

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 20 June 2018

PRESENT

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

Cllrs M C Blair
Mrs S Clark
I Dalgarno
F Firth

Cllrs E Ghent
T Nicols
T Swain
J N Young

Apologies for Absence: Cllrs K M Collins
C C Gomm
K Janes

Substitutes: Cllrs D Bowater (In place of K Janes)
P Smith (In place of C C Gomm)
B J Spurr (In place of K M Collins)

Members in Attendance: Cllr A D Brown

Officers in Attendance:	Ms P Bramwell	Solicitor, LGSS
	Mr A Harrison	Principal Planning Officer
	Mr D Lamb	Planning Manager North
	Mr A Maciejewski	Senior Definitive Map Officer
	Mr L Manning	Committee Services Officer
	Mrs A Matthews	Planning Officer
	Mr R Page	Principal Highways Officer
	Mr M Plummer	Principal Planning Officer
	Mr S Robinson	Senior Planning Officer
	Ms S Sherwood	Committee Services Officer
	Mr M Spragg	Planning Consultant

DM/18/27. **Chairman's Announcements and Communications**

The Chairman advised the meeting that the order of business for the planning applications would be as follows:

Items 6, 7, 8, 9, 10, 12, 11

DM/18/28. **Minutes**

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on the 25 April 2018 be confirmed and signed by the Chairman as a correct record.

DM/18/29. **Members' Interests**

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

	Item	Nature of Interest	Present or Absent during discussion
All Members	7	Speaker is a former member of the authority	Present
Cllr T Nicols	12	Pre-disposed to the application. Does support the application but remains open minded. Intends to vote.	Present
All Members	10	Applicant is a Committee Members son and Cllr Janes is listed as the property owner.	Present

(b) **Personal and Prejudicial Interests:-
Member**

	Item	Nature of Interest	Present or Absent during discussion
None			

(c) **Prior Local Council Consideration of Applications
Member**

	Item	Parish/Town Council	Vote Cast
None			

DM/18/30. Planning Enforcement Cases Where Formal Action Has Been Taken

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

DM/18/31. Planning Application No. CB/18/00192/OUT (Arlesey)

The Committee had before it a report regarding Planning Application No. CB/18/00192/OUT, an outline application for the residential development of The Paddocks, Clifton Farm Barns Road, Clifton, SG17 5EX with the erection of 7 detached houses and 7 semi-detached/terraced assisted houses.

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

In advance of consideration of the application the Committee received representations from Clifton Parish Council, two objectors and the applicant under the public participation scheme.

In response to an objectors comments the Chairman assured the speaker that the meeting was non political. It was noted that the agent for the applicant who had registered to speak had suffered a bereavement and the applicant spoke as a substitute.

A member asked the applicant to clarify the location of the development with regards to the conservation area. In response the applicant stated that the development was outside the conservation area and the access was within it.

A Member asked the applicant to explain his work with the Parish Council and a reported offer from North Hertfordshire Homes (now known as Settle) for the Affordable Housing as described in his statement. The applicant responded as follows:

- North Hertfordshire Homes had seen the site and made an written offer subject to planning and had not yet entered in to a contractual agreement.
- The Hale Trust has historically owned land around Clifton and had retained a right to approve the design of the development. On one occasion the Trust did not retain rights, it caused disappointment within the village.

A Member asked if Aragon still maintained the housing within the Bilberry Road estate and if the access from the estate has been secured. The applicant responded that he did not know who managed the existing housing and that when the land was originally sold to the developers of the Bilberry Road estate, access into the adjoining land was retained by the Trust.

In a ward Members absence from the meeting a statement was read on his behalf by a fellow ward Member, the following points were raised;

- The development had generated considerable opposition within the village with 78 objections.
- It would have an impact on the wider infrastructure of the village and the resources in Clifton are limited.
- Among others, the development goes against policies DM4 and SP7.
- The development site was not in the Local Plan and would be building in the open countryside with a loss of Grade 2 farm land.
- There were serious concerns around access to the site, downplayed by the outline application.
- The social housing element was ring fenced away from the market sale houses and should be pepper-potted across the development as a whole.
- The access to the west of the site was unsuitable with vision splays only suitable for a 15mph road. This road was well used by vehicles accessing the small car park located at the north end of the road and also by dog walkers, cyclists and pedestrians. This road would need traffic calming measures and additional lighting to reduce risk.
- The access to the affordable housing was unsuitable and would result in the loss of two car parking spaces to the existing housing, there were concerns that this could lead to issues causing the affordable element not being delivered.
- Members were urged not to approve the application.

The Planning Officer responded as follows:

- With regards to the unsustainability of the application, it was noted that it was a departure from policy DM4 but as was set out in the report, Officers also referred to NPPF which requires the Council to decide on sustainability and if it is sustainable, it should be approved without delay.
- Taking into consideration the issues raised around, schools, doctors and other village infrastructure, it was the Council Officers opinion that the development was sustainable location for development.
- There has been no objections from the education team and no comments received from the NHS, despite prompts to do so.

The Chairman asked for further explanation around the development not being part of the local plan and to comments surrounding the policies that this development does not meet, specifically DM4 and SP7. The Planning Officer responded:

- That the development was not included in the emerging Local Plan and advised that only limited weight should be given to that point.
- He advised that the key considerations boil down to whether the application is a sustainable development and whether or not this would be a high quality development.

The Chair raised that a comment had been made that the decision around this development had been pre-ordained. The Planning Officer did not agree with that statement and reported that the application had followed all the proper processes, including public consultation and a public meeting. He added Members had come to the meeting open minded and he expected a debate to make up their own minds on the merits or otherwise of the application. When asked about the loss of Grade 2 farm land the Officer responded that the applicant had indicated that it is Grade 3 although Natural England indicates it is Grade 2, there was no definitive answer given.

The Planning Officer was asked about the failure to pepper-pot the affordable housing. The response was to refer members to comments in the Late Sheet from the Housing Development Officer who deemed the cluster of 7 affordable dwellings acceptable.

The Highways officer responded to issues raised about an unsuitable visibility splay on Church Street and the requirement of traffic calming measures.

- He noted that although Church Street was a 30mph road, the average vehicle speed around this area would be 15mph due to having to enter round a 90 degree corner, also the condition of the road being unsmooth would help to curtail speeds.
- If a speed hump was deemed relevant by Members it could be dealt with within the conditions.

The Chairman noted that the responses given may not have satisfied some residents but they were assurances their concerns had not been ignored.

The application was opened up for debate by members starting with comments from a ward Member.

The ward Member stated that although he does engage with residents and Parish Councils, he did not come to Committee with any predetermined position. If that was the case he would have made a declaration and recused himself from discussing the item. He made the Members aware he had asked the lobbyists who had been in touch with him to make all Members aware of any information relating to the application not just himself.

The ward Member continued with the following points:

- He expressed disappointment in the way the application had been submitted - being outline only with important issues such as access being Reserved Matters.
- He had concerns about the access from Bilberry Way going through existing car parking spaces with no definitive answer from the speaker on behalf of the applicant to whether they own the access land, without any confirmation he questioned the deliverability of the affordable housing.

- He asked if there could be an amendment or condition that the affordable element was developed first to ensure benefit to the community.
- He noted that Clifton has had a huge amount of recent development that have consumed available facilities.
- He questioned the sustainability of any further development stating it had reached a tipping point to which he was uncomfortable.
- He felt the development was unsustainable and could not support it.

A Member also voiced concerns over the potential loss of existing visitor parking for access to the affordable site. He questioned if the application was approved would that would affect a condition to supply visitor parking spaces from a previously approved application. Based on that he could not support the application.

The Chair reminded Members that the Committee can only decide on the principle of the application and should not be looking at the access as that would be addressed in Reserve Matters. However, he did ask the Planning Officers to respond to the concerns raised.

The Planning Officer responded with the following:

- There will be a legal agreement to secure the delivery of the affordable housing.

A Member commented on some of the objectors concerns:

- On the comments made that infrastructure was limited and local schools are stretched, he stated that schools can be strategically flexible, that if funding is available all schools can alter their pupil number capability.
- On the comments made that there is no surgery time in the local doctors, he noted that this is a national phenomenon effecting the whole country.
- With regard to objectors referencing policies DM4 and CS8, it appeared that the application was contrary to those two policies and yet officers had bypassed them. He asked that the officers indicate which policies they are going to stick to as the application did fail on policy grounds and that it should not have been supported at officer level.
- In the instance of this application the NPPF Policy states that the net gain does outweigh the loss and in going forward with the Local Plan officers should be confident in their policy decisions to avoid the debate.
- He noted that out of 150 people canvassed all of those objected, but regards to this application he felt the gains outweigh the losses.

A Member added the following in response to the Chairman's comments on DM4 and comments made by the applicant:

- He agreed that planning inspectors do waiver on the use of DM4 as DM4 is not designed to protect the settlement envelope but to protect the landscape. As there was windfall provision within the local plan there

will be occasions whereby a DM4 site maybe suitable for development if benefits outweigh the harm.

- He referred to the officers report in which it stated that the 'tilted balance' test in Paragraph 14 of the NPPF is not engaged. This should only be engaged when there is no five year land supply.
- He noted that the applicants agent was wrong in thinking it would be part of a 20% buffer. It would only be enacted if the delivery rate of the five year plan dropped below 80% of what is targeted. He added that he had no doubt that the five year land supply could be maintained.
- He was re-assured by the fact that there will be a legal agreement that would deal with access and other Reserved Matters. He added he would want an additional item in the agreement that would either move the affordable housing forward or add a trigger point on the market sale to start the affordable, that would ensure the affordable were delivered in a timely fashion.
- He asked for clarity on the access through to the new affordable homes, although not a planning matter at this point, he stressed its importance.
- He asked for absolute certainty that within the new development area there would be provision of parking spaces, as close to the existing development as possible, to compensate for the loss of the two visitor spaces being used for access.
- He added he had no comment on the market sale homes and with regards to the affordable, although it is better to be tenure blind, in reality there maybe clusters of affordable homes and they are seen as easier to manage by providers.
- With regards to access to the market sale homes, he agreed with the Highways Officers opinion that no traffic calming measures are needed. He added that the lane currently lent itself to slow speeds and he would not want to see the rural aspect of the lane altered.

The Planning Officer responded to the Members points by reiterating that the access is already conditioned as it would be subject to a future planning application for Reserved Matters that would set out access. The majority of the other points can also be controlled by planning conditions.

The Planning Officer responded to a question raised by a ward Member concerning the deliverability of the affordable homes after the market sale has been commenced, the officer reported there would be a legal agreement that would have a trigger point to control the amount of market sale housing being built without delivering the affordable. If the affordable is not bought forward there would be a limit on the amount of market sale housing being provided.

A ward Member moved to reject the application on the basis of non compliance with DM4, SP7, the loss of Grade 2 Farm land, damage to the amenities and the fact it was outside the village envelope.

Before being put to the vote a Member asked why this site was not considered for inclusion in the Local Plan as it would have been large enough to be

included. She felt uncomfortable that the site was not assessed as part of the local plan. The Chairman noted that it should not be a planning consideration on this application.

A Member asked for clarity around the building conditions and trigger points of the market sale housing that were discussed earlier.

On being put to the vote for REFUSAL 6 Members voted to refuse the application, 6 voted against refusal and 1 abstained. The Chair used his casting vote against refusal.

On being put to the vote for APPROVAL 6 Members voted to approve the application, 7 voted against approval and 0 abstained.

At this point a pause took place to gather legal advice. It was moved to defer the application one cycle to allow officers to determine if the application could come back in its present form or as an application that may determine access.

On being put to the vote 8 Members voted in favour of deferment, 2 against and 2 abstentions.

RESOLVED

That Planning Application No. CB/18/00192/OUT relating to The Paddocks, Clifton Farm Barns Road, Clifton, SG17 5EX be deferred one cycle.

(Note: The schedule originally proposed for the above item is attached for information only).

THE COMMITTEE ADJOURNED AT 11.20 A.M. AND RECONVENED AT 11.30 A.M.

DM/18/32. Planning Application No. CB/18/00432/OUT (Stotfold & Langford)

The Committee had before it a report regarding planning Application No. CB/18/00432/OUT, an outline application for residential development of up to 32 new homes (all matters reserved except access) at Land off St Andrews Way, Langford. Nearest Postcode: SG18 9QL.

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

In advance of consideration of the application the Committee received representations from Langford Parish Council and an objector under the public participation scheme.

In response to the Parish Council's concerns a Member asked for clarification on reported objections to the application from the Fire Brigade, after discussion it was noted that the comments were not related to the application and related to another matter.

A Member asked for clarification around reported pre-application advice given from Central Bedfordshire Council on previous applications. As the date of this advice was not available and in the past, the Member was advised that the comments must be disregarded.

A Member responded to a request from the Parish Council to be included in S106 consultations, it was noted that the Planning Officer had received a response from the Parish Council and included it within the report. He noted that the Parish Council made no request for provisions within its response. He continued to advise the Parish Council that any suggestions put forward would be taken into consideration when making the S106 agreements. The Parish Council responded that it had engaged with the S106 process for many years, had made suggestions and notified Officers of the lack of facilities within the village. The Member responded that he would ask an Officer to investigate this and respond to the Parish Council directly.

The Chairman commented on concerns raised by an objector. He stated that the value of existing properties and the temporary disruption caused by construction noise and dust cannot be taken into consideration when considering an application.

A Member clarified to the objector that although the layout would not be taken into account when considering the outline application, if Members were minded to approve the application her comments would have been taken on board by Officers to be addressed at the Reserved Matters application.

The Planning Officer responded to concerns raised by the public speakers with the following:

- It was accepted that there had been substantial growth within Langford in recent years but the Committee must only consider the impact of the application before it.
- Various agencies and Central Bedfordshire's own SUDS team had been consulted and no concerns were raised with regard to infrastructure.
- Health Services had been contacted to confirm if they sought contributions to offset the new infrastructure burden but they had not provided a sufficient response and they had not identified specific projects.
- Central Bedfordshire Highways had returned no objections to proposed access.
- In relation to the pre application advice mentioned by the Parish Council, the Officer believed that related to advice given in 2016, however this related to a larger scheme and as such could not be taken into consideration when looking at this application.

- With regard to concerns about urbanisation of open countryside, it was stated that the development would be well contained, would join two sides of built form although separated by a parcel of land, it would be well shielded and that shielding could be strengthened through landscaping in Reserve Matters. It was also noted that Landscaping Officers had no objections to the application.
- It was noted that Reserve Matters application would provide detail of house types, form and layout at which point the concerns relating to overlooking of bungalows and existing properties could be taken into consideration. The points raised would be taken into account.

The Highways officer responded to concerns raised by the public speakers with the following:

- He stated that East Road is capable of accommodating the extra 32 dwellings.
- The applicant did provide a transport statement which indicated there would be an extra 12 to 13 vehicle movements in the morning equating to one every five minutes which was not seen as overly onerous and would fall in line with the NPPF.
- St Andrews Way towards the site was also considered adequate and the link into the new development would provide a priority junction which would slow traffic.
- Traffic increase on Church Street was not seen as being onerous.

A Member asked for clarity around access, after discussion about the boundary of the site, it was confirmed by the Planning Officer that the applicant owned the strip of land that allows access.

A Member raised that there was an objection from the Local Plan Department based upon the site not being allocated in the Local Plan. He asked on what grounds was the site not allocated to the Local Plan. The Planning Officer responded that other sites were considered more suitable alternatives for inclusion and no other specific reasons were given. The Chairman noted that given the quantum of the allocated sites within the Local Plan, the Council would be reliant on windfall sites to fulfil the five year land supply. It was noted that the Local Plan carries little weight as it has not yet been considered by an inspector and the fact that a site has not been included in the Local Plan carries no weight. The judgement should be made on the information contained in the application as opposed to a high level view of sites or comparisons to other sites.

A Member stated that better guidance should be given to on how to determine any application sites not included in the Local Plan. She noted that there may be a presentation and perception issue with these applications. She asked for the officers to include a paragraph within their future reports as to why sites were not allocated within the Local Plan. The Chairman agreed that would be helpful and asked Officers to take that on board.

A Member raised concerns stated by the Public Speakers regarding S106 contributions, a Member reiterated his earlier point that Officers will be looking into Langford Parish Councils previous S106 representations and their Community Plans. The Chairman noted that as the application was outline, the quantum of the S106 contributions could not be determined. A Member drew the Committees attention to Paragraph 5.1 of the report which detailed that contributions to Community Buildings and Education have been agreed with the applicant.

(Note: Councillor Spurr left the meeting at this point at 12:15)

On being put to the vote 6 Members voted for approval, 3 voted against and 3 abstained.

RESOLVED

That Planning Application No. CB/18/00432/OUT relating to an outline application for residential development of up to 32 new homes (all matters reserved except access) at Land off St Andrews Way, Langford. Nearest Postcode: SG18 9QL, be approved as set out in the Schedule attached to these Minutes.

DM/18/33. Planning Application No. CB/18/00464/FULL (Shefford)

The Committee had before it a report regarding Planning Application No. CB/18/00464/FULL, an application for the development of three detached dwellings at The White Heart Hotel, North Bridge Street, Shefford, SG17 5DH.

In advance of consideration of the application the Committees attention was drawn to additional consultation/publicity responses as set out in the Late Sheet.

In advance of consideration of the application the Committee received representations from Shefford Town Council and the applicant under the public participation scheme.

A ward Member addressed the Committee with the following points:

- The site had been eliminated from consideration for inclusion within the Local Plan as it was on a flood plain.
- With regard to windfall development, he noted that there were over 60 new properties being developed in Shefford, all of which fell below the government requirement to supply contribution/community funding as they were developments of 10 or less dwellings.
- He referred to a previous approved application in Shefford in which the education contribution would be used to transport children out of the local area to school due to lack of places at local schools. He noted that the children from this development would be subject to the same issues and would have to travel to school at the expense of the Council.

- He raised concerns about the guarantees of the flood mitigations and their effects on the existing dwellings.
- He noted that the size of the plots and gardens went against the Councils design guidelines.
- On the basis of the points raised above, he asked Members to reject the application.

The Planning Officer responded to points raised by the public speakers and the ward Member as follows:

- In relation to the garden size of Plot 1, the Officer noted although they did not strictly comply with the design guidelines, there was some flexibility within those standards, an example given was if the site was an infill site. The Plot did however comply with the guidelines in the overall area of the garden size. It was also noted that as a condition, the right for permitted development on plot 1 would be removed to maintain adequate amenity space.
- He noted that the application could not be considered against the emerging Local Plan, as a different process was used to consider sites for allocation into the Local Plan.
- With regards to flood risk, it was noted the Environment Agency had raised no objections to the flood risk assessment, they felt that the recommendations within the report were acceptable and they have been conditioned within the application.
- With regards to schooling, it was noted that as the development was for three houses, the NPPF guidance was against any education contribution being sought from a development of that scale.

A Member noted that design guidelines cannot be seen to bind the hands of an Authority, especially when demand for properties in the area was phenomenal. He noted that the Environment Agency was satisfied with the flood risk recommendations and he recommended the application be moved for approval.

A Member commented on issues raised by the Town Council on possible issues with insuring the proposed dwellings as they are on a flood plain. He suggested that building on flood plains could be unsustainable.

A Member asked the Planning Officer if the White Heart pub had been consulted about the loss of unofficial car parking spaces at the back of the pub and if there was an agreement made with the applicant over the use of the land for the towns annual firework display. The Highways Officer responded that five parking spaces are being provided within the development area which is beyond what is required and the pub already has a small parking area for patrons. He noted that the area in question was not a formal car parking area for the pub and there would be enough space for a turning area for vehicles servicing the pub. The Chair added that the removal of an informal car parking area cannot be a planning consideration. The applicant must be confident that there would sufficient alternative.

The Planning Officer added that the conditions imposed on Plot 1 with regard to the removal of permitted development, could also cover Plot 2 if the Committee deemed it appropriate. The Committee moved as set out with condition to Plot 1 only.

On being put to the vote, 11 Members voted for approval and 1 abstained.

RESOLVED

That Planning Application No. CB/18/00464/FULL relating to The White Heart Hotel, North Bridge Street, Shefford, SG17 5DH be approved as set out in the Schedule attached to these Minutes.

DM/18/34. Planning Application No. CB/18/00643/OUT (Potton)

The Committee had before it a report regarding planning application No. CB/18/0064/OUT, an outline application for the erection of two detached two-storey dwellings with all matters reserved except for means of access at Land East of 7 Biggleswade Road, Dunton, Biggleswade, SG18 8RL.

In advance of consideration of the application the Committees attention was drawn to additional comments as set out in the Late Sheet.

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

A Member asked the agent for clarification about his statement referring to more efficient use of the site, the agent responded that two dwellings would maximise the capacity of the site to provide additional housing.

A Member asked why the application has changed from one house to two, the agent replied that since the original application, the character of the area had changed and the site would be more suited to two dwellings.

In response to the objectors comments, the Planning Officer responded as follows:

- With regards to objections on the basis of policy DM3 and DM4, it was stated that DM3 does allow more than one dwelling therefore falls within the policy. With recent changes within the area, the proposed application was not out of character with existing properties therefore is within policy DM4.
- It was noted that Right to Light is a legal matter not a planning matter. However consideration of any impact on light would be taken into account at the Reserved Matters stage.

- With regards to concerns about two houses destroying the open feeling of the area, the Officer noted that recent changes had changed the mix of character within the area and although the plans are indicative only, the developer should take on board the feeling that the dwellings are somewhat cramped and address that in Reserve Matters.
- In response to comments relating to precedents set within area, the officer responded that the application has been assessed against the existing character of the area.

A Member stated that there was nothing disgraceful about being efficient with the use of land as people do need to be accommodated. He noted that it was right to be driving forward with the Councils own density figures and it should set the pace for the rest of the Authority.

A Member added that it was not a good layout and he did not agree with the principle of two dwellings on this site. It was noted by the Chairman that the layout was indicative.

On being put to the vote 7 Members voted for approval, 1 voted against and 4 abstained.

RESOLVED

That the planning application No. CB/18/0064/OUT, an outline application for the erection of two detached two-storey dwellings with all matters reserved except for means of access at Land East of 7 Biggleswade Road, Dunton, Biggleswade, SG18 8RL, be approved as set out in the Schedule attached to these minutes.

DM/18/35. Planning Application No. CB/18/01537/FULL (Heath & Reach)

The Committee had before it a report regarding Planning Application No. CB/18/01837/FULL, a retrospective application for removal of hedge and construction of panel fence facing highway and replacement Yew, at The White House, High Street, Eggington, Leighton Buzzard, LU 9PQ.

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

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

A Member asked for clarification from the objector regarding his concerns about ownership of land, the objector responded that the fence has been erected on the boundary of land owned by the White House, any planting therefore would be on land outside of the applicants ownership. It was acknowledged by the Chairman that the land is under Highways ownership and

any suggested planting to soften the appearance of the fence would be under permission from the Highways department.

The objector then raised comments made by the Conservation Officer that there would be no objection providing there was adequate room for planting on land within the applicants control. The Chairman addressed that the applicant does not claim that they have the right to plant. The planting was a suggested condition from the Conservation Officer to soften the appearance of the fence, this was along side suggestions muting of the colour.

The Planning Officer responded to the objectors comments as follows:

- It was noted the impact of the concrete posts and gravel boards can be muted during the muting process. Should the Yew trees be planted they would be hidden.
- The Tree and Landscape Officer has deemed that there was sufficient space to grow a meaningful Yew Tree hedge.

The Highways Officer added the following comments:

- With regards to loss of visibility for pedestrians, it was noted that the previous boundary hedge was over a meter in height and there was no information to suggest that an accident had ever occurred in the area.
- It was noted that the applicant will have to apply to Highways for permission to carry out planting and it would have to be maintained to no more than 600mm in height.

A Member commented that a Yew hedge would grow more than 600mm in height, the Highways Officer responded that the appropriate height of the hedge would be an issue for subsequent negotiation. The Member felt that clarity on the size of the hedge was an important point due to the emphasis of the hedge in the conditions of the application. The Planning Officer responded that the hedge shown on the plans was 600mm.

A Member added that she thought that to contain a Yew tree at 60cm tall would not be practical. In support a Member added that within his ward there has been a problem with hedges overgrowing on to the footpath, with regards to the hedge in question he noted there would be a risk of the sprawl of the hedge encroaching onto the footpath, especially during the establishment stages as it will need to be allowed to grow before maintenance. If the fence was set back he would have no objection to this measure but as it was set out he felt this would adversely affect the safety of people using the footpath. The Chairman noted the point of overgrown hedges and stated that the hedge would be in the ownership of the Council and it would be up to the Council to make sure that it does not happen.

A Member again raised the point that a Yew tree would not be suitable for a hedge that was to be trimmed back at 60cm. She asked why a Yew tree was chosen and what was previously removed. The Planning Officer noted that mixed hedging was removed and the suggestion of a Yew tree was put forward by Councillor Janes and when questioned about other suitable plants, she

agreed that the condition of a Yew Tree could be replaced with a more suitable plant.

A Member asked for clarity over the height of the fence. This was noted as 2.meters.

A Member added that there were mitigating factors that could help this application, firstly there could be many types of hedging plant that could grow perfectly well along the fence, secondly it would be feasible to change the panels, and thirdly traffic measures could be applied to make the entrance safer. The Chairman noted that with regards to the fence panels, the application could not be changed only accepted or refused, with regards to the type of hedging, that could be specified in the conditions of the application as could measures to improve the visibility to the entrance.

A Member added that he had concerns over the amount of space between the proposed hedge and the path way. The Chair responded that the application was very specific concerning the Yew hedge and members should be mindful of that when taking vote. It was noted there were many different varieties of Yew and it would be possible to find a suitable one.

A Member asked about possibly deferring the application so Officers can clarify the discussed issues with the applicant.

A Member added again that she thought the hedging was inappropriate, although she acknowledged her opinion was not shared by the Officers.

It was noted that the proposal of Yew hedging could not be changed but as there are many varieties, it would be possible to choose an appropriate variety.

It was noted that mitigating suggestions of re-coloration of the fence should be part of the conditions.

There was also a condition added to supply signage on the applicants land to warn drivers of pedestrians in the area – this was supported by Highways Officer.

On being put to the vote 9 Members voted for approval, 1 voted against and 2 abstained.

RESOLVED

That the Planning Application No. CB/18/01837/FULL, a retrospective application for removal of hedge and construction of panel fence facing highway and replacement Yew, at The White House, High Street, Eggington, Leighton Buzzard, LU 9PQ, be approved as set out in the Schedule attached to these minutes.

THE COMMITTEE BROKE FOR LUNCH AT 13.35PM AND RECONVENED AT 14.00PM

DM/18/36. Planning Application No. CB/17/05974/RM (Stotfold & Langford)

The Committee had before it a report regarding Planning Application No. CB/17/05974/RM, a reserve matters application for access, appearance, landscaping, layout and scale pertinent to Outline approval reference CB/16/03885/OUT at Land at East Lodge of Elliot Way, Fairfield, SG5 4AA.

For this application there were no additional comments or additional/amended conditions in the Late Sheet.

It was reported that there was no registered speakers on this matter and no representations from the Parish Council.

The Chairman sought clarification from the Planning Officer about a paragraph on Pg96 of the report which stated there was no objection from the Parish Council yet the reason for the Committee to determine the application was based upon the Parish Council objection. In response the officer explained that it was thought the original Parish Council objection to the outline application had been withdrawn but on further communication with the Parish Council the reasons for objection still stood against the Reserve Matters application.

A member asked if the concerns of the Parish Council had been dealt with to which the Planning Officer responded that they had been.

On being put to the vote 11 members voted for approval and 1 abstained.

RESOLVED

That Planning Application CB/17/05974/RM relating to reserved matters for access, appearance, landscaping, layout and scale pertinent to Outline Approval reference CB/16/03885/OUT be approved as set out in the schedule attached to these minutes.

DM/18/37. The Proposed Extinguishment of Part of Toddington Footpath No. 58 and the Concurrent Creation of a Replacement Section of Toddington Bridleway No. 58

The Committee had before it a report regarding The Proposed Extinguishment of Part of Toddington Footpath No. 58 and the Concurrent Creation of a Replacement Section of Toddington Bridleway No. 58.

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

During the Definitive Map Officer's presentation, a report from the Highways Tree Officer concerning the condition of an apple tree that would be removed as part of the works was read as additional information. It stated that the Tree Officer had no objection to the removal of the tree and although it had normal vigour for a tree of its age, it was definitely considered as structurally unsound due to historical wounds to its stems. It was recommended it would be appropriate to replace the tree with one or two of the same or similar varieties.

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

The ward Member acknowledged the points raised by the public speaker and stated he was also in support of the application and went on to raise the following points.

- He noted it was understandable why the farm owner was unhappy about losing a corner of his land to walkers so something has to be done.
- He was entirely supportive of a cycle route through to the recreation ground but of critical importance would be the creation of pram and disabled vehicle access.
- He noted that there may be future issues with motorcycle and traveller access on to the field through the route but that the Committee should not be held hostage by that and that the bridleway would be of significant benefit the village.
- With regards to the loss of the apple tree, it was stated that over time replacement would have been the right thing to do due to the damage on the existing tree.

A Member asked for clarification on comments in the Late Sheet relating to a resident being unaware of the footpath when the property was purchased from the Council in 2014. The following points were discussed:

- The Officer responded that the resident purchased her property of which she had been a tenant for a number of years, through the Right to Buy scheme, she had detailed plans from the Council that did not show the footpath through the garden but she did not undertake any property searches of her own, therefore the footpath was not highlighted. The Officer added that in 2014, it was not compulsory to search for Rights of Way on a piece of land and that in 2018, it is now a compulsory question.
- The Member commented further that it was a contradictory position for the Council to be in given that the Council was responsible for Rights of Way. The Officer responded to a question by the Chairman that all affected residents were written to by the Council about the footpath Right of Way in 2015 and advised accordingly.
- The ward Member addressed the rising cost implications of searches now having to be undertaken at a higher cost through solicitors as opposed to low cost surveys historically undertaken by the Council.

On being put to the vote 11 Members voted for approval and 1 abstained.

RESOLVED

- 1. That the making of a Council-generated public path order under Section 118 of the Highways Act 1980 (“the Act”) to stop up part of Toddington Footpath No. 58 between points A-B-C-D as shown on attached plan, because it is expedient to do so on the grounds that it is not needed for public use and is unlikely to be used due to the proposed creation of an alternative bridleway be approved.**
- 2. That the making of a concurrent Council-generated public path order under Section 26 of the Highways Act 1980 to create a new part of Toddington Bridleway No. 58 between points A-E-B-F-G as shown on attached plan, because it is expedient to create a bridleway as it is needed and would improve the convenience of local residents be approved.**

DM/18/38. **Late Sheet**

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

DM/18/39. **Site Inspection Appointment(s)**

NOTED

that the next meeting of the Development Management Committee will be held on 18 July 2018.

RESOLVED

that all Members and substitute Members along with the relevant Ward representatives be invited to conduct site inspections on 16 July 2018.

(Note: The meeting commenced at 10.00 a.m. and concluded at 2.35 p.m.)

Chairman

Dated

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Item No. 6

APPLICATION NUMBER	CB/18/00192/OUT
LOCATION	Clifton Farm, Church Street, Clifton, Shefford, SG17 5EX
PROPOSAL	Outline Planning Application - Residential development of The Paddocks, Clifton Farm Barns Road, Clifton SG17 5EX with the erection of 7 detached houses and 7 semi-detached/terraced assisted houses.
PARISH	Clifton
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Martin Plummer
DATE REGISTERED	19 January 2018
EXPIRY DATE	20 April 2018
APPLICANT	The Hale Trust
AGENT	BraesHall Ltd
REASON FOR COMMITTEE TO DETERMINE	Major - departure to the Development Plan
RECOMMENDED DECISION	Outline Application - Recommended for Approval

Recommendation:

That Planning Permission be **APPROVED** subject to the applicant entering into a legal agreement to secure financial contributions and affordable housing and, subject to the following planning conditions:-

RECOMMENDED CONDITIONS

- 1 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter 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.

- 2 **No development shall take place until approval of the details of the access, layout, appearance, landscaping and scale of the development (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To comply with Part 3 Article 6 of the Town and Country Planning (General Development Procedure) Order 2015.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Existing Site Plan 1A, Location Plan 1A, Proposed Site Plan 2A, 001 A, 002 B, 003 B, 004 B, 005 B, 006 B, 007 B.

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

- 4 The number of dwellings approved on the site shall be restricted to 14 as shown on the approved drawings and application form.

Reason: To ensure that adequate provision of housing is provided which is justified in viability terms having regard to the conflict with policy DM4 of the CSDMP 2009.

- 5 Prior to any above ground works, an ecological design strategy addressing compensation and enhancement shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include:-

- 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 and BCT guidelines on appropriate scale maps and plans.
- d) Details of lighting considerations to prevent disturbance to bats.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with proposed phasing of development.
- g) Persons responsible for implementing the works
- h) Details of initial aftercare and long-term maintenance.
- i) Details for disposal of any wastes arising from works

The EDS shall be implemented in accordance with the approved details.

Reason: To ensure the proposal delivers satisfactory ecological gains in accordance with the National Planning Policy Framework.

- 6 Prior to the commencement of any development hereby permitted a detailed surface water drainage design shall be submitted to and approved in writing by, the Local Planning Authority. Where surface water drainage is provided in shared spaces on the site, the maintenance of this shall be secured by any means necessary and demonstrated to the LPA for approval. The final approved design shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority

The scheme to be submitted shall include:

- Plans and calculations showing sufficient disposal, storage and conveyance of surface water (up to and including for the 1in100 year event + a 40% allowance for climate change).
- Results of site-specific infiltration testing to support the design of infiltration devices (carried out in accordance with BRE 365), or

calculations to demonstrate greenfield rate/volume will not be exceeded where discharging off site and evidence that the downstream network shall have sufficient capacity, condition and outfall to accept the development's run off.

- Details of the full design of the drainage scheme in its entirety and use of SUDS, including flow controls and water quality management.
- Overview of proposed construction of the system and any phasing of works.
- Confirmation of the management and maintenance arrangements for the surface water drainage system in its entirety, including any split in public and private responsibilities.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and prevent the increased risk of flooding both on and off site for the lifetime of the development in accordance with para 103 NPPF and the Non-statutory technical standards for sustainable drainage systems (DEFRA, 2015); and to ensure that the implementation and long term operation of a sustainable drainage system is in line with what has been approved, in accordance with Written statement - HCWS161.

This planning condition is required to be pre-commencement in order to ensure adequate drainage design is approved and able to be implemented at the time of initial construction works relating to the development and in the interests of flood risk.

- 7 Prior to the commencement of development details of width and junction radii improvements of the existing junction/access road (Church Street/Clifton Farm Barns) shall be submitted to and approved in writing by the Local Planning Authority and no building shall be occupied until that junction/access road has been constructed in accordance with the approved details.

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

This condition is pre-commencement to ensure adequate access arrangements into the site are provided for construction works in the interests of highway safety and access.

- 8 Visibility splays shall be provided at all internal road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 17m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junction in the interest of road safety.

- 9 Within the submission of any reserved matters planning application, car and cycle parking and any roads or footpaths shall be laid out and drained in

accordance with the Central Bedfordshire Design Guide September 2014 or other such documents that replaces it. In addition, within the submission of any reserved matters application, plans shall be provided to show an independent vehicular turning head for an 11.5 metre refuse collection vehicle.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road and to ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014.

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.

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

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

Item No. 7

APPLICATION NUMBER	CB/18/00432/OUT
LOCATION	Land off St Andrews Way, Langford
PROPOSAL	Outline Application for residential development of up to 32 new homes (all matters reserved except access)
PARISH	Langford
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Stuart Robinson
DATE REGISTERED	02 February 2018
EXPIRY DATE	04 May 2018
APPLICANT	Warden Developments Limited
AGENT	Phillips Planning Services Limited
REASON FOR COMMITTEE TO DETERMINE	Major application - Departure to Development Plan
RECOMMENDED DECISION	Outline Application - Recommended Approval, subject to a S106 Agreement

Recommendation:

That Planning Permission be approved subject to the following:

RECOMMENDED CONDITIONS

- 1 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter 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.

- 2 **No development shall take place until approval of the details of the appearance, landscaping, layout and scale of the development within that area (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To comply with Part 3 Article 6 of the Town and Country Planning (General Development Procedure) Order 2015.

- 3 **Prior to the commencement of the development, hereby approved, details of how the development will achieve a reduction in carbon**

emissions of at least 10% more than required by current Building Regulations through the use of on-site or near-site renewable or low carbon technology energy generation shall be submitted to the Local Planning Authority, for approval in writing. The development shall be carried out as approved.

Reason: Required prior to commencement to ensure the development is energy sufficient and sustainable in accordance with Policies CS13, DM1 and MD2 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

- 4 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 approved foul water strategy and retained thereafter.

Reason: To prevent environmental and amenity problems arising from flooding, in accordance with Policies CS13, CS14, DM2 and DM3 of the adopted Local Plan, Policies CC3 and HQ1 of the emerging Local Plan and the NPPF. This information is required prior to commencement, as any works may adversely impact or limit the ability of an acceptable foul water strategy to be implemented.

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

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the National Planning Policy Framework 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).

- 6 Prior to the commencement of development, an Ecological Enhancement Strategy (EES) shall be submitted to the Local Planning Authority for approval in writing. The EES shall contain the following:

- Review of the site potential and constraints as informed by species survey;
- Purpose and conservation objectives for the proposed works;
- Detailed working methods to achieve stated objectives including locations of integrated bird and bat boxes to be erected in accordance with RSPB and BCT guidelines on appropriate scale maps and plans;
- Details of lighting considerations to prevent disturbance to bats;
- Type and source of materials to be used where appropriate , e.g.

- native species of local provenance;
- Timetable for implementation demonstrating that works are aligned with proposed phasing of development;
- Persons responsible for implementing the works;
- 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: To secure a net gain in terms of biodiversity, in accordance with DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF. These details are required prior to the commencement of development, as any construction may limit the ability of the development to provide net gains in terms of biodiversity.

7 Prior to the commencement of the development, hereby permitted, a detailed surface water drainage design shall be submitted to the Local Planning Authority, for approval in writing. The design shall prioritize above ground storage and conveyance using SUDS and shall be fully implemented as approved and subsequently maintained in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the Local Planning Authority. The scheme to be submitted for approval shall include:

1. Plans and calculations showing sufficient disposal, storage and conveyance of surface water (up to and including for the 1in100 year event + a 40% allowance for climate change).
2. Results of site-specific infiltration testing to support the detailed design of infiltration devices (carried out in accordance with BRE 365).
3. Details of the full design of the drainage scheme in its entirety and use of SUDS, including the treatment of surface water to manage pollution.
4. Overview of proposed construction of the system and any phasing of works.
5. Confirmation of the management and maintenance arrangements for the surface water drainage system in its entirety, including any split in public and private responsibilities.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and prevent the increased risk of flooding both on and off site for the lifetime of the development in accordance with para 103 NPPF and the Non-statutory technical standards for sustainable drainage systems (DEFRA, 2015); and to ensure that the implementation and long term operation of a sustainable drainage system is in line with what has been approved, in accordance with Written statement - HCWS161. These details are required prior to the commencement of development, as any construction may limit the ability of the development to provide adequate SuDS arrangements.

8 Prior to the commencement of development, details of the junction of

the proposed vehicular access with the highway shall be submitted to the Local Planning Authority, for approval in writing. The details shall include 2 metre wide footways on both side of the proposed new carriageway and no building shall be occupied until the road connection with St Andrews Way 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, in accordance with Policies CS14 and DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF. These details are required prior to commencement, as the access arrangement may impact elements of the wider development.

- 9 Visibility splays shall be provided at all internal road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junction in the interest of road safety, in accordance with Policies CS14 and DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

- 10 The development shall be served by means of roads and footpaths which shall be laid out and drained in accordance with the Central Bedfordshire Design Guide September 2014 or other such documents that replace them, and no building shall be occupied until the roads and footpaths which provide access to it from the existing highway have been laid out and constructed in accordance with the above-mentioned Guidance.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road, in accordance with Policies CS14 and DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

- 11 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate an independent vehicular turning head areas for an 11.5m refuse collection vehicle. Car and cycle parking shall also be provided in accordance with the relevant parking standards at the time of the submitted reserved matters.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway and parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport, in accordance with Policies CS14 and DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

- 12 This consent relates only to the details shown on the submitted plans,

numbers 18-01 and 15-01.

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

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. 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 positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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Item No. 8

APPLICATION NUMBER	CB/18/00464/FULL
LOCATION	The White Hart Hotel, Northbridge Street, Shefford, SG17 5DH
PROPOSAL	The development of 3 x detached new dwelling houses
PARISH	Shefford
WARD	Shefford
WARD COUNCILLORS	Cllrs Liddiard & Brown
CASE OFFICER	Stuart Robinson
DATE REGISTERED	13 February 2018
EXPIRY DATE	10 April 2018
APPLICANT	REL Group Ltd
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Brown if the application was recommended to be approved for the following reasons:
	- The land is within the flood plain
	- The development is cramped and within close proximity to the Conservation Area
	- The land is used for community events
	- Access and deliveries to the public house will be restricted
RECOMMENDED DECISION	Full Application - Recommended for Approval

Recommendation:

That Planning Permission be approved subject to the following:

RECOMMENDED CONDITIONS

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

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

- 2 No works above ground level, notwithstanding the details submitted with the application, shall be undertaken until details of the materials to be used for the external walls and roofs of the development, hereby approved, shall be submitted to the Local Planning Authority for approval in writing. 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, in accordance with Policies CS14 and DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the

NPPF.

- 3 **Prior to the commencement of development, a method statement for activities relating to construction shall be submitted to the Local Planning Authority for approval in writing. The content of the method statement shall include the:**

- a) purpose and objectives for the proposed works in accordance with recommendations from the May 2018 Preliminary Ecological Appraisal**
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives.**
- c) extent and location of proposed works shown on appropriate scale maps and plans;**
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;**
- e) persons responsible for implementing the works;**
- f) initial aftercare and long-term maintenance (where relevant);**
- g) disposal of any wastes arising from works.**

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: In order to deliver net gains in biodiversity, in accordance with Policies CS14 and DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF. These details are required prior to commencement, as the works may be limited and impaired by the constructed process.

- 4 Notwithstanding the provisions of Part 1, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions to Plot 1 shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To maintain adequate amenity space, in accordance with Policies CS14 and DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

- 5 Notwithstanding the details shown, the footway within the site shall measure no less than 1.8m wide

Reason: For the avoidance of doubt and to provide a footway of adequate width for pedestrian traffic, in accordance with Policies CS14 and DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

- 6 No building shall be occupied until the junction of the proposed vehicular access with the highway has been constructed in accordance with the approved details and the public highway boundary demarcated.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises, in accordance with Policies CS14 and DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan,

the adopted Design Guide and the NPPF.

- 7 Before any of the dwelling accesses are first brought into use, a triangular vision splay shall be provided on each side of the new access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the highway into the site along the centre line of the anticipated vehicle path. The vision splay 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 accesses, and to make the accesses safe and convenient for the traffic which is likely to use them, in accordance with Policies CS14 and DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

- 8 The proposed vehicular access 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 8.0m 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, in accordance with Policies CS14 and DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

- 9 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users, in accordance with Policies CS14 and DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

- 10 Prior to occupation of the proposed development, hereby approved, the development shall be carried out and completed in all respects in accordance with the access siting and layout, parking provision on the approved drawing no. 17/168/100 Revision P3 and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development 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. The cycle parking scheme shall thereafter be retained for this purpose.

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, in accordance with Policies CS14 and DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

- 11 Prior to the occupation of the development, hereby approved, details of a refuse collection point located at the site frontage and outside of the public highway and any visibility splays shall be submitted to the Local Planning Authority for approval in writing. The scheme shall be fully implemented prior to occupation of any dwelling and shall be retained thereafter.

Reason: In the interest of amenity and in order to minimise danger, obstruction and inconvenience to users of the highway and the premises, in accordance with Policies CS14 and DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

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

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the *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).

- 13 **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 (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, in accordance with Policy DM3 and CS14 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF. These details are required prior to commencement, as they landscaping may influence the location of other elements of the development, such as bin storage and collection.

- 14 The development, hereby permitted, shall be constructed in accordance with the mitigation measures proposed in the Flood Risk Assessment (FRA), Ref FCL/260/01, prepared by Floodline Consulting Ltd, dated January 2018.

Reason: To ensure that the development does not increase the risk of flooding to neighbouring residents and so that the development does not present a flood risk to future occupants, in accordance with Policies CS13, CS14, DM2 and DM3 of the adopted Local Plan, Policies CC3 and HQ1 of the emerging Local Plan and the NPPF.

- 15 The first floor windows in the side elevation of the proposed dwellings, 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 1.7m above the floor of the rooms in which the windows is installed. No further windows or other openings shall be formed in the side elevation.

Reason: To safeguard the privacy of occupiers of adjoining properties, in accordance with Policies CS14 and DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

- 16 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 17.168/101 Rev.P3, 17.168/104 Rev.P2 and 17.168/100 Rev.P3.

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

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. 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 follow this link on the Council website <http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx> or contact Central Bedfordshire Council Tel: 0300 300 8301 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
3. The applicant is advised that no private surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system.
4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the

existing public highway. Further details can be obtained from the Highway Engineer, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire. SG17 5TQ.

5. The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to follow this link on the Council website <http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx> or contact Central Bedfordshire Council Tel: 0300 300 8301. 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 demolition/construction of the development hereby approved

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

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

Item No. 9

APPLICATION NUMBER	CB/18/00643/OUT
LOCATION	Land East of 7 Biggleswade Road, Dunton, Biggleswade, SG18 8RL
PROPOSAL	Outline: Erection of two detached two-storey dwellings. All matters reserved except for means of access.
PARISH	Dunton
WARD	Potton
WARD COUNCILLORS	Cllrs Mrs Gurney & Zerny
CASE OFFICER	Mark Spragg
DATE REGISTERED	22 February 2018
EXPIRY DATE	19 April 2018
APPLICANT	Central Bedfordshire Council
AGENT	Brown&Co Barfords
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Central Bedfordshire is the applicant and a third party objection has been received
	Outline Application - Recommended for Approval

Recommendation

That Outline Planning Permission be **GRANTED** subject to the following Conditions:

RECOMMENDED CONDITIONS

- 1 **No development shall take place until approval of the details of the appearance, landscaping, layout and scale of the development within that area (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To comply with Part 3 Article 6 of the Town and Country Planning (General Development Procedure) Order 2015.

- 2 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter 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.

- 3 The landscaping scheme approved under Condition 1 as a reserved matter 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 the implementation of an acceptable standard of landscaping, in the interests of the visual amenities of the locality, in accordance with Policy DM3 and DM14 of the Core Strategy and Development Management Policies (2009).

- 4 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

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

- 5 **No equipment, machinery or materials shall be brought on to the site for the purposes of development until details of substantial protective fencing for the protection of any retained tree(s), has been submitted to and approved in writing by the Local Planning Authority and the fencing has been erected in the positions shown on the approved details. The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.**

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)

- 6 Planning permission is being granted in recognition that no underground services are scheduled to be routed through the Root Protection Areas of the retained trees and/or hedgerows (as identified by the Tree Survey Plan). If any services are subsequently required to be routed through the designated area protected under the Tree Protection Plan, then this work shall be carried out in full accordance with the National Joint Utilities Group (NJUG) Volume 4 "Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees".

Reason: To safeguard existing trees and hedgerows.
(Sections 7 & 11, NPPF)

- 7 **No development shall commence until details of the junction of the modified/widened vehicular access with the highway have been submitted to and approved in writing by the Local Planning Authority.**

The proposed dwelling shall not be occupied until the modified access 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.

- 8 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a scheme for the provision of off-street parking in accordance with the Council's published standards.

Reason: To enable vehicles to draw off and park clear of the highway, thus minimising danger, obstruction, and inconvenience to users of the highway and of the premises.

- 9 This consent relates only to the details shown on the submitted plans, numbers C813P Location Plan, 17060/1007 Access Plan, C813P Tree Survey.

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the 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 applicants attention is drawn to concern about the indicative layout, which is considered somewhat cramped, having particular regard to the distance to the boundary with Beechcroft. Furthermore, the indicative plans also appear tight in respect of the parking/turning layout. Such matters should therefore be taken into account with the submission of any detailed application.

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

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

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Item No. 10

APPLICATION NUMBER	CB/18/01537/FULL
LOCATION	The White House, High Street, Eggington, Leighton Buzzard, LU7 9PQ
PROPOSAL	Removal of hedge & construction of panel fence facing highway with replacement yew (Retrospective)
PARISH	Eggington
WARD	Heath & Reach
WARD COUNCILLORS	Cllr Versallion
CASE OFFICER	Aimee Matthews
DATE REGISTERED	26 April 2018
EXPIRY DATE	21 June 2018
APPLICANT	Mr Janes
AGENT	Mr C A Emmer
REASON FOR COMMITTEE TO DETERMINE	Applicant is Cllr Janes
RECOMMENDED DECISION	Full Application - Recommended for Approval

Recommendation

That authority be delegated to the Assistant Director Development Infrastructure to APPROVE the application at the expiry of the consultation period on 26 June 2018 subject to no new material planning considerations being raised which have not been addressed in the report and subject to the following:

RECOMMENDED CONDITIONS

- 1 The planting of the Yew hedge shall be carried out in strict accordance with the planting height, positions and spacings as being shown on the Elevations and Location Plan by the end of March 2019, and this planting shall then be maintained for a period of 5 years until satisfactorily established, with any losses replaced as soon as is reasonably practicable, and in strict accordance with the planting plan.

Reason: To ensure a satisfactory standard of landscape establishment in the interests of visual amenity.
(Section 12, NPPF)

- 2 Within three months of the date of this permission details of the final finishing for the fencing hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out only in accordance with the approved details within 6 months of approval of details. Details shall include a full and detailed specification of all materials to be used in the works.

Reason: To ensure that the special interest and integrity of the conservation

area is conserved and maintained.

(Section 12, NPPF)

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2017/06 01 02 and 2017/06 01 01 Rev A .

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

- 4 Within one month from the date of planning consent details of a pedestrian warning signs (to be located on private land in the vicinity of the care home entrance) shall be submitted to and approved by the Local Planning Authority. The signs shall be erected within one month of approval of the signage scheme and retained in perpetuity.

Reason

In the interests of road safety and pedestrian movement.

(Section 4, NPPF)

INFORMATIVE NOTES TO APPLICANT

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

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

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

Item No. 11

APPLICATION NUMBER	CB/17/05974/RM
LOCATION	Land at East Lodge Off Elliot Way Fairfield SG5 4AA
PROPOSAL	Reserved matters approval is sought for access, appearance, landscaping, layout and scale pertinent to Outline approval reference CB/16/03885/OUT.
PARISH	Fairfield
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Alex Harrison
DATE REGISTERED	22 December 2017
EXPIRY DATE	23 March 2018
APPLICANT	P.J. Livesey Living Space (5) Limited
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Parish Council Objection - Major application.
RECOMMENDED DECISION	Reserved Matters - Recommended for Approval

Recommendation:

That Reserved Matters consent be **APPROVED** subject to the following conditions:

- 1 No works relating to the construction of buildings above ground level shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the entrance wall/piers; external walls; roofs; architraves; soffits; stone features and architectural detailing 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 safeguarding the setting of statutorily listed buildings, safeguarding the visual amenities of the locality and to enhance local distinctiveness, in accordance with Policies CS15, DM3 and DM13 of the Core Strategy and Development Management Policies 2009; Policy 1 of the Fairfield Neighbourhood Plan; and Policies HE3 and HQ1 of the Emerging Central Bedfordshire Local Plan (April 2018).

- 2 Notwithstanding the approved plans, all new rainwater goods shall be black in colour and shall be retained thereafter.

Reason: To safeguard the setting of statutorily listed buildings and to enhance local distinctiveness, in accordance with Policies CS15, DM3 and DM13 of the Core Strategy and Development Management Policies 2009; Policy 1 of the Fairfield Neighbourhood Plan; and Policies HE3 and HQ1 of

the Emerging Central Bedfordshire Local Plan (April 2018).

- 3 No building shall be first occupied until the junction of the proposed vehicular access within the highway 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.

- 4 No building shall be first occupied until the proposed vehicular access has been 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 5m into the site, measured from the highway boundary. 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.

- 5 No dwelling hereby permitted shall be first occupied or brought into use until the parking scheme shown on the approved drawing: 106-00-1112-E has been completed. The scheme shall thereafter be retained for this purpose.

Reason: To ensure provision for car parking clear of the highway, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009), the Central Bedfordshire Design Guide and Policy T3 of the Emerging Central Bedfordshire Local Plan.

- 6 No dwelling hereby approved shall be first occupied until a scheme for the parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. Each single dwelling hereby approved shall not be first occupied until the cycle parking to serving the occupiers of that dwelling, as outlined on the approved scheme, has been provided/ completed. The cycle parking shall thereafter be retained for this purpose.

Reason: To ensure the provision of cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009), the Central Bedfordshire Design Guide and Policy T3 of the Emerging Central Bedfordshire Local Plan.

- 7 This approval relates only to the details shown on the submitted plans, numbers: 106-01-1001; 106-01-1002-A; 106-02-1001-A; 106-02-1002-B; 106-02-1003-B; 106-03-1001-D; 106-03-1002-B; 106-04-1001-A; 106-00-1114-C; 106-00-1112-E; CBO-0500-002; 106-00-1102-E; 106-00-1111-E; 106-00-1103-E; 6456.PP.1.1 Rev E; 6456.PP.1.0 Rev D; and 106-00-1001-A.

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

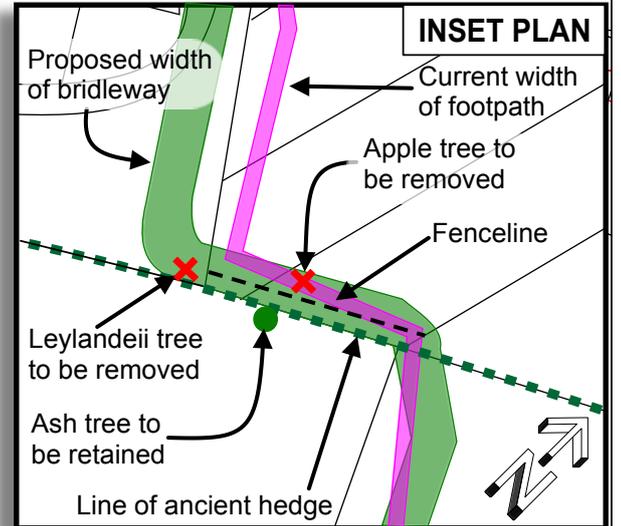
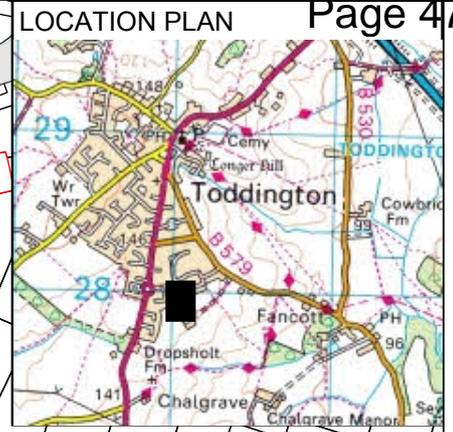
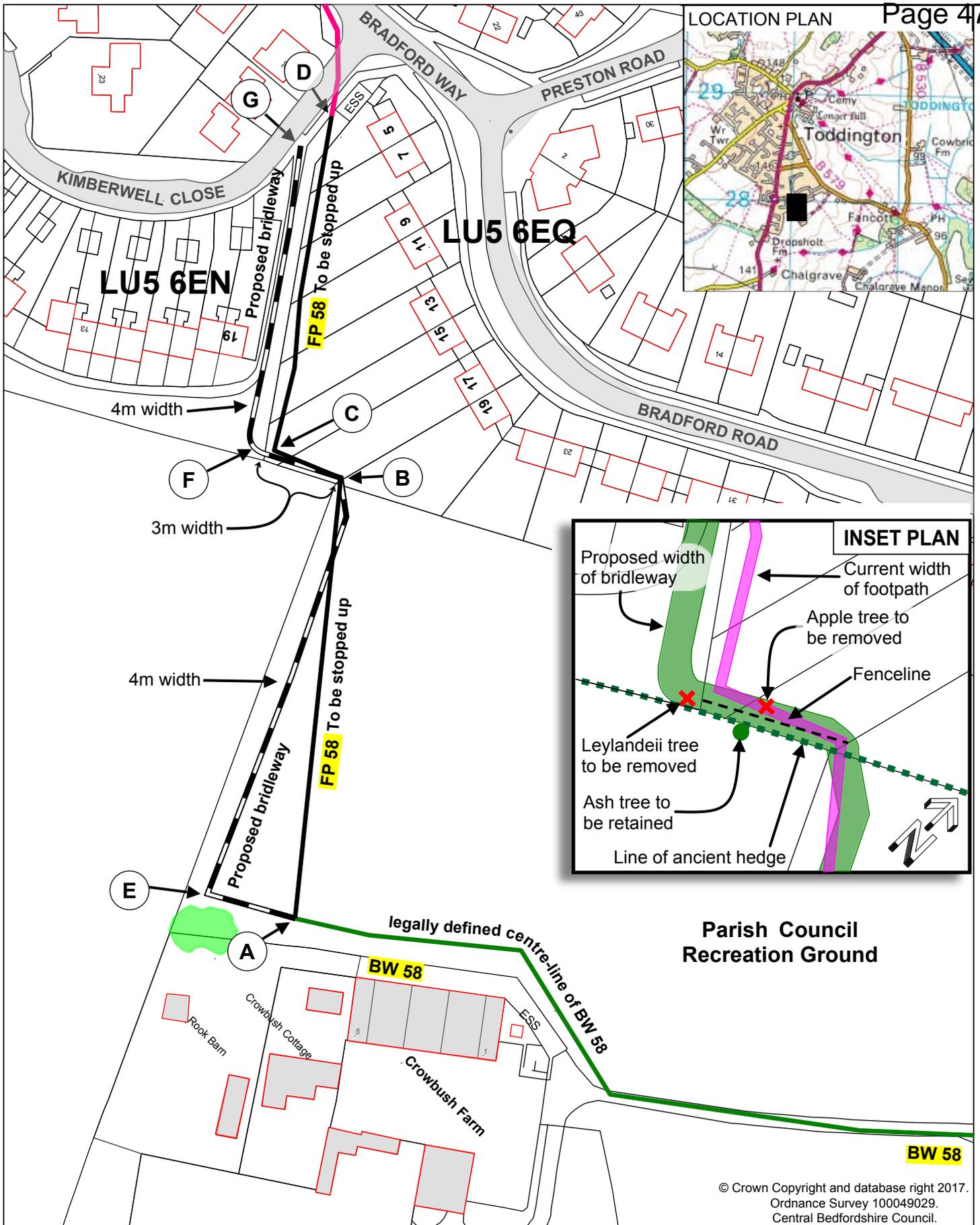
INFORMATIVE NOTES TO APPLICANT

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.

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

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

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Parish Council
Recreation Ground

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Ordnance Survey 100049029.
Central Bedfordshire Council.

HIGHWAYS ACT
Proposed extinguishment of part of Toddington Footpath No. 58 and the creation of another part of Toddington Bridleway No. 58



Footpath to be stopped up **A B C D**
Bridleway to be created **A E B F G**

Illustrative width
of bridlway 
Unaffected highway 



Date: 14 Nov 2017
Scale: 1:1250@A4
Drafted by: AM

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LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 20 JUNE 2018

Item 6 – CB/18/00192/OUT – Clifton Farm, Church Street, Clifton, Shefford, SG17 5EX

Additional Consultation/Publicity Responses

The Housing Development Officer has provided clarity on the initial comments as follows:-

The cluster of 7 affordable dwellings is acceptable as they adjoin an existing established affordable development. The cluster of 7 affordable dwellings falls below the maximum cluster sizes outlined within the submitted draft local plan and, from a management perspective would also be acceptable.

The proposed mix of 3 x 2 bed houses and 4 x 3 bed affordable houses follows the identified needs from the Strategic Housing Market Assessment (SHMA) whereby the SHMA identifies the main affordable housing requirement as two and three bed dwellings.

Additional Comments

For the reasons outlined above and, as set out in the Officer Committee Report, the arrangement of separate parcels for open market and affordable units is acceptable and the mix of affordable housing is also acceptable.

Additional Consultation/Publicity Responses

One additional third party representation has been received which criticises the findings of the Ecological Survey and considers that there will be harmful impact on small mammals within the site and, loss of habitat for other animals and insects. The Council can demonstrate a five year supply of housing and the development would be detrimental to the site and surroundings.

Additional Comments

No objections are raised by the Ecology Officer in respect of the impact on protected species and a planning condition is included within the Officer Committee Report relating to an ecological design strategy. Planning considerations relating to five year supply matters and the impact on the site and surroundings are also included within the Officer Committee Report.

Additional Consultation/Publicity Responses

Members have been provided with a white covered document entitled 'Supporting material – objecting speaker'. The document provides images and photographs of the site and immediate surroundings. The document provides several considerations including traffic impacts; impact on the character of the site and surroundings; neighbour amenity impact; impact upon wildlife.

Additional Comments

The comments made are considered in the Officer Committee Report.

Additional Comments

Members should note that the majority of the application site – i.e. the location of the proposed dwellings are outside (but adjacent to) the Clifton Conservation Area. Only the access road serving the 7 open market dwellings is within that Conservation Area.

Item 7 – CB/18/00432/OUT – Land off St Andrews Way, Langford

Additional Consultation/Publicity Responses

MANOP have provided additional clarification in response to the application, stating that not less than four of the proposed dwellings should be of a design and layout that makes them suitable for older people, in accordance with the MANOP standards.

Additional Comments

(a) As this application is for outline planning permission, with only access detailed, it is considered that MANOPs comments are not specifically relevant to this application. If this application is approved, then details of the layout and scale would be required, which would consider this matter in greater detail.

(b) Paragraph 4.3 of the report states that “8 car parking spaces should be provided for the proposed development”. This sentence is incorrect and should read:

*“The adopted Design Guide identifies that 8 **visitor** car parking spaces should be provided for the proposed development”*

Additional/Amended Conditions

No additional/amended conditions.

Item 8 – CB/18/00464/FULL – The White Hart Hotel, Northbridge Street, Shefford, SG17 5DH

Additional Consultation/Publicity Responses

An additional response has been received in relation to this application. This response is by a resident who has already objected to the application. No further planning matters have been raised as part of this additional response.

Additional Comments

No additional comments.

Additional/Amended Conditions

No additional/amended conditions.

Item 9 – CB/18/00643/OUT – Land East of 7 Biggleswade Road, Dunton, Biggleswade, SG18 8RL

Additional Consultation/Publicity Responses

No additional responses.

Additional Comments

Delegated Authority is requested for the Assistant Director Development Infrastructure to approve the application at the expiry of the consultation period (22 June 2018) subject to no new material planning considerations being raised which have not been addressed in this report.

Additional/Amended Conditions

No additional/amended conditions.

Item 10 – CB/18/01537/FULL – The White House, High Street, Eggington, Leighton Buzzard, LU7 9PQ

Additional Consultation/Publicity Responses

1 additional objection received

'I object to the fence which has already been constructed without planning consent on both safety and visual grounds. The fence is over 2 metres in height on the roadside in a conservation area and with concrete pillars and a concrete base it is ugly and will not mellow with time. The fence also blocks the view and sound of traffic exiting the premises for anyone using the pavement, I had a near miss with an ambulance which was leaving the property at speed. As the fence appears to have been erected on the boundary line according to land registry plan the proposal to grow a yew hedge on the outside of the fence is a nonsense as it would not be on land belonging to the property and would also obstruct the pavement. The property has extensive gardens at the back which could more easily be secured for use of residents as has apparently been done with another Janes property Brookfield near Huntingdon which Janes refer to in their application as rated outstanding by the CQC.

The other village fences which Janes refer to in their application are much lower in height, more sympathetic in appearance and dont pose a risk to foot traffic.'

Additional Comments

The comments made in relation to the yew hedge on highway can be addressed by the Highways Officer, in that they can apply for a licence to cultivate or request to stop up the land.

Delegated Authority is requested for the Assistant Director Development Infrastructure to approve the application at the expiry of the consultation period on 26th June subject to no new material planning considerations being raised which have not been addressed in the report.

Additional/Amended Conditions

None.

Item 11 – CB/17/05974/RM – Land at East Lodge off Elliot Way, Fairfield, SG5 4AA

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 12 – The Proposed Extinguishment of Part of Toddington Footpath No. 58 and the Concurrent Creation of a Replacement Section of Toddington Bridleway No. 58.

Additional Consultation/Publicity Responses

Ramblers' response – "...Clearly The Ramblers do support the proposal..."

Steve Lakin's CBC cycling response – (awaiting response)

Cycling UK's response – consulted but no response received.

The Open Spaces Society's response – consulted but no response received.

Recent submissions from local Residents:

[N.b. third party names have been removed]

Mr Jon Holmes - (awaiting formal submission but he currently intends to speak at the meeting)

Mr Archie McIntosh - Thanks for the response Adam, I will get back to you formally later in the week.

I will say I think you are underestimating how the street feel about your proposal for a bridal-way. I have spoken to a few of the neighbours over the weekend and no one is in favour. However everyone would support a new improved DDA compliant footpath.

Adam, can I ask what's the statutory notification period you must give to us for this proposal. Late pm on the 7th until the 19th June seems a bit short to me? Have all the neighbours backing onto the field been notified? Your proposal will impact all the households backing onto the field as well as the 4 households on crowbush farm.

Where do we send our objections?

e-mail received Sunday 17th June

Further to the below comments I have only learnt this afternoon, Sunday 17th, that three people directly affected by your proposal living in Bradford Road have not had sight of your full proposal document. One only returned home from holiday yesterday and two ladies without computer knowledge *[who reside in Bradford Road]*. I don't know how they are supposed to make comments on something they have not been privy to. I must respectfully request therefore that you postpone the Committee hearing until you have posted them the full report so they can study what you are proposing and make any comments. One weeks' notice was a bit tight anyway. Also please can you forward me your, manager/superior's name and contact details.

On CC the residents (plus the PC) I have spoken to about your proposal. We are all in agreement this potentially could have a detrimental effect on our right to have a quiet and peaceful life. If this makes the next step to planning we will be objecting and I am in no doubt given the current situation with travellers, a proposal to open a road into a field will become a village wide issue. You should have written to all the residents of Bradford Road and Kimberwell Close, not just the handful of householders who have the path crossing their gardens.

I also represent *[another resident who]* only received notification in the post Monday 11th June which in my opinion, does not give her adequate time to make a hand written objection. This whole process has been rushed, is this a tactic to reduce the number of objections? What is the statutory notice period that should be allowed?

1. No want or need for this bridleway has been demonstrated. In your document, points 20 and 46, you have said the Parish Council identified the need for this in the Neighbourhood Plan. This simply is not true, no Neighbourhood Plan has been published, and I'm not even sure it has been submitted for approval yet? You also state, point 47, that the Parish council support this proposal. Can you provide some supporting evidence of this please.

2. Other than ticking a box and cleaning up an anomaly on a footpath map, that has been there for 60 years, what does this achieve? 300m of bridleway that goes absolutely nowhere. Linking a fast main road at one end with a housing estate at the other. Plenty of footpaths in the immediate area but no other bridleways. Can we suggest downgrading the existing bridleway to a footpath, then it will all match and your box will be ticked.

3. There is already perfectly adequate vehicle access for maintenance via Crow Bush Farm, via a locked gate with steel bollards.

4 You are proposing to re- use the existing bollards in Kimberwell Close. These are in no way fit for purpose (jpg attached), I could effortlessly push these 1960's posts over. Also attached are jpgs of the measures they have taken to stop travellers at Junction 11a. As you can see they didn't work? Toddington is under siege from travellers. Did you see the national press and TV news articles about what happened on our Junction 12. After the last visit we had on the Glebe, 100m from your proposal, it was deemed necessary to install the grass mounds on the field to deter travellers and now you want to open it up again. Please take a minute to read this newspaper article. This is on our doorstep.

<http://www.dailymail.co.uk/news/article-5808315/Fly-tipping-travellers-clogged-M1-underpass-tons-rubbish-just-half-mile-away.html>

5. In the report you have sugar coated my concerns over motorbikes, they are not "sporadic". It was nearly everyday last summer and we are not yet in the school holidays this year. This is well documented with reports from several residents to the Police and the PC.

6. I take it you have had official quotes for the ground works, the £2,000 budget that has been allowed seems rather low to me, can I ask what you hope to achieve? I am guessing nothing that is fit for purpose.

7. How can you take peoples gardens from them after over 60 years. Legally you can, but morally it's disgusting. You have given people sleepless nights and tears all for what?

However if you were to propose an improved footpath with DDA compliant gate that falls outside the garden boundaries and the downgrading of the existing bridleway to a footpath, this would be something we would all support.

Mr. David Knight - e-mail received Sunday 17th June

Please forward to the Committee.

I am somewhat confused by your comments in para 4. "Walkers have then tended to wander at will across the parish council's recreation ground rather than follow the line of the footpath which cuts across the ground to connect to the bridleway" and para 19; "a bridleway would decrease the legally applicable travelling distance to the recreation ground by between 150 – 600 metres depending on starting point which would be especially convenient for younger children on bicycles who can use the recreation ground as a safe off-road area to ride around."

It's not clear that you fully understand what a recreation field is. These two statements appear to totally contradict one another, you are suggesting that walkers must adhere to the footpath/bridleway whilst children on bikes can ride over the recreation ground at will. The reason this is a "recreation" field, is because it is used for recreation!! and is used by dog walkers, kite flyers, ball games and sitting on the grass enjoying the sun, not everyone walking across it is on a route march and do NOT have to follow the line of the footpath. Surely it would be those riding bikes that ought to follow the line of the proposed bridleway as that would be the only legal route for them?

Mrs Claire Goodwin – E-mail received Sunday 17th June

First of all I am a senior nurse at the local hospital, [REDACTED]. I cannot take time off work at short notice to attend the hearing and represent / defend myself. Therefore I do not feel that I have been given adequate opportunity to send my comments to oppose the taking of my land for a footpath and/or a bridleway.

From your email it appears that if I don't comment by Monday morning, my comments won't be considered and that my comments will also have to go in the 'late comments page!!' I would hardly describe my comments as 'late' considering the fact that I only knew about the hearing on 14th and I received your email on the 15th! Once again I find your manner to be rude and threatening.

I strongly oppose the making of a footpath and/or the creation of the bridleway. For what purpose is this necessary and at the cost of our privacy, safety and happiness? I feel that my human rights are being violated, my personal safety is being compromised and that I feel that if there is in fact a public footpath that hasn't been used for over 60 years, then when I purchased the property in March 2014, the Council in fact **have sold me land that wasn't the councils to sell.**

This is extremely distressing for me and I am extremely upset that a footpath that was supposed to exist and which hasn't been in place for the last 60 years at least, is suddenly being created at the detriment of my personal space, my land and my happiness. I will also say that a bridleway would just create an entrance for travellers to come and wreak havoc... as they have done so in previous years and as they are currently doing at present, less than 2 miles away from here. It would also encourage more motorbikes that are also currently causing a problem to the neighbourhood. The councils token offer of compensation being the purchase of 2 new trees of my choice to replace my large well established apple tree is also insulting and unacceptable.

I strongly oppose the taking of mine and my neighbours land for a footpath and/or a bridleway.

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