan shall be implemented in full and as approved unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.

Reason: To assist in creating a quality environment.
(Policy BE8, SBLPR and Sections 7 and 12, NPPF)

- 12 **No construction of the development hereby approved shall take place until a detailed surface water drainage scheme for the site, based on the agreed Drainage Strategy (July 2017) and an 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 also include details of how the system will be constructed, including any phasing, and how it will be managed and maintained after completion. 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 an acceptable surface water drainage scheme.
(Section 10, NPPF)**

- 13 **No construction of the development hereby approved shall take place until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No residential units shall be first occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.**

**Reason: To prevent environmental and amenity problems arising from flooding.
(Section 10, NPPF)**

- 14 **No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hardstanding areas shall be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To prevent environmental and amenity problems arising from flooding.
(Section 10, NPPF)**

- 15 The second floor windows in the rear elevation of the development facing George Street hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through them at all times and shall be non-opening, unless the parts of the windows which can be opened are more than 1.7m above the floor of the rooms in which the windows are installed. No further windows or other openings shall be formed in this rear elevation at first or second floor level.

Reason: To safeguard the privacy of occupiers of adjoining properties.
(Section 7, NPPF and Policy BE8, SBLPR)

- 16 **No construction of the development hereby approved shall take place until samples of all external materials to be used in the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved samples.**

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

(Section 7, NPPF and Policy BE8, SBLPR)

- 17 **No construction of the development hereby approved shall take place until details of the improvements to the junction of the proposed vehicular access with the highway shall be submitted to and approved by the Local Planning Authority. No building shall be occupied until the junction has been constructed in accordance with the approved details.**

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

(Section 4, NPPF)

- 18 Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 0.6m above the adjoining footway level.

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

(Section 4, NPPF)

- 19 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

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

(Section 4, NPPF)

- 20 Noise resulting from the use of plant, machinery or equipment associated with the residential care home shall not exceed a level of 5dBA below the existing background level plus any penalty for tonal, impulsive or distinctive qualities when measured or calculated according to BS4142:2014.

Reason: To prevent the adverse impact of noise and odours on the amenity of nearby residents.

(Policy BE8, SBLPR, and Section 11, NPPF)

- 21 Equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation, and the equipment shall be effectively operated for so long as the commercial food use continues. Full details of the method of odour abatement and all odour abatement equipment to be used, including predicted noise levels of the equipment in operation, shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment. The approved equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the use hereby permitted commencing and shall be maintained thereafter.

Reason: To prevent the adverse impact of noise and odours arising from cooking activities on the amenity of nearby residents.
(Policy BE8, SBLPR)

- 22 No external lighting shall take place on the site otherwise than in accordance with a scheme the details of which shall have previously been submitted to and approved in writing by the Local Planning Authority. Following its implementation, the external lighting shall be retained in accordance with the approved details.

Reason: To avoid any intrusive light, glare or overspill adversely impacting on the amenity of neighbouring residential occupiers.
(Policy BE8, SBLPR)

- 23 No secure cycle parking provision shall take place on site otherwise in accordance with a scheme the details of which shall have previously been submitted to and approved in writing by the Local Planning Authority. Following its implementation, the secure cycling provision shall be retained in accordance with the approved details.

Reason: To ensure adequate cycle parking provision.
(Section 4, NPPF)

- 24 **No demolition shall take place until a Demolition Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the period of demolition. The Statement shall provide for:**

- a) **The parking of vehicles of site operatives and visitors**
- b) **Loading and unloading of plant and waste**
- c) **Storage of plant and materials used in demolition**
- d) **The erection and maintenance of fencing to secure the site**
- e) **Measures to control the emission of dust, dirt and noise**
- f) **A scheme for the recycling/disposing of waste arising from demolition works**
- g) **Hours of operation**
- h) **A scheme to address any potential contamination both prior to and during demolition,**
- i) **A timetable for the removal from the site of all debris and material resulting from the demolition.**

Reason: In the interests of highway safety and the control of

(Policy BE8, SBLPR, and Sections 4 and 11, NPPF)

- 25 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers LBCH8000/2.1/100, LBCH8000/2.1/101, Sheet 1 of 1, 4758/10 Rev A, 4758/11 Rev A, CBC/001, CBC/002, CBC/003, CBC/004 and CBC/005

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

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

These requirements are as follows:

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

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

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

4. In respect of condition 12, there is no evidence in the form of a detailed ground investigation report to confirm that the ground is suitable for infiltration drainage. An infiltration test and report should be carried out to BRE Digest

365 to determine if soakaways or similar features can be used on any part of the site.

5. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.
6. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
7. 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 Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN
8. 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.
9. The applicant is informed of the following comments of the Environment Agency:

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. If the use of deep

bore soakaways is proposed, we would wish to be re-consulted. 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/collections/groundwater-protection>. In addition, they must not be constructed in ground affected by contamination.

10. The applicant is informed of the following comments of Bedfordshire Fire and Rescue:

A. Although this should normally be dealt with at Building Regulations consultation stage, I would like to draw the developer's attention to the requirements of Building Regulations "Approved Document B (Fire Safety) Volume 1 - Dwellinghouses" or "Volume 2 – Buildings other than dwellinghouses" as appropriate, particularly 'B5 - Access and Facilities for the Fire Service', to ensure compliance is met and specifically as below with respect to dwelling houses:-

- Vehicle access for a pump appliance to within 45m of all points within a dwelling house;
- Turning facilities should be provided in any dead end access route that is more than 20 m long. This can be by a hammerhead or turning circle, designed on the following table.

Vehicle Access Route Specification:-

Vehicle Access Route Specification:- Table 2 : Typical Vehicle Access Route Specification
(**Based on Bedfordshire FRS vehicles)

Appliance Type	Minimum Width of Road between Kerbs (m)	Minimum Width of Gateways (m)	Minimum Turning Circle between Kerbs (m)	Minimum Turning Circle between Walls (m)	Minimum Clearance height (m)	Minimum Carrying Capacity (tonne)**
Pump	3.7	3.1	16.8	19.2	3.7	18.0
High Reach	3.7	3.1	26.0	29.0	4.0	26.0

If the criteria for fire appliance access to within 45 metres as set out above cannot be reached for residential premises, the Building Control and Fire Authority should be consulted at an early stage, as alternative arrangements may be acceptable. Typically, this is either because the new site is landlocked or because the new access is too narrow to get an appliance close enough.

The following options are available if access is within:-

- 45 - <60 metres - Domestic/residential sprinklers required;
- 60 - 90 metres - Domestic/residential sprinklers and a fire hydrant installed immediately by the access driveway;
- Over 90 metres - Not acceptable

B. We would ask that fire hydrants are installed in number and location at the developer's cost as follows:-

5. Education, health and community facilities

5.3 Secondary schools, colleges, large health and community facilities:-

Should have a water supply capable of delivering a minimum flow of 35 litres per second through any single hydrant on the development or within a vehicular distance of 70 metres from the complex.

In addition to the formal guidance or requirements, I would add that where possible consideration is given to access for the hydrants, so they are positioned on pathways/pedestrian areas, close to but not within vehicle standing areas where they are likely to be obstructed by parked cars/lorries (e.g. in an area designated for parking or loading as part of the development).

11. During demolition of the buildings, where possible internal and external materials of note should be salvaged for potential use elsewhere.
12. Where possible, the design of the front elevation of the proposed building submitted for the Reserved Matters application should draw on features on the front elevation of the former magistrates court building.

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 and negotiation at pre-application stage which led to improvements to the scheme. 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.

Item No. 7

APPLICATION NUMBER	CB/17/03402/FULL
LOCATION	Land to the east of 38 to 42 Carters Way and to the south of 1 to 8 Carters Walk, Carters Way, Arlesey
PROPOSAL	Demolition of existing garages and development of 2 no. new dwellings with amenities and car parking.
PARISH	Arlesey
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Mark Spragg
DATE REGISTERED	01 August 2017
EXPIRY DATE	26 September 2017
APPLICANT	Grand Union Housing Group
AGENT	Baily Garner
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Dalgarno for the following reasons: - Loss of amenity and impact on properties adjacent to the site with proposed development overlooking other gardens - Infill will impact on neighbours and the site is space constrained.
RECOMMENDED DECISION	Approval

That planning permission be REFUSED for the following reasons:

The demolition of the garages would result in the loss of valued green space and existing on street parking due to the need to provide replacement parking spaces, and the proposal would therefore have an adverse impact on the character of the area, and exacerbate existing parking problems in the vicinity of the site. As such the development would be contrary to policy DM3 of the adopted Core Strategy and Development Management Policies for Central Bedfordshire, and to the requirements for good design set out in the NPPF.

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Item No. 9

APPLICATION NUMBER CB/17/03624/FULL
LOCATION 2 Jordan Close, Henlow, SG16 6PH
PROPOSAL First floor extension over existing garage and single/two storey extension to rear of garage
PARISH Henlow
WARD Arlesey
WARD COUNCILLORS Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER Julia Ward
DATE REGISTERED 31 August 2017
EXPIRY DATE 26 October 2017
APPLICANT Mr R Wenham
AGENT Mr B Schrier
REASON FOR COMMITTEE TO DETERMINE Applicant is a Central Bedfordshire Council Councillor

RECOMMENDED DECISION Full Application - APPROVAL

Recommendation:

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS / REASONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 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.
(Section 7, NPPF)
- 3 The first floor rooflight windows in the northern elevation of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the windows which can be opened are more than 1.7 m

above the floor in which the windows are installed. No further windows or other openings shall be formed in the northern, eastern or western elevations.

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

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers RW/17/01B; RW/17/02B; CBC/01 (site section).

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

INFORMATIVE NOTES TO APPLICANT

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

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

The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991.

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax.

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

The website link is:

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

3. 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

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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Item No. 8

APPLICATION NUMBER CB/17/03684/FULL
LOCATION 65 High Street, Ridgmont, Bedford, MK43 0TX
PROPOSAL Demolition of existing wooden storage barn, relocation of 3 existing wooden stables and construction of new dwelling within existing paddock and plot behind no.65 High Street, Ridgmont.
PARISH Ridgmont
WARD Cranfield & Marston Moretaine
WARD COUNCILLORS Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER Dee Walker
DATE REGISTERED 27 July 2017
EXPIRY DATE 21 September 2017
APPLICANT Mr & Mrs Lambeth
AGENT Friend Associates
REASON FOR COMMITTEE TO DETERMINE Cllr Clark called in on grounds of overdevelopment, adverse impact on neighbouring properties

RECOMMENDED DECISION Full Application - Approval

Recommendation:

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS / REASONS

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

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

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

Reason: This is a pre-commencement condition to control the appearance of the building in the interests of the visual amenities of the locality, location within a conservation area and within the setting of a listed building. (Section 7, NPPF)

- 3 **Notwithstanding the details within the application, no development shall take place until details of the existing and final ground and slab**

levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.

Reason: This is a pre-commencement condition to ensure that there is an acceptable relationship between the new development and adjacent buildings prior to works commencing onsite. (Section 7, NPPF)

- 4 No development shall take place until a Construction Environmental Management Plan (CEMP) with respect to the construction phase of the development has been submitted to and approved in writing by the local planning authority. Development works shall be undertaken in accordance with the approved CEMP. The details shall include, amongst other things:

1. Access hours of work/piling/deliveries
2. Arrangements for construction vehicles;
3. Contractors parking areas, compounds, including storage of plant and materials;
4. Specification of plant and equipment to be used;
5. Construction routes;
6. Loading and unloading areas
7. Minimisation of dust emissions arising from construction activities on the site including details of all dust suppression measures and the methods to monitor the emissions of dust arising from the development;
8. An undertaking that there shall be no burning of materials on site at any time during construction;
9. Details of any piling required including method (to minimise noise and vibrations), duration and prior notification to affected neighbouring properties;
10. Overall environmental monitoring methodology;
11. Details of the responsible person (site manager/office) who can be contacted in the event of a complaint.

Reason: This is a pre-commencement condition to protect the amenity of existing and future residents during the construction phase of the development. (Section 4 & 7, NPPF)

- 5 No development shall take place until a landscaping scheme to include all hard and soft landscaping, the provision of semi-mature trees along the south east boundary with no. 61 High Street and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be

maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: This is a pre-commencement condition to ensure an acceptable standard of landscaping is agreed prior to construction work commencing in the interests of the amenities of the area. (Sections 7 & 11, NPPF)

- 6 **No development shall take place until a Tree Protection Plan is submitted and approved in writing by the Local Planning Authority. The plan must be based on the Tree Constraints Plan prepared by Bucks Plant Health Care Ltd., made in support of the application. The approved Tree Protection Plan shall then be fully implemented in strict accordance with the requirements, and with the approved Arboricultural Method Statement, before the commencement of any development works on site including demolition.**

Reason: This is a pre-commencement condition to ensure the satisfactory protection of retained trees by maintaining a Construction Exclusion Zone, in the interests of securing visual amenity and screening of the development. (Section 7 & 11, NPPF)

- 7 All tree protection measures and sequence of work operations, both prior to and throughout the course of development works, shall fully comply with the Arboricultural Method Statement, which forms Appendix 3 of the Arboricultural Impact Assessment report, as prepared by Bucks Plant Health Care Ltd.

Reason: To ensure that the required tree protection measures and methods of working are maintained throughout the entire course of development operations, including demolition. (Section 7 & 11, NPPF)

- 8 Before the access is first brought into use the existing vision splay on land under the applicant's control shall be provided and maintained in perpetuity free of any obstruction (including trees, hedges, landscaping or boundary treatment) to visibility exceeding a height of 600mm above the adjoining foot way level.

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

- 9 Prior to first occupation of the new dwelling hereby permitted, a scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected including the provision of semi-mature trees along the south east boundary with no.61 High Street. The boundary treatment shall be completed in accordance with the approved scheme and be thereafter retained.

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

- 10 The ground floor windows and first floor roof lights in the south east elevation of the development hereby permitted shall be more than 1.7m above the floor of the rooms in which the windows are installed. No further windows or other openings shall be formed in the south east elevation.

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

- 11 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1, 2C, 3B, 4B, 5C, 100 PLAN, Tree Survey, Tree Constraints, Arboricultural Impact Assessment 2 (19 June 2017), Heritage Asset Impact Assessment and Archaeological Evaluation Report (July 2017), Design & Access Statement

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

- 12 During the construction of the dwelling hereby permitted, 2no Schwegler 2FR bat tubes shall be built into the fabric of the building, positioned side by side, providing access to the wall cavity. The tubes should be positioned close to the eaves and no less than 3m off ground level. No artificial light should shine on the tubes and clear flight paths to and from the boxes should be considered. The tubes shall be retained thereafter.

Reason: To provide permanent roosting provision for local bats and support a net gain for biodiversity (Section 11, NPPF)

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. 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.

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

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – Date 11/10/17

Item 6 (Pages 13-48) – CB/17/03683/OUT – Former Magistrates Court and Police Station, Hockliffe Road, Leighton Buzzard, LU7 3FF

Additional Consultation/Publicity Responses

There is text missing from the first two paragraphs in the Highways (Development Management) consultation response on page 20 of the agenda. The paragraphs should read:

'The proposal is for a 68 bedroom care home and while the access has been in use by the police service to serve the station I believe that the junction and intervisibility is slightly substandard. However, I am sure that this can be overcome by the introduction of a build-out along the frontage of the site.'

However, I am concerned that parking spaces 30 and 1 are too close to the access. But even eliminating these two parking spaces the proposal would appear to provide adequate parking and the turning provision appears to meet the authority's standard.'

There are figures missing in the third Highways condition on page 21.

These are 2.4 and 43.

The final sentence in the third paragraph on page 40 should read (amendment in bold text):

*'To ensure privacy is protected for existing and potential occupants, a condition should be attached to any planning permission granted to ensure obscure glazing of the **second** floor windows and for no further windows at first or second floor level.'*

There is text missing from the 'Highway Considerations' section on page 41. This is:

'The Highways (Development Management) consultation response outlines that the current junction and intervisibility is slightly substandard. However, it is considered that the proposed access can address this.'

Notwithstanding this, the Highways response outlines concern that the car parking spaces labelled 1 and 30 on plan LBCH8000/2.1/100 are too close to the proposed access. However, even if these two spaces are eliminated, the proposal would still appear to provide adequate parking and the turning provision appears to meet the Council's standard. Vehicles should be able to enter and exit the site in a forward gear.'

The comments from Buzzcycles refer to a lack of indication on the site plan of areas for cycle parking, and requires proper provision of secure cycle provision for staff and visitors. The site plan is indicative, and it is acknowledged that space exists for secure cycle parking without, for example, the loss of car parking spaces or open space. A condition requiring such provision should be attached to any planning permission granted.

Subject to this and further conditions in respect of the maximum gradient of the vehicular access and for any gates provided to open away from and be setback from the highway, the proposal is acceptable in highway terms.

The Highways response also requests conditions in respect of the improvements to the vehicular access and visibility splays. However, this is not considered necessary at this stage, as access is a reserved matter and such detail will be required with the submission of this subsequent application.'

Amendments and Additions to Conditions

Amendments (in bold text):

1. Details of the access, layout, scale, appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any **demolition or** development begins and the development shall be carried out as 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.

8. **Save for demolition of the buildings**, no development approved by this permission shall take place until a Phase 2 investigation and report, as recommended by the previously submitted EPS Phase 1 Geo-Environmental Desk Study report dated 20th March 2017 (Ref: UK17.2600), has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 investigation and report, a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

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

Additions:

New condition 16. **Prior to the commencement of development, samples of all external materials to be used in the development hereby approved shall**

be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved samples.

**Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Section 7, NPPF and Policy BE8, SBLPR)**

- 17. Prior to the commencement of development, details of the improvements to the junction of the proposed vehicular access with the highway shall be submitted to and approved by the Local Planning Authority. No building shall be occupied until the junction has been constructed in accordance with the approved details.**

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

- 18. Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 0.6m above the adjoining footway level.**

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

- 19. Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.**

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

- 20. Noise resulting from the use of plant, machinery or equipment associated with the residential care home shall not exceed a level of 5dBA below the existing background level plus any penalty for tonal, impulsive or distinctive qualities when measured or calculated according to BS4142:2014.**

Reason: To prevent the adverse impact of noise and odours on the amenity of nearby residents.

(Policy BE8, SBLPR, and Section 11, NPPF)

21. Equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation, and the equipment shall be effectively operated for so long as the commercial food use continues. Full details of the method of odour abatement and all odour abatement equipment to be used, including predicted noise levels of the equipment in operation, shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment. The approved equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the use hereby permitted commencing and shall be maintained thereafter.

Reason: To prevent the adverse impact of noise and odours arising from cooking activities on the amenity of nearby residents.

(Policy BE8, SBLPR)

22. No external lighting shall take place on the site otherwise than in accordance with a scheme the details of which shall have previously been submitted to and approved in writing by the Local Planning Authority. Following its implementation, the external lighting shall be retained in accordance with the approved details.

Reason: To avoid any intrusive light, glare or overspill adversely impacting on the amenity of neighbouring residential occupiers.

(Policy BE8, SBLPR)

23. No secure cycle parking provision shall take place on site otherwise in accordance with a scheme the details of which shall have previously been submitted to and approved in writing by the Local Planning Authority. Following its implementation, the secure cycling provision shall be retained in accordance with the approved details.

Reason: To ensure adequate cycle parking provision.

(Section 4, NPPF)

24. **No demolition shall take place, until a Demolition Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the period of demolition. The Statement shall provide for:**
- a) The parking of vehicles of site operatives and visitors**
 - b) Loading and unloading of plant and waste**
 - c) Storage of plant and materials used in demolition**
 - d) The erection and maintenance of fencing to secure the site**
 - e) Measures to control the emission of dust, dirt and noise**
 - f) A scheme for the recycling/disposing of waste arising from demolition works**
 - g) Hours of operation**

- h) **A scheme to address any potential contamination both prior to and during demolition,**
- i) **A timetable for the removal from the site of all debris and material resulting from the demolition.**

Reason: In the interests of highway safety and the control of environmental impacts on neighbouring occupiers during development of the site.

(Policy BE8, SBLPR, and Sections 4 and 11, NPPF)

25. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers LBCH8000/2.1/100, LBCH8000/2.1/101, Sheet 1 of 1, 4758/10 Rev A, 4758/11 Rev A, CBC/001, CBC/002, CBC/003, CBC/004 and CBC/005

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

Additional Informatives

- 5. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
- 6. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN
- 7. 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.

8. The applicant is informed of the following comments of the Environment Agency:

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. If the use of deep bore soakaways is proposed, we would wish to be re-consulted. 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/collections/groundwater-protection>. In addition, they must not be constructed in ground affected by contamination.

9. The applicant is informed of the following comments of Bedfordshire Fire and Rescue:

A. Although this should normally be dealt with at Building Regulations consultation stage, I would like to draw the developer's attention to the requirements of Building Regulations "Approved Document B (Fire Safety) Volume 1 - Dwellinghouses" or "Volume 2 – Buildings other than dwellinghouses" as appropriate, particularly 'B5 - Access and Facilities for the Fire Service', to ensure compliance is met and specifically as below with respect to dwelling houses:-

- Vehicle access for a pump appliance to within 45m of all points within a dwelling house;
- Turning facilities should be provided in any dead end access route that is more than 20 m long. This can be by a hammerhead or turning circle, designed on the following table.

Vehicle Access Route Specification:-

Vehicle Access Route Specification:- Table 2 : Typical Vehicle Access Route Specification

(**Based on Bedfordshire FRS vehicles)

Appliance Type	Minimum Width of Road between Kerbs (m)	Minimum Width of Gateways (m)	Minimum Turning Circle between Kerbs (m)	Minimum Turning Circle between Walls (m)	Minimum Clearance height (m)	Minimum Carrying Capacity (tonne)**
Pump	3.7	3.1	16.8	19.2	3.7	18.0

High Reach 3.7 3.1 26.0 29.0 4.0 26.0

If the criteria for fire appliance access to within 45 metres as set out above cannot be reached for residential premises, the Building Control and Fire Authority should be consulted at an early stage, as alternative arrangements may be acceptable. Typically, this is either because the new site is landlocked or because the new access is too narrow to get an appliance close enough.

The following options are available if access is within:-

45 - <60 metres - Domestic/residential sprinklers required;

60 - 90 metres - Domestic/residential sprinklers and a fire hydrant installed immediately by the access driveway;

Over 90 metres - Not acceptable

B. We would ask that fire hydrants are installed in number and location at the developer's cost as follows:-

5. Education, health and community facilities

5.3 Secondary schools, colleges, large health and community facilities:-

Should have a water supply capable of delivering a minimum flow of 35 litres per second through any single hydrant on the development or within a vehicular distance of 70 metres from the complex.

In addition to the formal guidance or requirements, I would add that where possible consideration is given to access for the hydrants, so they are positioned on pathways/pedestrian areas, close to but not within vehicle standing areas where they are likely to be obstructed by parked cars/lorries (e.g. in an area designated for parking or loading as part of the development).

Item 7 (Pages 49-60) – CB/17/03402 – Land to the east of 38 to 42 Carters Way and to the south of 1 to 8 Carters Walk, Carters Way, Arlesey

Additional Consultation/Publicity Responses

Additional Condition

The trees shown to be retained in the development to the front of the site shall be protected using tree protection fencing in line with BS5837 2012 Trees in relation to Design, Demolition and Construction. The fencing shall be installed prior to commencement of development and retained during the course of construction of the dwellings and the relocated parking area.

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

Item 8 (Pages 61-72) – CB/17/03684/FULL – 65 High Street, Ridgmont

Additional Consultation/Publicity Responses

Paragraph 5.1 refers to the applicant's offer to restrict the planting of any trees or hedging within the visibility splay on the existing front garden of no 65 by way of a covenant written into the sale of no. 65. As this is a civil matter a condition cannot be attached to any permission granted to enforce this. However, condition 7 has been revised to include trees and hedging. As such the condition will now read:

Before the access is first brought into use the existing vision splay on land under the applicant's control shall be provided and maintained in perpetuity free of any obstruction (including trees, hedges, landscaping or boundary treatment) to visibility exceeding a height of 600mm above the adjoining foot way level.

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

Following the submission of a Preliminary Roost Assessment no bats were found to be using the buildings on site and consequently works can progress without causing harm to a protected species. The report makes recommendation for the provision of Two Schwegler 2FR bat tubes to be inserted into the southern elevations of the new building. These will provide permanent roosting provision for local bats and support a net gain for biodiversity.

As such the Council's Ecology Officer has recommended the following condition be attached to any permission granted:

During the construction of the dwelling hereby permitted, 2no Schwegler 2FR bat tubes shall be built into the fabric of the building, positioned side by side, providing access to the wall cavity. The tubes should be positioned close to the eaves and no less than 3m off ground level. No artificial light should shine on the tubes and clear flight paths to and from the boxes should be considered. The tubes shall be retained thereafter.

Reason: To provide permanent roosting provision for local bats and support a net gain for biodiversity (Section 11, NPPF)

Item 9 (Pages 73-82) – CB/17/03624/FULL - 2 Jordan Close, Henlow, SG16 6PH

Henlow Parish Council – No comments received

Highways officer - On behalf of the highway authority I make the following comments based upon RW/17/01 Rev B and RW/17/02 Rev B.

The site is located off a private drive known as Jordan Close, three dwellings are primarily served by this private drive whilst there are 2 dwellings that appear to have rear garden access taken from this private drive.

The proposal is to extend the existing garage by adding an extension to the rear for a store with study and first floor covering both the existing garage and ground floor extension. The first floor is said to be for a games room/gym.

The existing parking is to remain both within the double garage and on the driveway, the site could accommodate 2 cars in the garage with 2 cars to the front and another to the side. Given that would be no loss of car parking I would not raise any objection on highway grounds.

Clarification of submitted plans

The applicant has submitted revised plans indicating a revised site edged red omitting the garage of no. 3 Jordan Close, obscuring the proposed velux windows on the northern elevation of the building, and clarifying the proposed eastern windows do not overlook the occupiers of 16 Church Road given the significant difference in levels between the properties.

Condition 4 should therefore read:

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers RW/17/01B; RW/17/02B; CBC/01 (site section)

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

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