

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

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



**Central  
Bedfordshire**

**please ask for** Leslie Manning  
**direct line** 0300 300 5132  
**date** 10 October 2017

## **NOTICE OF MEETING**

### **DEVELOPMENT MANAGEMENT COMMITTEE**

Date & Time

**Wednesday, 11 October 2017 10.00 a.m.**

Venue at

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

Richard Carr  
**Chief Executive**

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

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

[Named Substitutes:

Cllrs D Bowater, A D Brown, Mrs C F Chapman MBE, S Dixon, Ms C Maudlin, A Ryan and B J Spurr]

All other Members of the Council - on request

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

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

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# AGENDA

## Welcome

1. **Apologies for Absence**

To receive apologies for absence and notification of substitute Members.

2. **Chairman's Announcements and Communications**

To receive any announcements from the Chairman and any matters of communication.

3. **Minutes**

To approve as a correct record the minutes of the meeting of the Development Management Committee held on 13 September 2017 (copy to follow).

4. **Members' Interests**

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

## Report

Item	Subject	Page Nos.
5.	<b>Planning Enforcement Cases Where Formal Action Has Been Taken</b>	7 - 12

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

## Planning and Related Applications

**Prior to considering the planning applications contained in the following schedules Members will have received and noted any additional information relating to the applications as detailed in the Late Sheet for this meeting.**

Item	Subject	Page Nos.
6.	<p><b>Planning Application No. CB/17/03683/OUT</b></p> <p><b>Address:</b> Former Magistrates Court and Police Station, Hockliffe Road, Leighton Buzzard, LU7 3FF</p> <p>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.</p> <p><b>Applicant:</b> Central Bedfordshire Council</p>	13 - 48
7.	<p><b>Planning Application No. CB/17/03402/FULL</b></p> <p><b>Address:</b> Land to the east of 38 to 42 Carters Way and to the south of 1 to 8 Carters Walk, Carters Way, Arlesey (nearest postcode SG15 6UQ)</p> <p>Demolition of existing garages and development of 2 no. new dwellings with amenities and car parking.</p> <p><b>Applicant:</b> Grand Union Housing Group</p>	49 - 60
8.	<p><b>Planning Application No. CB/17/03684/FULL</b></p> <p><b>Address:</b> 65 High Street, Ridgmont, Bedford, MK43 0TX</p> <p>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.</p> <p><b>Applicant:</b> Mr &amp; Mrs Lambeth</p>	61 - 72

9. **Planning Application No. CB/17/03624/FULL** 73 - 82

**Address:** 2 Jordan Close, Henlow, SG16 6PH

First floor extension over existing garage and single/two storey extension to rear of garage.

**Applicant:** Mr Wenham

10. **Late Sheet** 83 - 96

To receive and note, prior to considering the planning applications contained in the schedules above, any additional information detailed in the Late Sheet to be circulated on **10 October 2017**.

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

Under the provisions of the Members Planning Code of Good Practice, Members are requested to note that the next Development Management Committee will be held on **8 November 2017** and the Site Inspections will be undertaken on **6 November 2017**.

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**Meeting:** Development Management Committee  
**Date:** 11<sup>th</sup> October 2017  
**Subject:** Planning Enforcement cases where formal action has been taken  
**Report of:** Director of Regeneration and Business  
**Summary:** The report provides a monthly update of planning enforcement cases where formal action has been taken.

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**Advising Officer:** Director of Regeneration and Business  
**Contact Officer:** Sue Cawthra Planning Enforcement and Appeals Team Leader  
(Tel: 0300 300 4369)  
**Public/Exempt:** Public  
**Wards Affected:** All  
**Function of:** Council

#### **CORPORATE IMPLICATIONS**

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

This is a report for noting ongoing planning enforcement action.

##### **Financial:**

1. None

##### **Legal:**

2. None.

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

3. None

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

4. Not Applicable.

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

5. None

##### **Public Health**

6. None

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

7. Not Applicable.

**Sustainability:**

8. Not Applicable.

**Procurement:**

9. Not applicable.

**RECOMMENDATION(S):**

**The Committee is asked to:**

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

**Background**

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

**Appendices:**

Appendix A – Planning Enforcement Formal Action Spreadsheet



**Planning Enforcement formal action (DM Committee 11th October 2017)**

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	CB/ENC/11/0402	Land adjoining Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	2 Enforcement Notices 1 - Unauthorised encroachment onto field 2 - Unauthorised hard standing, fence and buildings	15-Oct-12	12-Nov-12	10-Dec-12			Not complied	Consultation on further action.
2	CB/ENC/12/0199	Plots 1 & 2 The Stables, Gypsy Lane, Little Billington, Leighton Buzzard LU7 9BP	Breach of Condition Notice Condition 3 SB/TP/04/1372 named occupants	15-Oct-12	15-Oct-12	12-Nov-12			Not complied	Consultation on further action
3	CB/ENC/12/0508	Land at Site C, The Stables, Stanbridge Road, Great Billington, Leighton Buzzard, LU7 9JH	Enforcement Notice- Unauthorised creation of new access and erection of gates.	17-Nov-14	15-Dec-14	15-Mar-15 & 15-June-15			Not complied	No compliance. Legal advice being sought as to next steps.
4	CB/ENC/12/0521	Random, Private Road, Barton Le Clay, MK45 4LE	Enforcement Notice 2 - Without planning permission the extension and alteration of the existing dwelling on the land.	24-Aug-15	24-Sep-15	24-Mar-16 & 24-June-16		04-Apr-17	Not complied	Revised scheme for the provision of a flat roof to the dwelling approved in May 2017. (CB/17/02434/FULL) Work on site is in progress to implement this permission. The demolition of the pitched roof with associated front windows and balconies has been carried out in association with the 2017 approved scheme. The Enforcement Notice is still in effect and the compliance period expired. The site is being regularly visited to check that the implementation of the 2017 permission accords with the approved drawings. It is anticipated that the external site works will be completed by the end of 2017.
5	CB/ENC/12/0633	Land at Plot 2, Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	Enforcement Notice - construction of timber building and the laying of hard standing.	17-Jan-13	14-Feb-13	14-Mar-13			Not complied	Consultation on further action

**Planning Enforcement formal action (DM Committee 11th October 2017)**

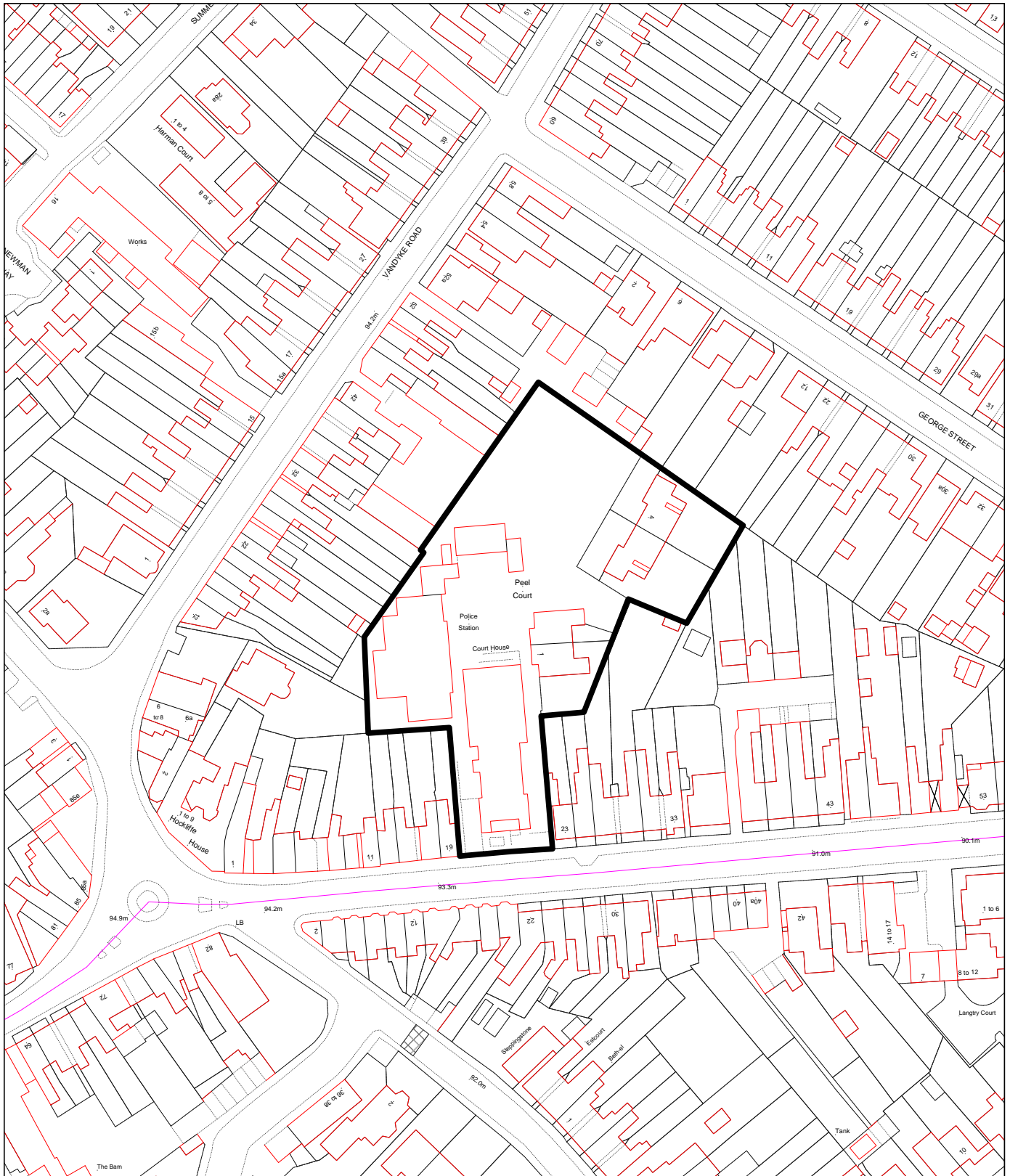
	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
6	CB/ENC/13/0336	The Stables, Dunstable Road, Toddington, Dunstable, LU5 6DX	2 Enforcement Notices - 1. Change of use from agriculture to a mixed use of agriculture, residential and retail sales and 2. building works for commercial purposes	11-Jul-14	15-Aug-14	15-Oct-14	Appeal dismissed.	02-May-17	Part complied	(Part complied) Residential use ceased and negotiations continue to ensure that all associated fittings are removed. Prosecution pending outcome of negotiations.
7	CB/ENC/14/0485	Clifton House and outbuildings, Church Street, Clifton, Shefford, SG17 5ET	Repairs Notice - Listed Building in state of disrepair	08-Jan-15	08-Jan-15	08-Mar-15		08/04/2015	Not complied	Discussions to take place with regard to options available.
8	CB/ENC/15/0140	Springbank, Bottom Drive, Eaton Bray, LU6 2JS	Enforcement Notice - Unauthorised wall	09-Nov-15	08-Dec-15	08-Feb-16	Appeal decision Enforcement Notice upheld	27/09/2016	Not complied	Court date for initial hearing given as 24th October 2017.
9	CB/ENC/15/0260	Gravenhurst Lane/A6, Silsoe	Section 215 notice - untidy land and buildings  Enforcement Notice - material change of use to a caravan site with the stationing of two static mobile homes	06-May-16  07-Apr-17	08-Jun-16  08-May-17	08-Jul-16  08-Jul-17 08-Aug-17	  Appeal received 26/04/17		Part complied	Part compliance with the Section 215 Notice. Tyres and scrap removed.  Appeal has now been lodged with the Planning Inspectorate.
10	CB/ENC/15/0423	Land at, Astwick Road, Stotfold	Injunction served 22nd September 2015, continuation injunction served 5th October 2015 for unauthorised development for Gypsy and Traveller site.  Enforcement Notice served 11/12/15	11-Dec-15	11-Jan-15	11-Jul-16 11-Oct-16	Appeal dismissed	02-Mar-17 02-Jun-17	Not complied	Continuation of Injunction granted 5/10/15 to prevent further unlawful development. Planning application refused.  Injunction remains in place to prevent further development. Enforcement Notice remains in effect. Residential use has ceased. Mobile home has been removed, 1 touring caravan remains on site. Owner's application for permission to bring a judicial review claim in respect of the Council's refusal to consider the latest planning application rejected. Enforcement requirements to remove the hardstanding area and associated items has not been carried out.
11	CB/ENC/15/0466	Land at 13 Icknield Street, Dunstable, LU6 3AD	Enforcement Notice - the installation of a dormer	30-Nov-16	28-Dec-16	28-Jun-17				Works underway to comply with Enforcement Notice.

**Planning Enforcement formal action (DM Committee 11th October 2017)**

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
12	CB/ENC/15/0530	47 Hitchin Road, Stotfold, SG5 4HP	Section 215 Notice - untidy land	31-Aug-16	30-Sep-16	30-Oct-16			Not complied	Section 215 Notice not complied with. Lawful use certificate application submitted for parking of vehicles and use of rear garage for car repairs (CB/17/02115/LDCE) awaiting to be determined. Prosecution file with Legal to consider whether to take formal action.
13	CB/ENC/15/0542	Land at Honeywicke Cottage, Honeywick Lane, Eaton Bray, Dunstable, LU6 2BJ	Enforcement Notice - Material change of use from agriculture to use for Class B8 storage as a scaffolding contractors yard and the laying of hardstanding.	10-Feb-16	10-Mar-16	10-Sep-16 10-Oct-16	Appeal dismissed	19-Jan-17	Not complied	Challenge against Appeal decision has now been lodged. All action held in abeyance.
14	CB/ENC/16/0016	Grooms Cottage, 5 West Hill, Aspley Guise, MK17 8DP	S215 Notice - Building in state of disrepair	16-Nov-16	16-Dec-16	16-Mar-17			Part complied	Works are still on-going to the property.
15	CB/ENC/16/0170	Car Park, The Pack Horse Public House, Watling Street, Kensworth	Enforcement Notice - Material change of use of the land from car park to use for vehicle sales, storage, repairs and the siting of a touring caravan.	20-Apr-17	18-May-17	18-Jul-17			Not complied	Part compliance - caravan removed and no vehicle servicing taking place. Meeting held with owner who is serving Notice to Quit.
16	CB/ENC/16/0216	Falcons Field, Lower Rads End, Eversholt, MK17 9EE	Enforcement Notice - Unauthorised construction of a tree house	08-Mar-17	08-Apr-17	08-May-17	Appeal received 28/03/17			Awaiting update from The Planning Inspectorate.
17	CB/ENC/16/0328	52 The Ridgeway, Flitwick, MK45 1DJ	Section 215 - Untidy Land	03-Oct-16	03-Nov-16	03-Dec-16		02-Jul-17	Not complied	Second prosecution case with LGSS Law to progress.
18	CB/ENC/16/0331	Rear of Grange Nurseries, The Green, Beeston, SG19 1PG	Enforcement Notice - Unauthorised change of use from agriculture to use for the parking and storage of military vehicles, trailers, containers, structures, associated paraphernalia and the installation of a septic tank	03-Jul-17	03-Aug-17	03-Sep-17	Appeal submitted 02/08/17			Awaiting update from The Planning Inspectorate.

**Planning Enforcement formal action (DM Committee 11th October 2017)**

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
19	CB/ENC/16/0534	Lynmore House, Sharpenhoe Road, Sharpenhoe, MK45 4SU	Breach of Condition x2	22-Jun-17	22-Jun-17	22-Jul-17				Await update from The Planning Inspectorate for appeal against refusal of subsequent planning permission.
20	CB/ENC/16/0548	2 Hockliffe Road, Leighton Buzzard, LU7 3FN	Enforcement Notice - Unauthorised change of use, taxi business.	12-Jan-17	12-Feb-17	12-Mar-17	Appeal received 09/02/17			Appeal dismissed by the Planning Inspectorate and date for compliance is 24/09/17.
21	CB/ENC/16/0584	63 Katherine Drive, Dunstable, LU5 4NP	Enforcement Notice - Unauthorised change of use to gym	30-Jun-17	28-Jul-17	28-Aug-17				Not complied. Awaiting update from Public Protection re noise monitoring and Regeneration re alternative premises.
22	CB/ENC/17/0235	New Spring Farm, London Road, Biggleswade, SG18 9SZ	Unauthorised Advertisement							Advertisement & hoarding have now been removed, legal will review the file to determine if it is still in the public interest to prosecute.
23	CB/ENC/17/0265	Gravenhurst Lane/A6, Silsoe	Enforcement Notice - Change of use, barn to residential	02-Aug-17	04-Sep-17	04-Oct-17	Appeal received 18/9/17			Awaiting update from The Planning Inspectorate.
24	CB/ENC/17/0266	Gravenhurst Lane/A6, Silsoe	Enforcement Notice - Creation of Bund	02-Aug-17	04-Sep-17	04-Oct-17	Appeal received 18/9/17			Awaiting update from The Planning Inspectorate.



	<p>© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)</p>	<p><b>Application No.</b> <b>CB/17/03683/OUT</b></p>
	<p>Date: 20:September:2017</p> <p>Map Sheet No</p>	
<p>Scale: 1:1250</p>	<p><b>Former Magistrates Court and Police Station, Hockliffe Road, Leighton Buzzard, LU7 3FF</b></p>	

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**Item No. 6**

<b>APPLICATION NUMBER</b>	<b>CB/17/03683/OUT</b>
<b>LOCATION</b>	<b>Former Magistrates Court and Police Station, Hockliffe Road, Leighton Buzzard, LU7 3FF</b>
<b>PROPOSAL</b>	<b>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.</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Leighton Buzzard North</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Johnstone, Spurr &amp; Ferguson</b>
<b>CASE OFFICER</b>	<b>Peter Vosper</b>
<b>DATE REGISTERED</b>	<b>27 July 2017</b>
<b>EXPIRY DATE</b>	<b>26 October 2017</b>
<b>APPLICANT</b>	<b>Central Bedfordshire Council - Estates Management</b>
<b>AGENT</b>	<b>Barford+Co</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Objections to a major scheme in which the Council has an interest and which cannot be overcome by condition.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**Site Location:**

The 0.45 hectare (1.1 acres) site is irregular in shape and comprises a largely redundant former Police Station, Magistrates Court and ancillary buildings, as well as areas of hardstanding and car parking.

The site is located in a residential area, which predominantly contains two storey terrace dwellings, and fronts onto the highway in Hockliffe Road, from where access is taken. The site is located close to Leighton Buzzard town centre.

A detailed description of the history of the site, its buildings and the surroundings is provided in the Archaeology consultation response below.

**The Application:**

Outline planning permission, with all matters reserved, is sought for:

Redevelopment of the site as a care home with up to 68 bedrooms (use class C2) including associated day care facilities.

Whilst matters of access, layout, scale, appearance and landscaping are reserved for later determination, indicative plans (site plan, floorplans, roof plan and 3D views) have been provided. These indicate a single part two, part three storey building in the rear portion of the site, with an approximate floor area of 4500 sq m.

Areas of open space are proposed around the building, with car parking and a vehicle turning area in the front portion of the site. The sole vehicular and pedestrian access would continue to be taken from Hockliffe Road.

The proposal would require the demolition of all existing buildings on site.

**Relevant Policies:**

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

Achieving sustainable development

Section 1: Building a strong, competitive economy

Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 8: Promoting healthy communities

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment

**South Bedfordshire Local Plan Review, January 2004**

Policy SD1: Sustainability Keynote Policy

Policy BE8: Design Considerations

Policy T10: Controlling Parking in New Developments

Policy H2: Making Provision for Housing via "Fall-in" Sites

Policy H3: Meeting Local Housing Needs

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant policies in existing plans according to their degree of consistency with the Framework. It is considered that Policies SD1, BE8, H2 and H3 are broadly consistent with the Framework and carry significant weight. Policy T10 carries less weight but is considered relevant to the proposal.

**Local Plan**

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

**Supplementary Planning Guidance/Other Documents**

Central Bedfordshire Design Guide (March 2014)

Central Bedfordshire Sustainable Drainage Guidance, April 2014

**Relevant Planning History:**

CB/17/00427/PAPC - Pre-application Charging Fee Advice Released: Demolition and redevelopment of the site to provide 75 bed care home (22 March 2017)

Application Number	SB/06/00043/FULL
Location	3-4 Peel Court, Hockliffe Road, Leighton Buzzard
Description	Change of use from residential to office
Decision	Conditional planning permission



Decision Date 6 March 2006

Application Number SB/04/01050/FULL

Description Erection of single storey rear extension and insertion of new mezzanine floor and change of use from Magistrates Court to Police Station

Decision Conditional planning permission

Decision Date 24 September 2004

**Consultees:**

Leighton Buzzard Town Council No objection.

Meeting the *Demand*  
Accommodation of Older People (MANOR) of Older Team

The Council uses the 'More Choice, Greater Voice' forecast model to estimate demand for residential care. According to this model an area should provide 65 residential care home places and 45 nursing care home places per 1000 people over 75.

The proposed residential care home falls within the Leighton Buzzard locality. In this locality there are currently 367 care home places in 7 homes. Demand under the model is currently 252 places forecast to rise steadily over the period to 2030 to reach 376 places.

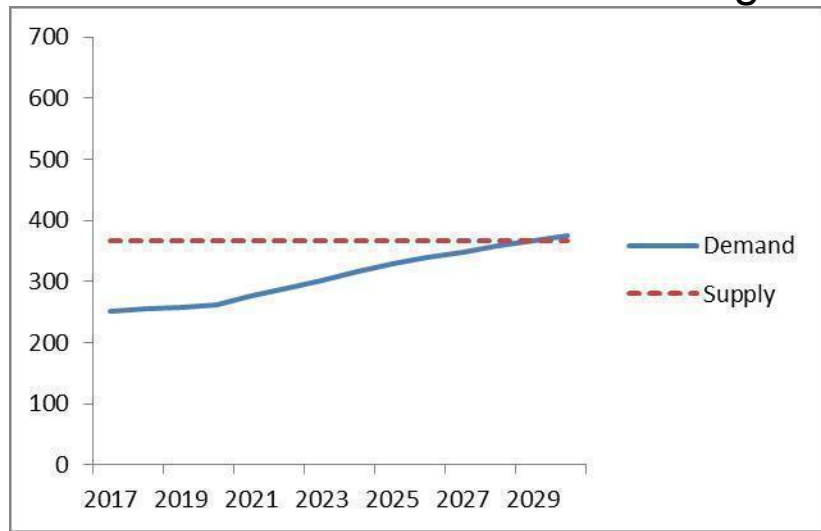
Although the model suggests a current excess of capacity in the locality of around 115 places monitoring of vacancy levels in care homes suggests that on aggregate they are operating at around 90% of their capacity with 36 vacancies.

One reason for this disparity is that there is very significant under supply of care home places in the neighbouring locality – West Mid Beds. In this locality demand under the model is for 332 places but supply is only 147 places. This demand is forecast to increase to 500 places by 2030.

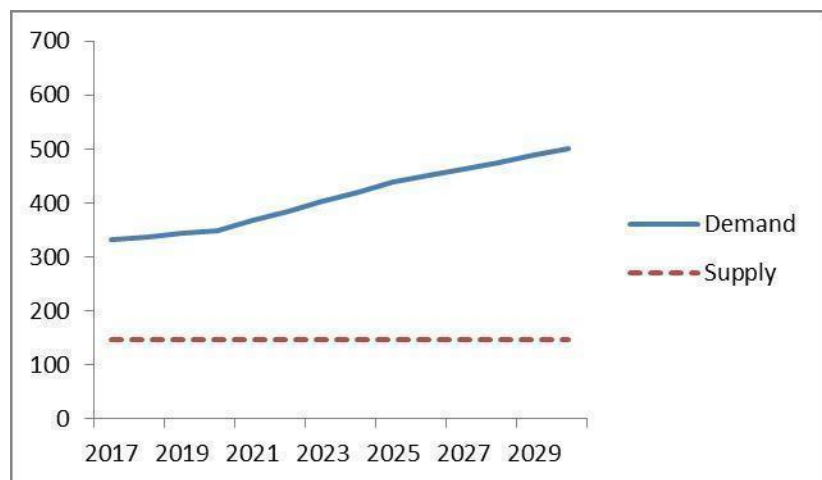
If one adds the supply and demand figures for both localities then the cumulative position is a current shortfall of 70 places rising to a 362 by 2030.

The supply and demand information is shown graphically on the following page.

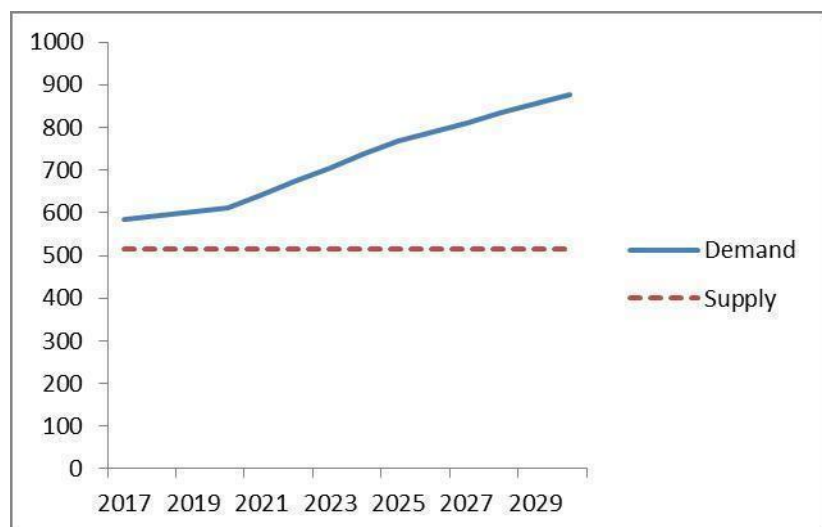
*Care Home Places Supply and Demand – 2017 to 2030:  
Leighton Buzzard Locality*



*Care Home Places Supply and Demand – 2017 to 2030:  
West Mid Beds Locality*



*Care Home Places Supply and Demand – 2017 to 2030:  
Leighton Buzzard and West Mid Beds Localities*



Whilst it is not the case that all 'excess capacity' in Leighton Buzzard would be taken up by demand from West Mid Beds it is reasonable to assume that a large percentage of it would.

It should be noted in relation to this application that the Council intends to replace capacity in a 30-place home in Leighton Buzzard with the proposed development so

although the application is for a 75-place home the resultant increase in places would be 45. Page 19

Currently in Leighton Buzzard there are no approved planning applications for care homes. Feedback from developer and operators is that this reflects a lack of suitable sites being available rather than a lack of demand.

There is only one extant care home planning permission in West Mid Beds (at 101 Amphill Road, Flitwick) and there is no date for when development might start on this scheme. The Council proposes a care home at Steppingley Road but has not yet submitted an application for planning permission. This proposal would also be for a replacement home.

Whilst seeking to balance supply and demand for care home places in the area the Council also has a desire to improve the overall quality of the accommodation and facilities provided by care homes. A significant aspect of improved accommodation quality is the provision of en suite bathing and toilet facilities in each room which is now seen as a norm in new-build care homes but which are rare in homes constructed prior to 1990. The proposal would see the replacement of 31 places in the existing home without en suite facilities with 75 en suite places.

Finally, the Council, under the Care Act 2014 now has a duty to the overall care market in terms of shaping supply and working to avoid market failure. An aspect of this is the size of care homes expressed in terms of number of places. In this respect larger care homes (ones with 60 or more places) with modern facilities are perceived as being more viable than smaller homes and those with less modern facilities. From this perspective the proposal is therefore supported.

Therefore we consider that such a scheme would be beneficial to overall care home provision.

#### *Location*

The preferred location for residential care homes for older people is one within an existing settlement that allows for access to community facilities and also for the community to interact with the home. Location can be equally significant in relation to both staff and visitors being able to access the home easily. Therefore the location of a home close to transportation links is to be encouraged.

We are also aware that home operators generally have a preference for homes with a main road frontage in order to create a visible 'presence' for the home and developments which lack this may prove difficult to market.

The proposed care home is close to the town centre of Leighton Buzzard and on one of the main arterial roads to and from the centre. Whilst the road frontage is limited there is nonetheless the opportunity to create the visible presence that the market seeks on this site.

*Design and Layout*

In the development of care homes there are also design and layout options which are considered to be good practice and which should be encouraged. These include:

- Sufficient usable outdoor space to include areas which can be accessed by people with impaired mobility and used safely by people with cognitive impairments such as dementia.
- Room layouts within the building which lend themselves to people living and being cared for in small groups.
- Communal spaces within the building where private individual and small group activities can take place.
- Corridors are of varying widths and which end with meaningful spaces
- Room doors which are not opposite to each other.
- Maximising the availability of natural light throughout the building
- Low window sills which allow residents who are sitting or lying in bed to see outside.

It should be noted that research into good design for older people, especially those with dementia is ongoing and we encourage developers to keep abreast of the latest developments and incorporate these into their designs if at all possible. Many such design matters are very low cost, especially if incorporated into the building at the design or construction stage. We understand that some aspects of internal layout may be outside the control of the Planning Authority but nonetheless would urge applicants for care homes to take into account best practice when designing buildings. Central Bedfordshire Council has produced a summary document to assist with this and copies can be provided on request.

*Summary*

We consider that the scheme would be beneficial to overall care home provision within Central Bedfordshire. We support the application and would ask that the applicant is informed of our detailed comments in the 'Design and Layout' section.

Highways  
(Development  
Management)

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

But even eliminating these two parking spaces the proposal would appear to provide adequate parking and t

In a highway context I recommend that the following conditions be included if planning approval is to be issued:

Development shall not begin until details of the improvements to the junction of the proposed vehicular

access with the highway have been approved by the Local Planning Authority and 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.

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 600mm 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.

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 #m measured along the centre line of the proposed access from its junction with the channel of the public highway and #m 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.

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.

Any gates provided shall open away from the highway and be set back a distance of at least 5.0m (domestic)/8.0 metres (agricultural) from the nearside edge of the carriageway of the adjoining highway. (HC 16)

Reason

To enable vehicles to draw off the highway before the gates are opened.

Furthermore, I should be grateful if you would arrange for the

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.

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

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.

#### Archaeology

The proposed development site lies on the edge of the historic core of the town of Leighton Buzzard (HER 16871) and under the terms of the *National Planning Policy Framework* (NPPF) this is a heritage asset with archaeological interest. In addition, the application site also includes the former Magistrates Court (HER 16463) and Police Station and these are also heritage assets with architectural interest.

Leighton Buzzard has its origins in the Saxon period; the early settlement is likely to have developed around the bridging point over the River Ouzel in or around the 7th century AD. While there is no direct earlier Saxon evidence from inside the core of the town, two Saxon cemeteries have been recorded to the immediate north of the town (HER 1 and 3) and contemporary material has been found at Grove Priory (HER 1870) to the south. In addition, Saxo-Norman

activity (10th-11th century AD) has been recently found on North Street (PCA 2014). The Thiodweg (HER 10843) a Saxon trade route also runs through Leighton and it is mentioned in a charter dating to 926 AD, adding further weight to a Saxon origin for the town.

Leighton ('Buzzard' was added towards the end of the 13th century) is well recorded in later Saxon and medieval documents and they indicate that it was a Royal Manor which had the right to hold a weekly market by the time of the Domesday survey in 1086 AD. There was also an ecclesiastical presence in Leighton at this time with the Bishop of Lincoln holding 4 hides including the church. This estate was centred on the Prebendal Manor (HER 11056), the site of which is located to south of the Church of All Saints. It is likely that one of the early focal points of the town was the Bishop's property and the church, and while the present Church of All Saints (HER NHLE 1321404: Grade I) dates from the 13th century, it almost certainly overlies an earlier building.

At some point in the early medieval period (probably during the 12th century) the market was expanded, therefore improving the economic prospects of the town. It was this success which led to the creation of a new "planned" town. The new town was Y-shaped in form; encompassing Bridge Street, High Street, Lake Street, North Street and Hockliffe Street. These were carefully laid out in accordance with the natural topography; with the High Street, Hockliffe Street and Lake Street all meeting at the highest point in the town, creating the triangular market place. The intention was to draw all the traffic heading for the bridge over the River Ouzel together well before it reached the crossing point by deliberately funnelling it through the Market Square and the High Street, the town's main trading area (BCC 1996).

To date, there have only been a limited number of archaeological investigations in Leighton Buzzard. However, in addition to the works on North Street in 2014, archaeological remains dating to the medieval period, including a large pit were recorded in 2000 on Lake Street (HAT 2000). While later medieval and early post medieval remains were found in 1996 on the land to the rear of 4 Market Square (BCAS 1996).

The application site is currently occupied by the former Magistrates Court and Police Station and associated buildings. Historic documentation indicates that the first Police Station (HER 14036) was built on the site in 1855. By 1879, the building had three cells and an office behind the main frontage and an exercise ground to the rear. The original Police Station was demolished in the late 1930's to enable the building of the Magistrates Court (also known as Leighton Court House) which opened on the site in June 1940 (HER 16463). A new Police Station was erected to the rear of the Magistrates Court. The Magistrates Court was in

This outline application proposes the demolition of all of the buildings on the site and the erection of a new 68 bed care home with day facilities, associated hardstanding and access off Hockliffe Road. The application is accompanied by a *Heritage Assessment* (Albion Archaeology 2017) which details much of the known history of the site and includes descriptions of each of the buildings. The *Heritage Assessment* also includes copies of some of the original plans for the buildings and a series of interior and exterior photographs of some of the buildings (the more recent residential buildings on the north-east part of the site have not been included except for in the exterior context shots). The *Heritage Assessment* concludes that the value of the buildings is low because the interior of the Magistrates Court has been modified; the buildings are relatively recent, unlisted and of modest quality. This conclusion is not necessarily shared by the Archaeology Team.

Historic England guidance recognises that all building types associated with law and government have a claim to historic interest as narratives of the development of national and local government and an emerging civic identity. Law courts in particular have an importance attached to them and even those which date to the early 20th century were designed to instil a certain level of awe and reverence which can be reflected in their architecture. Police Stations are also endowed with dignity and were designed to make a strong townscape contribution (Historic England 2015). While this does not necessarily mean that the buildings at the application site should not be demolished it does mean one should be careful about dismissing their significance both in terms of examples of law and government buildings and as part of the history of the town. At least the *Heritage Assessment* suggests the buildings are worthy of recording, this is a sensible conclusion.

The *Heritage Assessment* focusses solely on the built heritage at the site, however, section 6.19 of the *Planning, Design & Access Statement* (Barford and Co, July 2017) also mentions archaeology. It states " Also supporting the application is Archaeological Field Evaluation And Heritage Statement undertaken and produced by Albion Archaeology. The report concludes that of the small number of archaeological features found, none appear to be of anything other than local significance and have only very limited potential to contribute to regional research objectives". The reference to the field evaluation is interesting as there does not appear to be a report accompanying this application and the Archaeology Team have no knowledge of such an evaluation taking place.



The proposed development site is located on the edge of the historic core of the town of Leighton Buzzard (HER 16871) and is located on Hockliffe Street/Hockliffe Road which is one of the original medieval thoroughfares into the town. The historic core of the town is a heritage asset with archaeological interest (as defined by the NPPF). The proposed development site is therefore considered to have the potential to contain archaeological deposits relating to the Saxon, medieval and post medieval development of the town and apparently some archaeological deposits have already been recorded on the site (Barford and Co, July 2017). Research into the origins and development of small towns, their inter-relationships with their hinterlands and early town planning from the Saxon through to the early Post medieval periods are local and regional archaeological research objectives (Ayers 2000, 27-32, Oake et al 2007, 14 and Medlycott 2011, 58, 70 & 79).

It is recognised that all building types associated with law and government have a claim to historic interest as narratives of the development of national and local government and an emerging civic identity (Historic England 2015). The revised regional research framework for the East of England also acknowledges that built environment would not only benefit from a regional resource assessment similar to that which has been completed for archaeology, but that thematic surveys of significant economic or socially important classes of buildings needs to be extended for the whole of the region (Medlycott 2011). If planning consent is granted for the re-development of the site, then buildings which are a recognised part of the history of the town of Leighton Buzzard and therefore heritage assets, are certainly worthy of record.

Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (CLG 2012).

The proposed development will have a negative and irreversible impact upon the standing buildings and any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological and architectural interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of all of the heritage assets on the site. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development and by making full record (in line with the requirements set out by Historic England in *Understanding Historic Buildings: A Guide to Good Recording Practice 2016*) of the buildings on site. The post-excavation analysis of any archive material generated and

the publication of a report on the works must all be undertaken as part of this scheme of works. In order to secure this, please attach the following condition to any permission granted in respect of this application.

“No demolition or development 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).

This request is in line with the requirements of Chapter 12 of the NPPF.

Trees and Landscape I have examined the plans and documents associated with this outline application, and can advise you that I have no objection to the principle of such a development on this site.

Ecology The site lies in the Greensand Ridge Nature Improvement Area and on reading the Design & Access Statement I welcome the acknowledgement of the need for a high quality landscape scheme detailing measures to improve biodiversity. 5.8 states 'Measures can also be incorporated into the design of the building, e.g. bird boxes, green roofs, etc.' and indeed the proposed roof and elevation plans illustrate the green roofs which will be a real benefit for pollinator's in the area, supporting Leighton Buzzard's aspirations to be a 'Bee Friendly' town.

To ensure the enhancements are delivered I propose the following condition;

No development 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.

## Public Protection

Topics considered:

- Air quality
- Contaminated land
- Noise

Reason for Support:

The proposal is an outline application to redevelop the site from its current use as a Police station & Magistrate's Court, to a residential care home. As advised by my colleague Simon Joynes in response to the pre-application enquiry CB/17/00427/PAPC, the proposed use could be acceptable subject to the following considerations:

### *Land Contamination*

- A Phase 1 Contaminated Land Study - any adverse findings and future work will then be secured through Condition.
- The Phase 1 report has been submitted with the outline application and has recommended further investigation works are undertaken to determine if any land contamination risk exists that will need to be addressed and remediated. A condition to require this is set out below.

### *Noise*

- An acoustic survey of any neighbouring land uses (plant machinery and equipment etc) and appropriate mitigation where required.
- No noise survey or assessment has been undertaken or submitted with the application. Whilst ideally it would have been better to see this assessment submitted with the outline application, I have set out a condition below to cover this.

### *Air Quality/Odour*

- An application would also be expected to include details of kitchen extract systems (odour and noise) and noise from plant and equipment associated with the use proposed.
- No details of the kitchen extract system have been provided and no information on noise from plant

associated with the proposed use have been provided. Again, whilst ideally it would have been better to see this information submitted with the outline application, I have again set out a conditions below to cover this.

### *External Lighting*

It will be important to ensure that any external lighting scheme is appropriately designed to avoid any obtrusive light, glare or overspill adversely impacting on neighbouring residents once the end use development is operational. A condition is advised to ensure this.

### *Any works required to deliver a suitable development:*

I confirm that I do not object to the outline development of the site in principle. However, I would recommend that the conditions set out below are added to any planning consent granted to ensure that the matters outlined above are covered as reserved matters.

### Conditions Required:

Should you be mindful to grant permission for this application I ask that the following conditions are inserted on any permission granted.

### *Land Contamination*

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 20<sup>th</sup> March 2017 (Ref: UK17.2600), has 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.

### *Noise*

No development 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.

Prior to the commencement of the development, 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.

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 protect the amenity of neighbouring residential occupiers

#### *Odour*

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.

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

**Housing Development** This application provides for 0 affordable homes which is not in accordance with our current affordable housing policy requirement. I would expect to see 30% affordable housing or 20 affordable units. Further to this, the Strategic Housing Market Assessment (SHMA) has a tenure split requirement from sites meeting the affordable housing threshold as being 73% affordable rent and 27% intermediate tenure. This would make a requirement of 15 units of affordable rent and 5 units of intermediate tenure (shared ownership) from the proposed development.

I would like to see the affordable units dispersed throughout the site and integrated with the market housing to promote community cohesion & tenure blindness. I would also expect the units to meet all nationally described space standards. We expect the affordable housing to be let in accordance with the Council's allocation scheme and enforced through an agreed nominations agreement with the Council. If these comments are taken on board, I would support this application.

**Public Art**

Given the proposed scale of development public art is required to be included in development proposals to enhance interfaces with public realm, within the building and landscaped grounds to reinforce quality in design and highlight sense of place.

Central Bedfordshire Council actively encourages the inclusion of public art in new developments and looks to developers / promoters of sites to take responsibility for funding and managing the implementation of Public Art either directly or through specialist advisers and in consultation with Central Bedfordshire Council.

Public Art enhances sense of place and quality in environments, public art projects can also be a valuable tool in community engagement; bringing together existing and new communities to engender sense of ownership and reinforce community cohesion.

Key requirements are:

- Public art be integrated in the design process for the whole development and not be an 'add-on'.
- Where possible artists should be appointed as part of the design team.
- Public art should be site specific; responding to place and people including environment and materials.
- Public art should be unique, of high quality and relevant to

local communities.

Public Art can include:

Bespoke design stand-alone features, sequences of interventions, architectural elements, street furniture, lighting, walls-capes / floors-capes and landscaping.

Public Artists can include:

Artists and artisans, artist architects, landscape artists - with experience in working in collaboration with developers, design teams and local communities is key.

If the application were to be approved I request a Condition be applied with suggested wording but await your advice on this:

*A Public Art Plan is required and submitted to for approval by the Local Planning Authority prior to commencement of any works on site. Installation of Public Art shall commence on site prior to occupation of 50% of dwellings. 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.*

The Public Art Plan should detail:

- Management - who will administer, time and contact details, time scales / programme
- Brief for involvement of artists, site context, background to development , suitable themes and opportunities for public art
- Method of commissioning artists / artisans, means of contact, selection process / selection panel and draft contract for appointment of artists
- Community engagement - programme and events
- Funding - budgets and administration.
- Future care and maintenance.

The Central Bedfordshire Design Guide, Section 4 Public Realm is available on the BCC website and offers comprehensive advice on the integration of Public Art within development. The CBC Public Art Officer is also available to provide further advice and support if required.

SuDS  
Team

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

1. Detailed site investigation results (including any site specific soakage tests and ground water monitoring shown in accordance with BRE 365) will need to be provided with the detailed design.

2. Where the use of permeable surfacing is proposed this should be designed in accordance with the 'CIRIA RP992 The SuDS Manual Update: Paper RP992/28: Design Assessment Checklists for Permeable/Porous Pavement'.
3. The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).
4. To ensure future and subsequent facility managers will be aware of any maintenance requirements / responsibilities for surface water drainage, including ditches; further measures should be proposed by the applicant and may include, for example, information provided to the first purchaser of the property and also designation/registration of the SuDS so that it appears as a Land Charge for the property and as such is identified to subsequent purchasers of the property. Any methods involving designation or registering a Land Charge are to be agreed with the LPA.
5. Land drainage Consent under the Land Drainage Act 1991 must be secured to discharge surface water to an existing watercourse/ditch, and details of this provided with the full detailed design.
6. Green Roof best practice code 2014 can be found here <https://livingroofs.org/wp-content/uploads/2016/03/grocode2014.pdf>

Recommended conditions;

Condition 1: No development shall commence 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.

The applicant should address the following concerns when submitting details to discharge the condition:

1. 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.

Waste Services

Thank you for sending this application for our consideration. However, as the premises are going to be used for commercial purposes, we have no comments to make. The landlord/occupier will have to make their own commercial waste collection arrangements as this is not a service Central Bedfordshire Council provides.

Environment Agency

We have no objection to this application.

*Contamination*

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

*Infiltration Sustainable Drainage Systems (SuDS)*

The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. 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.

Bedfordshire Fire and Rescue Service  
Our comments are as in A. and B. below.

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 - Dwellings" 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).

Anglian Water

## ASSETS

### Section 1 - Assets Affected

1.1 Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

## WASTEWATER SERVICES

### Section 2 - Wastewater Treatment

2.1 The foul drainage from this development is in the catchment of Leighton Linlade Water Recycling Centre that will have available capacity for these flows.

### Section 3 - Foul Sewerage Network

3.1 Development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures.

We request a condition requiring the drainage strategy covering the issue(s) to be agreed.

### Section 4 - Surface Water Disposal

4.1 The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

4.2 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. No evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. This encompasses the trial pit logs from the infiltration tests and the investigations in to discharging to a watercourse. If these methods are deemed to be unfeasible for the site, we require confirmation of the intended manhole connection point and discharge rate proposed before a connection to the public surface water sewer is permitted. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency.

We will request that the agreed strategy is reflected in the planning approval.

Section 5 - Trade Effluent

5.1 Not applicable

Section 6 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Foul Sewerage Network (Section 3)

CONDITION

*No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be 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.*

Surface Water Disposal (Section 4)

CONDITION

*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 hard-standing areas to 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.*

**Other Representations:**

Neighbours

A representation supporting the proposal was received from:

No. 2 George Street

- Support as long as stays a 68 person care home.
- Boundary to George Street should be a wall, not a fence.
- Additional trees needed between Care Home and George Street for screening and privacy.

A representation commenting on the proposal was received from:

No. 22 Vandyke Road

- Not against but need more information regarding building heights, proximity to my property, limited parking, contractors parking, and affect on views.

Representations objecting to the proposal were received from:

No. 23 Hockliffe Road

- Lack of pre-application consultation contrary to 'Statement of Community Engagement'.
- Loss of privacy.
- Considerable noise and discomfort during demolition and construction.
- Traffic, access and parking implications.

No. 40 Vandyke Road

- Loss of another historic town building.
- Scale overbearing and incompatible with surroundings.
- Loss of privacy.
- Noise and disturbance.
- Light pollution.
- Adverse effect on traffic generation and parking impact.

Buzzcycles

Whilst the Green Travel Plan para 3.3 acknowledges guidance to give priority to cycle use & 5.7/8 recognises the ability to substitute for short car trips, para 7.12 offers solely the provision of a Users Group and advertising of the local Cycle network. There is no commitment to provision of secure parking for staff or visitors and, although para 6.17 of the Design & Access Statement suggests areas for cycle parking are available, there is no indication of such on layout drawings. Given Leighton-Linslades status as a Cycle Town & CBC Policies, it is considered that proper provision of secure cycle provision for staff & visitors is a mandatory requirement prior to approval of the application.

### **Determining Issues:**

The main considerations of the application are:

1. Principle of Development
2. Design and Layout, and Impact on Character and Appearance
3. Impact on Amenity of Neighbouring and Future Occupants
4. Archaeological Impact
5. Highway Considerations
6. Affordable Housing and Section 106 Requirements
7. Ecological Impact
8. Other Considerations

### **Considerations:**

#### **1. Principle of Development**

Policy SD1 (Sustainability Keynote Policy) of the South Bedfordshire Local Plan Review (SBLPR) provides guidance on the suitability of sites for the location of new development. The first priority for new development is 'previously developed sites and vacant land within urban areas'. This stance is reflected at paragraph 17 in the National Planning Policy Framework (NPPF); one of the 12 core planning principles is to *'encourage the effective use of land by reusing land that has been previously developed (brownfield*

*land), provided that it is not of high environmental value'.*

The need for care home places in Leighton Buzzard is outlined in the consultation response from MANOP above. This is due to a rising demand for places in Leighton Buzzard, a very significant under supply of places in the neighbouring locality - West Mid Beds, and a lack of suitable sites being available in Leighton Buzzard.

It is also noted in relation to this application that Central Bedfordshire Council intends to replace capacity in a 30-place home in Leighton Buzzard with the proposed development so although the application is for a 68-place home the resultant increase in places would be 38.

MANOP concludes that the scheme proposed would be beneficial to overall care home provision in Central Bedfordshire.

The preferred location for residential care homes for older people is one within an existing settlement that allows for access to community facilities and also for the community to interact with the home. The location of the site in a built up area of the town and close to the town centre - and the amenities it provides - and public transport connections meets these requirements.

The use of the site on previously developed land in a residential area near to the town centre for a care home is appropriate. The proposal therefore complies with relevant policies in the SBLPR and the NPPF and consequently is considered acceptable in principle.

## **2. Design and Layout, and Impact on Character and Appearance**

The proposal needs to accord with Sections 5 (Residential Development) and 6 (Accommodating Specific Housing Needs) of the Central Bedfordshire Design Guide, and Section 7 (Requiring good design) of the NPPF. It also needs to comply with SBLPR policies BE8 and H2 which require development to take full account of opportunities to enhance or reinforce the character and local distinctiveness of the area, and to ensure that the size, scale, materials and appearance of development complements with the local surroundings.

As stated above, the proposal is in outline with all matters reserved. However, plans (site plan, floorplans, roof plan and 3D views) have been provided. Whilst comment can be made on these plans - as the matters of access, layout, scale, appearance and landscaping are reserved for later determination - they can only be treated as indicative.

The plans indicate a single, irregular shaped building in the rear portion of the site. It would be mainly three storey, with a two storey element facing the rear of neighbouring properties in George Street. This two storey part would reflect existing surrounding development. However, whilst some of the more modern development along Hockliffe Road achieves three storeys, it could be suggested that the proposal for a development which would be predominantly three storey would not be characteristic of the surroundings. In considering the acceptability of this, it should be noted that the proposal has changed from that submitted at pre-application stage (reference CB/17/00427/PAPC) in that the minimum separation between the proposed three storey wings of the building and the shared boundary with properties in Vandyke Road has increased from 2.0m to 6.5m. The equivalent distance between the proposed rear wing and the shared boundary with properties in George Street has increased from 7.0m to 10.0m. This would result in the building being

positioned centrally in the site, and combined with the use of areas of flat roof, the impact of the proposal would be lessened and unlikely to cause harm to the character of the area.

A high quality design and use of good quality materials - issues to be addressed at reserved matters stage - will be essential to ensuring the building assimilates into the area.

The indicative site plan (LBCH8000/2.1/100) shows several outdoor amenity and circulation spaces around the edge of the site and between the wings of the building. These include garden, seating and planting areas. These spaces would also provide a green buffer between the proposed building and the gardens of existing neighbouring properties. The aforementioned increase in separation, from the pre-application scheme, between the building and the boundaries with properties in Vandyke Road and George Street assists in this regard.

The pre-application submission also showed the front portion of the site, i.e. the area between the building and Hockliffe Road, to be dominated by hardstanding. The indicative site plan now submitted shows areas of native tree planting, nectar rich planting, and grasscrete parking to soften and provide visual relief to this area.

There are no trees on or surrounding the site which would be impacted by development due to the separation of the building from the boundaries.

Overall, the indicative plans provided outline a scheme which could be acceptable in layout, scale, appearance and landscaping terms, and therefore compliant with the Design Guide, SBLPR policies BE8 and H2, and Section 7 of the NPPF. However, full judgement can only be made at reserved matters stage.

### **3. Impact on Amenity of Neighbouring and Future Occupants**

The proposal needs to accord with Sections 5 (Residential Development) and 6 (Accommodating Specific Housing Needs) of the Central Bedfordshire Design Guide. It also needs to comply with SBLPR policies BE8 which requires development to not have an unacceptable adverse effect upon general or residential amenity and H2 which requires the provision of good quality living conditions for residents.

As above, the submitted plans can only be treated as indicative and a full judgement can only be made at reserved matters stage when the layout, scale, height and window positions, for example, are certain.

The indicative site plan (LBCH8000/2.1/100) shows a layout with the building being positioned further from the shared boundaries with properties in Vandyke Road and George Street than the pre-application submission. Overall, the building would be positioned a sufficient distance from existing dwellings and gardens to ensure there is no unacceptable loss of light, or overbearing or dominating impact. This takes into account a proposal recently granted planning permission on land to the rear of Nos. 34 to 42 Vandyke Road for five mews houses (reference CB/17/01605/FULL). This would be positioned along the boundary with the application site. However, the 6.5m separation between the mews houses and the proposed care home would be sufficient to ensure there is no harm to the amenity of future occupants of either. Also, the lack of any facing windows in the mews houses

and the lack of any facing windows to habitable rooms in the care home would ensure there is no potential overlooking or loss of privacy issue. Page 40

Generally the proposed first and second floor windows would face into the application site, or would be sufficiently separated from the windows and gardens of existing neighbouring dwellings to not cause harmful overlooking and a loss of privacy. However, at pre-application stage a specific concern was raised in respect of the proposed first floor windows on the rear block being positioned a minimum of 7.0m from the shared boundary and rear gardens of the dwellings at Nos. 6 to 12 (evens) George Street. The submitted site plan indicates that this distance has increased to 10.0m. This would result in the distance to the first floor rear windows on the main rear elevations of the houses in George Street being in excess of 35m. Whilst this would be significantly more than the 21m stated as a 'rule of thumb' in the Design Guide, the vast majority of this (approximately 25m) would be accounted for by the long rear gardens of the George Street dwellings. Even so, given that the shortfall of half of 21m (10.5m) within the application site is only 0.5m and the intention to provide native trees to provide natural screening, it is not considered that there would be any harmful loss of privacy or overlooking impact to existing or potential neighbouring occupants.

The proposed second floor in the rear block would in the main be setback 16.5m from the boundary with the George Street properties. The facing windows would serve a corridor and can therefore be obscure glazed and non-opening below 1.7m. A central projecting element, to contain a lounge, would be setback 13.5m from the boundary. However, this would have no facing windows; just side windows. 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 first floor windows and for no further windows at first or second floor level.

The proposed floorplans indicate that all habitable rooms would have windows. Future residents would also have access to the several outdoor amenity spaces around the building.

Overall, the indicative plans provided outline a scheme which would not have an adverse impact on the amenity of existing and potential neighbouring occupants, and is therefore compliant with the Design Guide, and SBLPR policies BE8 and H2. However, full judgement can only be made at reserved matters stage.

#### **4. Archaeological Impact**

The application site lies on the edge of the historic core of the town of Leighton Buzzard (HER 16871) and under the terms of the National Planning Policy Framework (NPPF) this is a heritage asset with archaeological interest. In addition, the application site includes the former Magistrates Court (HER 16463) and Police Station and these are also heritage assets with architectural interest.

The history of the site, its buildings and the surroundings is provided in the Archaeology consultation response above. Also, a Heritage Assessment (Albion Archaeology, 30 June 2017), detailing much of the known history of the site and including a description of the Magistrates Court, Police Station and associated buildings accompanies the application.

The proposal would require the loss of all existing buildings on site. It would



therefore have a negative and irreversible impact upon these buildings and any surviving archaeological deposits present on the site, and as such upon the significance of the heritage assets with archaeological and architectural interest. This does not present an overriding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of all of the heritage assets on the site. Such investigation and recording, and a report on the works, should be required by a condition attached to any planning permission granted.

## 5. Highway Considerations

There are currently separate access and egress points serving the Police Station and Magistrates Court onto Hockliffe Road. The indicative submitted site plan (LBCH8000/2.1/100) shows that this would be reduced to a single point, at least 4.8m wide, for both access and egress. A separate pedestrian access would also be provided.

The Highways (Development Management) consultation response outlines that the current However, even if these two spaces are eliminated, the proposal would still appear to provide adequate parking and t

## 6. Affordable Housing and Section 106 Requirements

The Housing Development consultation response outlines that the provision of no affordable houses within the proposal is not in accordance with the Council's current affordable housing policy requirement. There is an expectation of 30% affordable housing or 20 affordable units.

Whilst this request is acknowledged, in this instance the proposal is not for dwellinghouses, including independent living schemes for older persons with self contained accommodation, within use class C3 (dwellinghouses). It is instead for a care home, within use class C2 (residential institutions), where accommodation would not be self-contained; residents would have en suite bedrooms and the use of communal facilities. Such accommodation is not subject to the Council's affordable housing policy requirement.

No requests for Section 106 contributions have been received.

## 7. Ecological Impact

The submitted Design and Access Statement (Barford and Co, July 2017) acknowledges the need for a high quality landscape scheme detailing measures to improve biodiversity. The indicative proposed roof and elevation plans illustrate green roofs which will be a real benefit for pollinator's in the area, supporting Leighton Buzzard's aspirations to be a 'Bee Friendly' town.

To ensure such enhancements are delivered, a condition should be attached to any planning permission granted requiring an ecological enhancement strategy (EES).

## 8. Other Considerations

### **Response to comments / objections from neighbouring occupants:**

The issues raised are either considered in the discussion above, can be dealt

**Human Rights issues**

The proposal raises no Human Rights issues.

**Equality Act 2010**

The building needs to be designed to ensure that it adopts inclusive design and layout principles to enable all residents to access and benefit from the facilities. Design and layout options which are considered good practice, as outlined in the MANOP response, should be pursued. An informative should be attached to any Planning Permission granted drawing the attention of the applicant to their responsibilities under The Equality Act 2010.

**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 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 demolition or development 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 development 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 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 20<sup>th</sup> 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 development 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 **Prior to the commencement of the development, 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 development shall commence 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 development shall commence 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 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.**

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](http://www.cae.org.uk))  
Central Bedfordshire Access Group ([www.centralbedsaccessgroup.co.uk](http://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](http://www.centralbedfordshire.gov.uk).

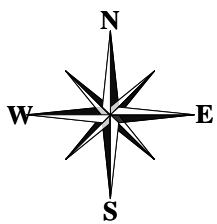
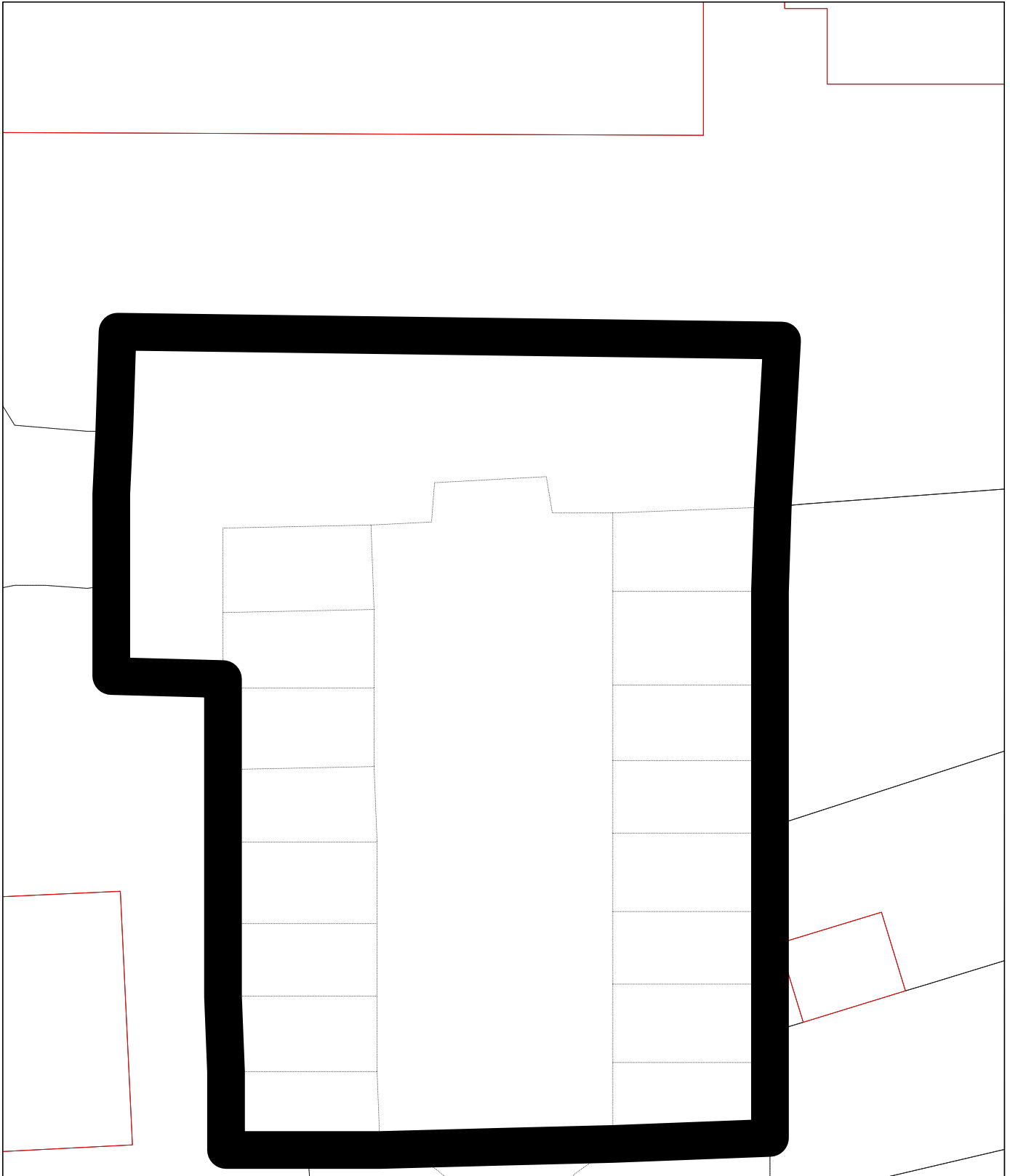
The applicant and the Council engaged in discussion and negotiation at pre-application stage which led to improvements to the scheme. The applicant and the Council have therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs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

**DECISION**

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Date: 11:October:2017

Map Sheet No

Application No:  
CB/17/03402/FULL

Scale: 1:1250

Land to the east of 38 to 42 Carters Way and to the south of 1 to 8  
Carters Walk, Carters Way, Arlesey

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**Item No. 7**

<b>APPLICATION NUMBER</b>	<b>CB/17/03402/FULL</b>
<b>LOCATION</b>	<b>Land to the east of 38 to 42 Carters Way and to the south of 1 to 8 Carters Walk, Carters Way, Arlesey</b>
<b>PROPOSAL</b>	<b>Demolition of existing garages and development of 2 no. new dwellings with amenities and car parking.</b>
<b>PARISH</b>	<b>Arlesey</b>
<b>WARD</b>	<b>Arlesey</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dalgarno, Shelvey &amp; Wenham</b>
<b>CASE OFFICER</b>	<b>Mark Spragg</b>
<b>DATE REGISTERED</b>	<b>01 August 2017</b>
<b>EXPIRY DATE</b>	<b>26 September 2017</b>
<b>APPLICANT</b>	<b>Grand Union Housing Group</b>
<b>AGENT</b>	<b>Baily Garner</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>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.</b>
<b>RECOMMENDED DECISION</b>	<b>Approval</b>

**Summary of Recommendation**

The planning application is recommended for approval, it would be in accordance with the Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1 and DM4. It would not have a significant impact upon the residential amenity of any adjacent properties, would provide adequate parking provision and replacement parking for the demolished garages and it is considered that the design and layout is in accordance with the Central Bedfordshire Design Guide and National Planning Policy Framework.

**Site Location:**

The application site is located centrally within the town of Arlesey, which is designated in the Core Strategy as a Minor Service Centre.

The site is currently occupied by 16 concrete flat roofed garages in two blocks, accessed off Carters Way. The garages are owned by Aragon Housing and are rented to local residents. The site also includes a rotary drying area to the north of the garage blocks, for use by occupants of the adjacent maisonettes in Carters Walk.

The garage blocks adjoin the rear gardens of dwellings on Church Lane to the east, Carters Walk to the north and west and Carters Way to the south.

### **The Application:**

The application seeks planning permission for the erection of two no. 2 bed two storey semi detached dwellings, with a parking and turning area for 2 cars for each property. The houses would each have rear gardens extending to a depth of approximately 15m. A small area of landscaping is shown in front of and to the side of the dwellings and in front of the parking area.

The two garage blocks contained within the site would be demolished to facilitate the development, with replacement off street parking spaces shown to be provided to the south west of the site. In addition, a replacement rotary drying area is shown located in the north west corner of the site, for the occupiers of the adjacent maisonettes.

The application is accompanied by a Design and Access Statement and a Site Investigation Report.

### **RELEVANT POLICIES:**

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

#### **Core Strategy and Development Management Policies for Central Bedfordshire (North)**

CS14: High Quality Development

DM3: High Quality Development

DM4: Development Within and Beyond Settlement Envelopes

#### **Local Plan**

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

#### **Supplementary Planning Guidance**

Design in Central Bedfordshire: A guide for development (revised March 2014)

#### **Planning History**

16/04394                      Erection of 2 dwellings. Withdrawn.

#### **Representations:**

##### **(Parish & Neighbours)**

Arlesey Parish Council      Object to the application on the following grounds:

- loss of green space to the detriment of existing residents and streetscene
- loss of on street car parking spaces through creation of off street parking
- overdevelopment of the site, insufficient area to accommodate 2 dwellings
- the proposed alternative garages are not suitably located in terms of proximity to the user dwellings

#### Neighbours

5 letters of objection have been received from the occupants of 35 and 37 Church Lane, 16 and 37 Carters Way.

The comments are summarised as follows:

- The tenant of garage 26 uses the garage to store his classic car.
- Concerned about damage to gardens children and animals in Church Lane during demolition of the garages
- It would be preferable to retain the existing rear wall rather than replace with timber fencing.
- Prior to using the garages the occupants of 37 Carters Way suffered car break ins.

#### Consultations/Publicity responses

##### Highways

No objection subject to conditions. The 14 parking spaces to be provided along Carters Way are sufficient to replace the 16 garages (13 of which are occupied). The parking spaces should be allocated to the garage occupiers and protected by a lockable bollard.

##### Tree Officer

Trees to be retained to the front of the site should be protected using tree protection fencing in line with BS5837 2012.

##### Drainage Board

No comment to make.

#### Considerations

- **Principle of development**

NPPF para 49 states that “housing applications should be considered in the context of a presumption in favour of sustainable development”. In this regard the site falls within the Arlesey Settlement Envelope wherein Policy DM4 of the Core Strategy states that residential development will be acceptable in such locations. This is subject to all other relevant policy considerations.

- **2 Design and impact on the character and appearance of the surrounding area**

The surrounding area comprises a mix of relatively high density two storey

houses and maisonettes. The proposed dwellings would reflect the design, height and scale of other development in the vicinity.

A distance of approximately 1.5m would be maintained to the west boundary of the site with the side elevation of the adjacent maisonettes a further 4m beyond the boundary, giving a gap of approximately 5.5m between flank walls. A gap of approximately 6.5m would be retained from the east flank wall of Plot 2 to the rear garden boundaries of the adjacent properties in Church Lane. As such, notwithstanding the comments of the Town Council, it is considered that the development would sit comfortably and spaciouly within the streetscene and in terms of its design would appear in keeping with its surroundings.

As such the proposal complies with Policy DM3 of the Core Strategy.

### **3. Residential amenities of both existing and future residents**

A distance of 21m would be retained from the rear first floor windows of the proposed dwellings to the rear windows of the properties to the rear in Carters walk, which is considered an acceptable distance to prevent any undue loss of privacy between occupiers.

No first floor flank windows are proposed in the new dwellings and it is not considered that any loss of privacy or amenity would result to the occupiers of the adjacent maisonettes to the west or the properties in Church Lane to the east which would be sited over 17m from the flank wall of Plot 2.

A number of representations have been made by the occupiers of those properties in Church Lane whose rear gardens currently back onto the rear wall of the garage block. Whilst the comments are noted it is considered appropriate for a 1.8m high close boarded fence to be provided along the boundary which would be more typical of such a residential area rather than a wall in excess of 3m high being retained, which would not be appropriate. It is considered that a close boarded fence would provide sufficient screening and protection for the adjoining dwellings and be more sympathetic in appearance than a high wall.

The proposal would provide rear gardens of approximately 75qm in area and 15m in depth, which would exceed the minimum standards in the Design Guide and would allow adequate amenity provision for future occupiers.

On the basis of the above the proposal complies with Policy DM3 of the Core Strategy and the principles of the Central Bedfordshire Design Guide.

### **4. Parking provision and Highway safety**

The proposal includes parking and turning for 4 cars to serve the two dwellings, which meets the Council's parking requirements for 2 bed properties.

The applicant has proposed the provision of 14 off road parking spaces to replace the 16 existing garages (of which it is understood 13 are occupied). The existing garages do not meet current parking standards, whilst the new parking spaces would comply with current standards and would be more

accessible for parking than the garages. It is also noted that the site is located within a sustainable location, centrally situated within Arlesey, close to local amenities, public transport and schools.

Whilst the applicants have indicated that 5 other garages would be available for current occupiers to rent within House Lane, those garages are not easily accessible to occupiers of Carters Walk. However, given the provision of the 14 parking spaces it is not considered that the other garages are required to mitigate for the loss of the existing garages.

The Highways Officer considers the parking, turning and level of alternative parking provision to be acceptable and it is not considered that any highway safety issues would arise.

### **Human Rights Issues**

The proposal raises no Human Rights issues.

### **Equality Act 2010**

The proposal raises no Equality Act issues.

### **Recommendation**

That Planning Permission be granted subject to the following conditions:

### **RECOMMENDED CONDITIONS / REASONS**

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

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

- 2 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

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

- 3 The scheme for boundary treatment shall be completed in accordance with the approved plans prior to construction before the development of the building commences and be thereafter retained.

Reason: To safeguard the appearance of the completed development, the visual amenities of the locality and neighbouring privacy.

(Section 7, NPPF)

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

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

- 5 **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. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas. (Section 7, NPPF)**

- 6 The 14 replacement parking bays shall be laid out and made available for use by the occupiers of the existing garages, prior to the demolition of the garages, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid displaced on street parking.(Section 4, NPPF)

- 7 Prior to occupation of any dwelling the widened junction of the existing vehicular access with the highway shall be 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)

- 8 The proposed vehicular accesses shall be surfaced in bituminous or other similar durable material (not loose aggregate) as may be approved in writing by the Local Planning Authority for a distance of 5.0m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or



surface water from the site into the highway so as to safeguard the interest of highway safety.(Section 4, NPPF)

- 9 Prior to occupation of any dwelling, the proposed development shall be carried out and completed in all respects in accordance with the access siting and layout, displaced parking provision, dwelling parking provision, refuse collection point, cycle parking provision illustrated on the approved drawing no. (P)100 Revision E and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development (England) Order 2015, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.(Section 4, NPPF)

- 10 The replacement allocated parking bays for use by the garage occupiers, should have a lockable bollard that drops down away from the public highway.

Reason: To avoid on street displacement parking. (Section 4, NPPF)

- 11 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan number P100E.

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

## **INFORMATIVE NOTES TO APPLICANT**

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant is advised that, under the provisions of the Highways Act 1980, no part of the structure, including foundations and surface water hardware shall be erected or installed in, under or overhanging the public

highway and door or gate shall be fixed so as to open outwards into the highway. The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway

4. The applicant is advised that it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ
5. Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during demolition/construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all vehicles leaving the site
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 Highways Help Desk tel: 0300 300 8049
7. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved
8. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

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

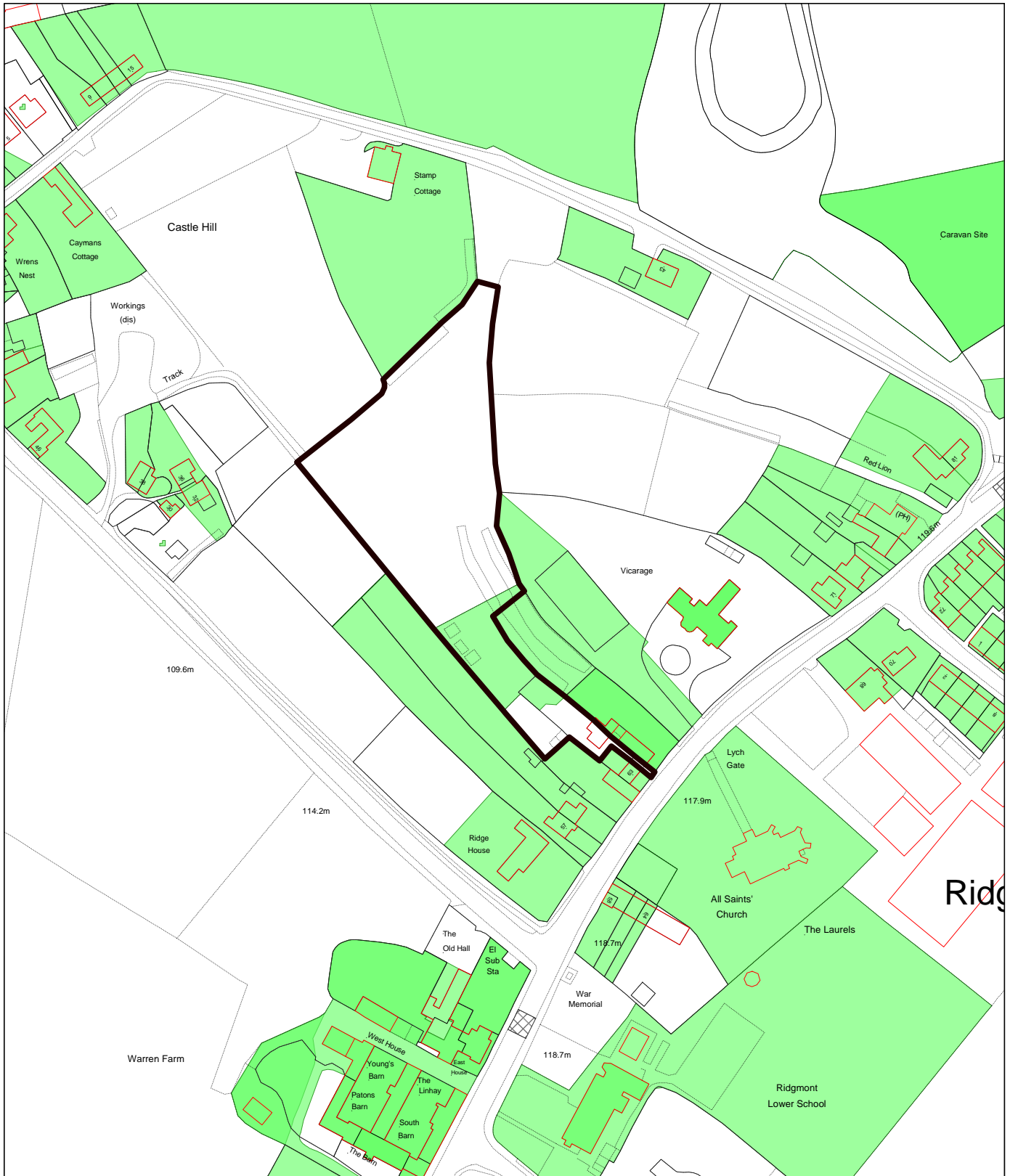
The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted

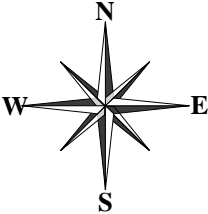
pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**DECISION**

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	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No. CB/17/03684/FULL
	Date: 25:September:2017  Map Sheet No	
Scale: 1:2000	65 High Street, Ridgmont, Bedford, MK43 0TX	

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**Item No. 8**

<b>APPLICATION NUMBER</b>	<b>CB/17/03684/FULL</b>
<b>LOCATION</b>	<b>65 High Street, Ridgmont, Bedford, MK43 0TX</b>
<b>PROPOSAL</b>	<b>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.</b>
<b>PARISH</b>	<b>Ridgmont</b>
<b>WARD</b>	<b>Cranfield &amp; Marston Moretaine</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Morris, Matthews &amp; Mrs Clark</b>
<b>CASE OFFICER</b>	<b>Dee Walker</b>
<b>DATE REGISTERED</b>	<b>27 July 2017</b>
<b>EXPIRY DATE</b>	<b>21 September 2017</b>
<b>APPLICANT</b>	<b>Mr &amp; Mrs Lambeth</b>
<b>AGENT</b>	<b>Friend Associates</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr Clark called in on grounds of overdevelopment, adverse impact on neighbouring properties</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

**Site Location:**

The application site is located to the rear of nos 61 and 63 High Street in Ridgmont but under the ownership of no 65. The site consists of an existing dilapidated timber barn and 2no stable blocks with associated paddocks. Ridgmont is washed over by the designated South Bedfordshire Green Belt and has a defined 'infill only' boundary. The application site is also located within the Ridgmont Conservation Area and within close proximity to Grade II Listed Buildings nos 59 and 61 High Street.

**The Application:**

The application seeks permission for the construction of a new dwelling following the demolition of the existing wooden barn and relocation of the 3no existing wooden stables.

**RELEVANT POLICIES:**

**National Planning Policy Framework (2012)**

- 7 Requiring good design
- 9 Protecting Green Belt land
- 11 Conserving and enhancing the historic environment

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

DM3 High quality development  
DM6 Development within Green Belt Infill Boundaries  
DM13 Heritage in Development

## Local Plan

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

## Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

- 3 The historic environment
- 5 Residential development

## Relevant Planning History:

Application Number	CB/16/01848/PAPC
Description	Erection of detached dwelling
Decision	Pre-Application Advice Released
Decision Date	09/06/2016

## Consultees:

Parish/Town Council	<p>Comments received:</p> <ul style="list-style-type: none"> <li>• Careful consideration with regards to the view of the landscape as the site is within the conservation area and Green Belt boundary – needs preserving and enhancing;</li> <li>• Building is extremely large in relation to the building it is proposed to replace and in relation to no. 65;</li> <li>• Design of the building is not in keeping with the existing buildings;</li> <li>• Overly large in relation to the area in which it is to be sited;</li> <li>• It is understood that the field beyond is rented from Bedford Estates and does not form part of the garden area in which the new dwelling is to be sited;</li> <li>• Current barn is very small and previously used as a garage;</li> <li>• Whilst planning policy allows for conversion of existing barns to dwellings it is proposed to demolish the barn which does not preserve the integrity of the original building;</li> <li>• Application is sited within the curtilage of several listed buildings and its impact on these heritage buildings should be assessed;</li> </ul>
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- New building will be 1.5m higher than the existing building, which is unacceptable and would severely impact its environs, in particular no. 61;
- The application states the proposal is at the back of no 65, but it is at the back of no 61 and will severely impact the view and landscape of this important listed building;
- Proximity of the building to the boundary with no. 61 is virtually on the boundary line and will adversely impact several trees;
- Concerned with the access, it is a shared narrow driveway.

CBC Archaeology	No objection
CBC Ecology	Comments will be reported on the late sheet following the submission of a bat survey
CBC Tree Officer	No objection subject to conditions relating to tree protection being attached to any permission granted
Beds Fire Service	No objection

### Other Representations:

Neighbours	One letter received with objections on the following grounds: <ul style="list-style-type: none"> <li>• Impact on existing trees – damage to the ash tree and it will overhang the new dwelling and lack of screening in the winter months.</li> <li>• Impact on the setting of heritage assets – does not respect the traditional materials in the conservation area; building is of significant bulk &amp; massing and does not enhance the setting.</li> </ul>
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### Determining Issues:

The main considerations of the application are;

1. Principle of Development
2. Affect on the Character and Appearance of the Conservation Area and setting of the Listed Buildings
3. Archaeology
4. Neighbouring Amenity
5. Highway Considerations
6. Tree Considerations
7. Other Considerations

### Considerations

#### 1. Principle of Development

- 1.1 Ridgmont is washed over by Green Belt and has a defined 'infill only' boundary as set out in the Central Bedfordshire Core Strategy and Development Management Policies 2009. Policy DM6 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 sets out that the Council will consider infill development acceptable in principle subject to particular attention being paid to assessing the quality of development proposed and its likely impact on the character of the settlement and its surroundings.

1.2 The preamble for DM6 states that infill development can be defined as small scale development utilising a vacant plot which should continue to complement the surrounding pattern of development. However, in these Green Belt areas the quality of the landscape and existing development is very high and therefore planning policy is restrictive.

1.3 The plot is to the rear of nos. 61 and 65 High Street. The scheme would result in further built form that is within the existing settlement and therefore in principle would be considered acceptable subject to its relationship with the conservation area, adjacent listed buildings and other matters addressed within this report.

## **2. Affect on the Character and Appearance of the Conservation Area and setting of the Listed Buildings**

2.1 The proposal site is within the Ridgmont Conservation Area and within close distance of three listed buildings; Parish Church of All Saints (Grade II\*), 57 and 59 High Street (Grade II) and 61 High Street (Grade II). The site is located in a highly sensitive part of the conservation area characterised by the openness of development and limited infill.

2.2 Concerns have been raised by the Ward Councillor about overdevelopment and retaining the openness of the area. The site currently accommodates a large timber boarded barn and 3no timber boarded stables abutting and in close proximity to the shared boundary with no. 61. The proposed development will be set off the shared boundary and will be constructed lower than the existing structure to lessen any impact. It is acknowledged that the new dwelling will be 1.38m higher than the current timber structure but given the topography of the area, the final ground levels and the siting of the new dwelling it is considered that the resultant development would retain the openness of the area and given the overall plot and layout it is not considered to be overdevelopment.

2.3 As part of the pre-application process, the Council's Conservation Officer raised concerns with the overall height and siting of the new dwelling as it would have had a negative impact on the character of the conservation area and the setting of the listed buildings.

2.4 The application proposal has addressed the Conservation Officers concerns by reducing the overall height and setting the building further down to create the appearance of a 1½ storey barn structure which is considered appropriate for the character of the conservation area and setting of the listed buildings. The existing barn abuts the shared boundary with no. 61 but the new dwelling would be located 1.5m off the boundary and taking into account the existing and proposed ground level and the overall design, the proposed dwelling would preserve the appearance and the openness of conservation area and would not have a adverse impact on the setting on the nearby listed buildings.

2.5 The proposed materials create a barn style appearance, considered appropriate to this location. It would not be considered good design to try and mirror the palette of materials of the adjacent listed buildings but by using high quality complimentary conservation style materials, it enhances the overall appearance.

## **3. Neighbouring Amenity**

3.1 The principal properties that may be affected by the proposal are nos 61 and 63 High Street. All other properties are well removed so as not to be affected.

- 3.2 No. 61 is located to the south east of the application site and currently has the dilapidated barn abutting the shared boundary. The land within the application site is some 1.0m lower than the garden area within no. 61. The proposed site plan submitted shows that although the new dwelling will be 1.38m higher than the existing barn, it will be 1.5m further away from the shared boundary and sunk down to lessen the impact. There are the provision of 2no rooflights that will serve the ensuite and bathroom and 2no high level ground floor windows to serve the utility/bootroom and study; as such the roof lights and windows can be conditioned to be more than 1.7m above the floor level of the room to protect privacy and the given the finished floor levels the ground floor windows would face directly onto the boundary treatment along the shared boundary.
- 3.3 No. 63 is located to the east of the site and will be separated from the new dwelling by their garden and the proposed parking area. A linked element of the new building will face towards no. 63 and although there is the provision of windows to face them, they are high level within the gable end and will be secondary to the lounge area.
- 3.4 Overall, on balance it is considered that the proposed development would not have a significant adverse impact on the residential of neighbouring properties by reason of loss of light, privacy or overbearing impact.

#### **4. Archaeology**

- 4.1 The proposed development site lies within the historic core of the settlement of Ridgmont (HER 16900) and under the terms of the National Planning Policy Framework (NPPF) this is a heritage asset with archaeological interest.
- 4.2 The application is accompanied by a Heritage Asset Impact Assessment (KDK Archaeology, July 2017) which incorporates the results of a trial trench evaluation. The evaluation identified a large pit containing ceramic building material, pottery and animal bone. The pottery and building material largely dated to the 19<sup>th</sup> century; a small quantity of medieval pottery is likely to be residual. It is suggested that the pit may relate to butchers shop that formerly occupied 65 High Street in the 19<sup>th</sup> and 20<sup>th</sup> centuries. The pit cut a small ditch which, though undated, is on stratigraphic grounds earlier than the pit; it is possible that it may be medieval in origin. The Assessment concludes that although it has been demonstrated that the proposed contains archaeological remains they are not of particular significance and that the proposed development is *"...unlikely to have an impact on significant below ground resources."* On the basis of the available evidence this is a reasonable conclusion.
- 4.3 Although it has been demonstrated that the proposed development site does contain archaeological remains they are of limited significance. Development of the site will result in irreversible damage to loss of archaeological deposits within the footprint of the building. However, this will not result in a major loss of significance to the heritage asset with archaeological interest; consequently, there is no objection to this application on archaeological grounds.

#### **5. Highway Considerations**

- 5.1 The access to the proposed new dwelling is via the existing archway under no

63, the land of which is owned by the applicant with a retained 'Right of Way' to no. 63 only to the end of their plot. Following consultation with the Council's Highway Officer at the pre-application stage, the applicant has confirmed within their application that a covenant is to be written into the sale of no. 65 which restricts the planting of any trees or hedging which may restrict the visibility within the existing front garden by the archway facing onto the highway thereby ensuring that existing visibility is not restricted. Furthermore, the applicant has confirmed that following the completion of the new build, no 65 will no longer have access through the archway; it will be transferred to the new dwelling. As such a condition can be attached to any permission granted to ensure the visibility splays remain in situ. The access arrangement is therefore considered to be acceptable and adequate parking provision would be provided on site in accordance with CBC Design Guide standards.

## **6. Tree Considerations**

- 6.1 The application was supported by an Arboricultural Impact Assessment following the request by the Council's Tree Officer at the pre-application stage. The tree survey acknowledges that the ash tree within the rear garden of no. 61 is a main concern and that it's important that it remains in situ in a healthy condition to help screen the proposed development. There is an encroachment into the root protection area for this tree by 17% of the development and as such the assessment concludes that due to the development taking place away from the shared boundary and lower than the existing ground level, the development could take place without impacting greatly on this tree. However, it has been suggested that supervised hand excavation to determine the extent of the roots in that area should be undertaken and that the method statement will specify the nature of construction which may be normal to a non-dig method.
- 6.2 The Council's Tree Officer has considered the submitted assessment and has raised no objection subject to conditions being attached to any permission granted for the submission of a tree protection plan and associated implementation.

## **7. Other Considerations**

- 7.1 There are no further considerations.
- 7.2 Human Rights issues  
It is the officers understanding that the proposal would raise no Human Rights issues.
- 7.3 Equality Act 2010  
It is the officers understanding that the proposal would raise no issues under the Equality Act 2010.

### **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 landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme 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)**

- 5 **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)**

- 6 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)

- 7 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 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)

- 8 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. 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)

- 9 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)

- 10 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.

**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**

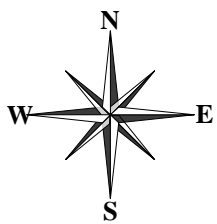
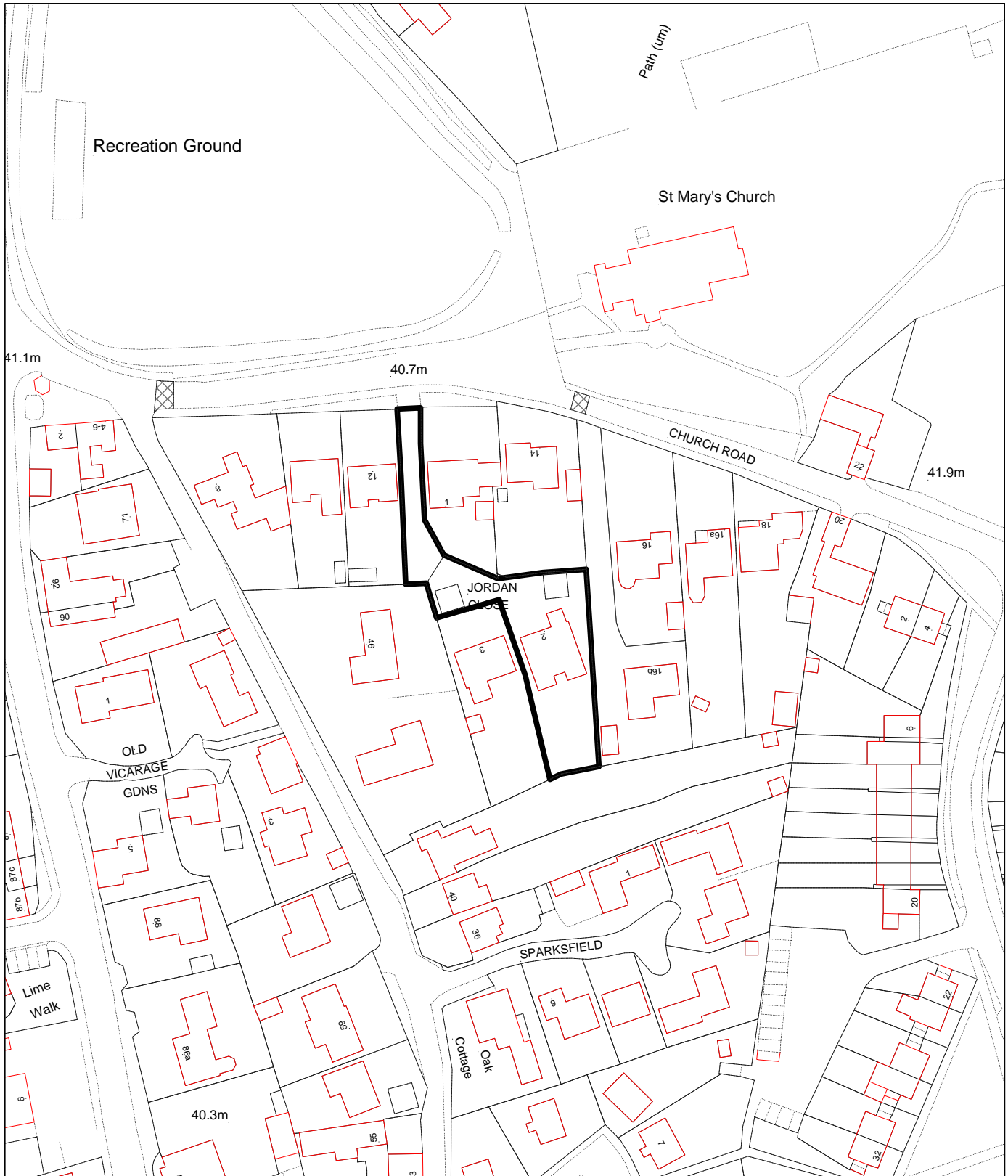
The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements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

**DECISION**

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Date: 11:October:2017

Map Sheet No

Application No:  
CB/17/03624/FULL

Scale: 1:1250

2 Jordan Close, Henlow, SG16 6PH

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**Item No. 9**

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

**Summary of Recommendation:**

The proposed extensions and alterations to the existing garage would not have a harmful impact on the character and appearance of the streetscene along this part of Jordan Close, nor on the character and appearance of the Henlow Conservation Area. It would also not have an adverse impact on the residential amenities of neighbouring occupiers and is acceptable in terms of highway safety. Having regard to the size, design and siting of the proposal it would not have an unacceptable impact on the character of the area, on the setting of nearby heritage assets, or on the amenities of any nearby dwelling. Subject to the imposition of conditions, overall the proposal is in accordance with policies DM3, DM4, DM13, CS14 and CS15 of the Core Strategy and National Planning Policy Framework.

**Site Location:**

The application site is a two storey detached dwellinghouse located on the southern side of Jordan Close, within a residential area in the Settlement Envelope of Henlow. The application site is located within the Henlow Conservation Area. The existing dwellinghouse is constructed from red multi-stock brickwork, white painted render at first floor level and brown roof tiles. The dwellinghouse has 5 bedrooms.

The dwellinghouse has a detached double garage to the front, built in brickwork and roof tiles to match the house.

There is a significant drop in levels from the adjacent properties to the east (16 and 16b Church Road) to the application site. The application site is bounded by mature trees and vegetation to the north and east of the application site.

## **The Application:**

This application is seeking planning permission to erect a first floor above the existing garage together with an extension to the rear and side of the garage. The extensions will comprise a storage area and study with WC/ shower room at ground floor and a games room/ gym at first floor level. The existing garage accommodation would remain.

The building resulting from the first floor extension would be a total of 7.8 metres high to ridge level (4 metres high to eaves level) with a dual-pitched roof. The extension would project eastwards to the boundary with 16 Church Road. The single storey extension would be 4.7 metres high to ridge level (2.5 metres to eaves level) with a hipped roof. The single storey extension would project 2.5 metres to the south of the existing building.

Part of the existing retaining wall within the site would be removed with new steps being formed to access the existing terraced garden area within the site.

## **RELEVANT POLICIES:**

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

7: Requiring good design

12: Conserving and enhancing the historic environment

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

CS1 Development Strategy

CS14 High Quality Development

CS15 Heritage

DM3 High Quality Development

DM4 Development Within & Beyond Settlement Envelopes

DM13 Heritage in Development

## **Local Plan**

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

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

### Central Bedfordshire Design Guide (March 2014)

Supplement 3

The Historic Environment

Supplement 7

Householder Alterations and Extensions

**Relevant Planning History:**

Application Number      CB/09/06224/FULL  
Description                Single storey front extension. Single and two storey rear extension and addition of windows to side elevations  
Decision                    Granted  
Decision Date              09/12/09

Application Number      MB/95/0978X/FULL  
Description                Erection of 3 no. detached dwellings each with a detached garage and creation of rear access (Jordan Close)  
Decision                    Granted  
Decision Date              25/10/95

**Consultees:**

Parish/Town Council      Henlow Parish Council - Any comments will be reported at Committee

Pollution                    No objections to the proposal and no conditions recommended. However, 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

**Other Representations:**

Neighbours                    One letter has been received from the occupier of 3 Jordan Close raising the following concerns:

1. Parking space - There is inadequate parking at the property. The application should not move the front of the existing garage towards my property. There is not "plenty of parking" available at the property as claimed in the Design and Access Statement.
2. West-facing windows - These will overlook my drive and are unnecessary because of the rooflights and other windows proposed.
3. Drawings - There are discrepancies in the submitted plans with the proposed plans showing the location of the garage being further towards my property than existing. The location plan includes some of my property including my garage and land to the north therefore implying there is plenty of parking space when in fact there isn't.

### **Determining Issues:**

The main considerations of the application are;

1. Principle of development
2. Affect on the Character and Appearance of the Area and the Henlow Conservation Area
3. Impact of the proposal on the residential amenities of neighbouring occupiers
4. Highway considerations
5. Other Considerations

### **Considerations**

#### **1. Principle of development**

- 1.1 The application site is located within the Settlement Envelope of Henlow and within the Henlow Conservation Area. Policy CS1 of the Core Strategy and Development Management Policies (2009) identifies Henlow as a Large Village. Policy DM4 of the Core Strategy advises that within Large Villages, small-scale housing and employment uses will be permitted. It is therefore considered that extensions at an existing residential property in this location is acceptable in principle, subject to the proposal meeting the requirements of policy DM3 (High Quality Development) and policy DM13 (Heritage and Development).

#### **2. Impact of the proposal on the character and appearance of the area and the Henlow Conservation Area**

- 2.1 Jordan Close is a private residential road serving 3 no. dwellings and is accessed via Church Road. The application site is located at the end of Jordan Close, to the rear of dwellings along Church Road. The proposed development's location at the end of Jordan Close means that the proposal is not directly visible from Church Road, with no direct views of the proposal from Church Road. It is therefore considered that the proposal would not have a harmful impact on the character and appearance of the streetscene along Church Road. It is considered that the proposal's location within Jordan Close, on the site of the existing garage, would not result in an over-dominant appearance within the cul-de-sac and therefore would not result in a harmful impact on the character and appearance of Jordan Close.
- 2.2 The application site is located within the Henlow Conservation Area.
- 2.3 Paragraphs 132 - 134 of the National Planning Policy Framework (NPPF) (2012) seek to safeguard heritage assets, and specifically deal with the requirements for developments that affect designated heritage assets and their setting.
- 2.4 Paragraph 132 states the following:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's

conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification".

- 2.5 Paragraph 134 states that where a development proposal leads to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 2.6 It is considered that the location of the proposed extension would not result in an unduly harmful impact on the character and appearance of this part of the conservation area. It is also considered that the proposal would not have a detrimental impact on the character and appearance of the host dwellinghouse itself.
- 2.7 It is considered that the proposal will lead to less than substantial harm to the significance of the designated heritage asset of Henlow conservation area, its setting and the settings of other nearby heritage assets and when weighed against the public benefits of the proposal of extending an existing dwellinghouse to provide additional living accommodation in accordance with relevant planning policy, the proposal is considered acceptable.
- 2.8 The proposal will therefore comply with the NPPF (section 12) and policies DM3 and DM13 of the Core Strategy (2009).
- 2.9 The information submitted with the application states that the proposed materials will be red brickwork to match existing, brown roof tiles to match existing and white double glazed windows and doors to match existing. It is considered that the proposed materials would appear in keeping with the existing garage building and the host dwellinghouse.

### **3. Impact of the proposal on the residential amenities of neighbouring occupiers**

- 3.1 The application site is surrounded by residential properties. It is considered that the properties most likely to be affected by the proposal are 3 Jordan Close to the west, 14 Church Road to the north and 16 Church Road to the east.
- 3.2 In terms of the impact on 3 Jordan Close, there is no boundary treatment at the front of the properties and the proposed first floor extension will appear visible within the streetscene. However, it is considered that the location of the building in relation to 3 Jordan Close, with the proposed extension being located in the corner of the application site, would not result in a significant overbearing impact on the occupiers of this property. A west-facing window is proposed facing the driveway of no. 3 Jordan Close. It is considered that given the position of this window in relation to the north-facing windows of 3 Jordan Close, this window would not result in any undue overlooking or material loss of privacy to occupiers of this property.
- 3.3 16 Church Road is a two storey detached house located to the east of the application site. This property has 2 no. secondary living room windows at

ground level and 2 no. secondary bedroom windows facing the site and a rear conservatory extension. In addition, this property has planning permission (ref; CB/17/02738/FULL, approved 24/08/17) for the erection of a first floor side extension, new roof to front over the existing garage and porch area, and a replacement rear conservatory. This permission removes the secondary living room and bedroom windows on the side elevation facing the application site with a blank elevation shown on the submitted drawings. The application site is located at a significantly lower level than no. 16 Church Road. In addition, there is significant screening up to first floor level between the two properties. The proposal would project a maximum of 5.8 metres to ridge level above the existing boundary wall along the boundary with no. 16. Whilst this is a large scale of building along the boundary with no. 16, there is a 7 metre gap between the proposal and the side elevation of no. 16 and it is therefore considered that the proposal would not result in such a loss of light or overbearing impact to warrant refusal of the application. The submitted drawings indicate 2 no. windows on the eastern elevation of the proposal facing no. 16 and given that the proposal has a number of rooflights to the first floor, the applicant has been requested to remove these side windows to ensure there is no undue overlooking to occupiers of no. 16. Any amended plans received will be reported at Committee.

- 3.4 14 Church Road is located to the north of the proposed extension and has a rear garden depth of 14 metres to the boundary with the application site. There is significant mature landscaping along this boundary. It is considered that the scale and massing of the first floor extension would not result in a significant loss of light or overbearing impact to occupiers of this property given the distance to the house itself. It is considered appropriate that the proposed rooflights in the northern elevation are obscurely glazed to prevent any undue overlooking to occupiers of this property.
- 3.5 It is considered that 16B Church Road to the east of the application site would not be adversely affected by the proposal given its relationship to the boundary to the south of the proposed extension.

#### **4. Highway considerations**

- 4.1 Jordan Close is a private residential road serving 3 no. dwellings. The application site is located at the end of this Close. The proposal does not remove the existing garage accommodation and does not create any additional bedrooms at the property. There is additional parking space to the front of the property and this is considered acceptable for the number of bedrooms at the property.
- 4.2 Any comments from the Highways officer will be reported at Committee.

#### **5. Other Considerations**

##### **5.1 Human Rights/ Equality issues**

Based on the information submitted, there are no known issues raised in the context of Human Rights legislation/ The Equality Act 2010 and, as such, there



would be no relevant implications.

**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/17/01A; RW/17/02A

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

**INFORMATIVE NOTES TO APPLICANT**

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

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

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

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

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

The website link is:

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

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.

**DECISION**

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**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 20<sup>th</sup> 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).

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**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)*

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**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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