

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 12 September 2018

PRESENT

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

Cllrs	M C Blair	Cllrs	E Ghent
	Mrs S Clark (from Item 10)		K Janes
	K M Collins		T Nicols
	I Dalgarno		T Swain
	F Firth		J N Young

Apologies for Absence: Cllrs C C Gomm

Substitutes: Cllrs P Smith (In place of C C Gomm)

Members in Attendance: Cllrs Ms C Hegley
B J Spurr
R C Stay
M A G Versallion
A Zerny

Officers in Attendance:	Mr D Ager	Principal Highways Officer
	Ms P Bramwell	Planning and Highways Solicitor, LGSS Law
	Mrs N Darcy	Principal Planning Officer
	Mr J Ellis	Planning Manager South
	Mr M Heron	Principal Planning Officer
	Mr D Lamb	Planning Manager North
	Mrs D Lavender	Principal Planning Officer
	Mr L Manning	Committee Services Officer
	Mr R Page	Principal Highways Officer
	Mr S Robinson	Senior Planning Officer
	Mrs J Selley	Head of Planning Delivery
	Ms S Sherwood	Committee Services Officer
	Mr B Tracy	Planning Officer
	Ms J Ward	Senior Planning Officer

DM/18/62. **Chairman's Announcements and Communications**

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

Morning: Items 5, 6, 7, 12, 10.

Afternoon (not before 1.30 p.m.): Items 9, 8, 11.

DM/18/63. **Minutes**

NOTED

that the minutes of the meetings of the Development Management Committee held on 18 July 2018 and 15 August 2018 had not yet been published.

DM/18/64. **Members' Interests**

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

	Item	Nature of Interest	Present or Absent during discussion
Cllr K Matthews	5, 6, 7 & 10	Has met some of the speakers over a period of years due to the nature of the position he has held and currently does.	Present
Cllr K Collins	12	Has met the applicant on several occasions because the applicant has undertaken work within the Member's ward. The application had not been discussed.	Present
Cllr N Young	All	Knows some of the applicants through his role as Portfolio Holder/Executive Member.	Present
	12	Met the applicant with Cllr R Stay. Cllr Young confined his discussion to	Present

policy and issues related to the Green Belt. He retained an open mind.

Cllr I Dalgarno	9	Knows the next door neighbours to the applicant through being the ward Member. As a result of discussion with them, and at their request, he called the item in for determination by the Committee. Has retained an open mind.	Present
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(b) **Personal and Prejudicial Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr K Janes	12	Member owns care homes.	Absent

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

Member	Item	Parish/Town Council	Vote Cast
Cllr F Firth	8	Northill	No. Took no part in the Parish Council discussion and retained an open mind as ward Member.
Cllr I Dalgarno	5 & 6	Arlesey	No. Present as ward Member at Parish Council but took no part in discussion and retained an open mind.

Cllr K Collins	12	Slip End	No. Not present when the application was discussed by the Parish Council. At the previous meeting there were several members of the public who discussed what was to become the application. Spoke to them as ward Member to explain the planning process but made no comment on what was to become the application. Attended the applicant's public meeting before the application was submitted. Spoke to the applicant but made no comment on the application.
Cllr R Berry	10	Leighton-Linslade	No. Is the Town Council ward councillor for the application site but attended the Town Council planning committee as a CBC Member. Met with local residents after the meeting and provided only factual information. He expressed no opinion and has

retained an open
mind.

DURING CONSIDERATION OF ITEM 5 BELOW COUNCILLOR C HEGLEY ENTERED THE CHAMBER

DM/18/65. Planning Application No. CB/18/00223/OUT (Arlesey)

The Committee had before it a report regarding Planning Application No. CB/18/00223/OUT, an outline application for the formulation of a new access together with a residential development of 40 dwellings together with associated landscaping and engineering operations on land to the rear of Stondon Lower School and playing fields, Upper Stondon, SG16 6QB.

No additional consultation/publicity responses, comments or additional/amended conditions were set out in the Late Sheet.

In advance of consideration of the application the Committee received representations from Councillor Nigel Benson of Stondon Parish Council and Mr Justin Wickersham, the applicant's agent, under the public participation scheme.

The planning officer responded to the points raised as follows:

- Whilst the applicant was willing to work with the community the triggers for the delivery of the local facilities had to be appropriate and the applicant was the primary party in the discussions on the S106 Agreement. The planning officer suggested that it might be more suitable to work with Members rather than other bodies on the delivery schedule to ensure the triggers were appropriate.
- The applicant had made clear his commitment to the delivery of the facilities.
- There were no objections from the Internal Drainage officers or the Environment Agency and conditions were included for surface water, drainage plans and maintenance plans. A condition could be imposed for foul water drainage scheme if desired by Members.
- A second planning officer referred to the long term relationship between the applicant and the Parish Council in progressing the application and he felt that co-operation should continue in deciding the triggers for inclusion in the S106. He reiterated that the applicant was the primary party and the Council had, therefore, to work through the applicant. However, the Council would also wish to take account of the views of the Parish Council to ensure the application worked in a logical and appropriate way.

The ward Member, who was a member of the Committee, stated:

- That he, together with the other ward Members, would work with all parties to ensure the phasing plan for the application worked to everyone's benefit.
- The site was outside the settlement envelope but represented sensible infill.
- Recent major development in the area had provided no additional facilities. The monies made available through previous S106 Agreements lay unused with Central Bedfordshire but the current application and another (minute DC/18/66 below refers) combined with these new monies to enable the provision of much improved facilities.
- The level of affordable housing was welcomed.
- All ward Members supported the application which, it was felt, would provide major benefits.

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

- That the village accepted the application, wanted to make it work and thereby benefit from it.

On being put to the vote 11 Members voted for approval, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/18/ 00223/OUT relating to land to the rear of Stondon Lower School and playing fields, Upper Stondon, SG16 6QB be approved as set out in the Schedule attached to these minutes.

DURING CONSIDERATION OF ITEM 6 BELOW COUNCILLOR R STAY ENTERED THE CHAMBER

DM/18/66. Planning Application No. CB/18/00231/FULL (Arlesey)

The Committee had before it a report regarding Planning Application No. CB/18/00231/FULL for the demolition of an existing village hall and sports pavilion and the provision of a new village hall, sports pavilion, tennis court, school playground together with improved car parking, footways, fences, gates, landscaping and associated engineering operations on land adjacent to 6 The Pastures, Upper Stondon, SG16 6QB.

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

In advance of consideration of the application the Committee received a representation from Councillor Nigel Benson of Stondon Parish Council and a joint representation from Mr Justin Wickersham, the agent for the applicant,

and Mr Martyn Beazley, a volunteer for the Stondon Recreation Association, under the public participation scheme.

In response to a query regarding the design standard of the new sports pavilion and in relation to the Football Association and football club use, Mr Wickersham advised that there was a limit on the capacity for football at that location. Although the FA had been involved, and the sports pavilion would be built as far as possible to meet FA requirements, it would be a local facility and was being funded as part of the development.

A ward Member, who was a member of the Committee, stated:

- The proposed increase in parking provision represented a great improvement over the limited parking outside the existing village hall.
- There would be a loss of existing facilities but these would be replaced by better ones.
- The application represented a substantial increase in sports and leisure opportunities.
- He supported the local recreation group bringing the application forward.
- Whilst concerns had been expressed by some residents the benefits of the application outweighed them and he indicated his support.

The Committee considered the application.

On being put to the vote 11 Members voted for approval, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/18/00231/FULL relating to land adjacent to 6 The Pastures, Upper Stondon, SG16 6QB be approved as set out in the Schedule attached to these minutes.

DM/18/67. Planning Application No. CB/18/01424/OUT (Potton)

The Committee had before it a report regarding Planning Application No. CB/18/01424/OUT, an outline planning application for a residential development with all matters reserved except access following the demolition of a detached bungalow (87 Everton Road), involving the erection of up to 30 dwellings including an access road, landscaping and associated ancillary works on land to the west of Everton Road, Everton Road, Potton, SG19 2PD.

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

In advance of consideration of the application the Committee received representations from Ms Tina Arnold-Winch, an objector, and Mr Richard Murdock, the agent for the applicant, under the public participation scheme.

In response to a Member's query, the agent stated that discussions had taken place with a landowner regarding a possible alternative access to the site but no agreement had been reached.

A ward Member urged the Committee to refuse the application and referred to the following matters in support:

- The stage of preparation of the emerging Local Plan which he felt was fairly advanced.
- The extent to which there were unresolved objections to relevant policies.
- With regard to the Council's 5 year land supply the Council had, at 1 July, a 5.82 year land supply.
- That the application site was outside the settlement envelope, would cause significant harm to the character and appearance of the area and was therefore contrary to a number of Council policies including Policy DM4.
- Approving an application on the outside edge of the development envelope would lead to further applications and creeping growth.
- The developer's reference to successful appeal decisions against the Council and how, in that context, the attempted application of Policy DM4 in the open countryside had been found to be 'overly restrictive'. The Member responded by referring to the outcome of two recent appeals in the Council's favour which had included the role of settlement envelopes, the possible detrimental impact of the loss of undesignated land and the resulting conflict with adopted policies, including Policy DM4.
- An ecological survey had not been possible as the site had already been cleared. The Member stated that the land should be allowed to return to its natural state before a decision was made.
- The site was unwanted in the Local Plan despite being submitted under the call for sites. It was not taken forward because it was not considered suitable for development.
- The application represented overdevelopment. There were 830 dwellings (including those in the application before Members) under construction, approved, applied for or proposed which equated to a 40% increase in the size of the town. That number was already beyond the identified figure of up to 500 new dwellings in the Council's 2011 settlement study.
- Developers were struggling to sell the new homes already built in Potton.
- There would only be a single lane serving 30 homes and major parking issues already existed in the area, especially with regard to the dropping off and collection of children at the school.

- There were objections from a range of bodies.
- There was existing pressure on local medical facilities but there were no S106 monies for the GP practice nor for transport. Whilst some funding would be going to schools only a small very amount would be given to sport and leisure and nothing under the Community Infrastructure Levy (CIL).
- The perceived benefits did not outweigh the obvious harm.
- The Committee had refused a similar planning application in 2017 for a site in Biggleswade Road.

The planning officer responded to the points raised as follows:

- The NHS was seeking a financial contribution towards GP services in Potton and contributions would also be given towards infrastructure.
- The site was submitted in response to the call for sites and an early assessment of the site under Regulation 18 of the Local Plan had been published on the Council's website. The site had passed the assessment however, following further assessment, it had not been allocated in the local Plan.
- The application contained more detail which enabled a further assessment. The report recommended approval as the benefits outweighed the conflict with policy.
- The Council's settlement envelope policy was broadly consistent with the National Planning Policy Framework (NPPF) and this principle was followed in the emerging Local Plan. However, Policy DM4 referred to superseded national policy and so could not be afforded full weight. The emerging Policy SP7 (the new settlement envelope policy) had not yet been subject to public examination and so could only be afforded limited weight. As such neither policy on their own would be sufficient to defend a refusal at appeal.
- There were no objections from the landscape officer.
- There was no wider landscape impact. The proposal sought to retain hedgerows and limit harm to the landscape character.
- Considering the limited impact on the character and appearance of the wider landscape and the benefits of the proposal including the proposed new dwellings there would be a positive contribution to the land supply, including affordable homes and self-build house provision.
- There were contributions to education, leisure, children's care and community facilities.
- There were no objections from the highways officer and the impact on the highways network was not considered severe.
- The relationship between the proposed access road and the existing dwelling was not unusual. No through traffic was proposed.
- With regard to privacy, there was limited overlooking and the development could achieve appropriate separation from the existing dwellings. The submitted layout was indicative and the site could accommodate 30 dwellings to the standard required by the Council and maintain acceptable amenity for existing residents.

- The report addressed objectors' concerns although at times in broader terms.
- With regard to any adverse impact on health, arising from the noise and disturbance generated by the building works, this issue would be temporary.
- There could be additional light pollution but it would have to be at an acceptable level with regard to residential amenity and ecological impact.
- The Chairman referred to the ward Member's reference to the outcome of two appeals with reference to Policy DM4 and the former commented on the difficulty in drawing an inference from one judgement and apply it to another given the difference in circumstances. The planning officer concurred and stated that the judgement had concluded that there was the potential for the loss of undesignated countryside to cause harm but not that all loss of countryside was harmful. It should therefore be considered on a case by case basis.
- With regard to the cumulative impact, all consultees had stated that financial contributions would mitigate the impact of the new dwellings on the local infrastructure.

The highways officer responded to the points raised as follows:

- The size of the application was below the threshold requiring a transport assessment or statement.
- The site would generate an additional 11-12 movements at the a.m. peak and approximately the same at the p.m. peak which was in line with the requirements of the NPPF.
- The highways issues in the area caused by parents dropping off and collecting their children at the nearby school already existed. As the application site was close to the school, walking was an option for parents and children.

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

- The context relating to the role of Policy DM4 and how the Government would not allow it to prevent developments, the outcome of recent planning appeal decisions, judicial reviews and the role of the Secretary of State.
- The S106 contribution toward the local GP surgery.
- The impact on 89 Everton Road, the nearby Munkman Close and the local area.
- The possible installation of a wall to shield 89 Everton Road from the disturbance caused by the construction works and subsequent access by vehicles to the new homes. It was felt that an informative note should be added to the consent notice if the application was approved.

- Comment that the Council should decide on the application on its merits not based on the possibility that the decision could be overturned at appeal.
- The cumulative impact of small scale development in the village and the matter of sustainability given that, at some point, the infrastructure would not be able to cope as it was not being improved.
- The increasing traffic congestion partly caused by Sandy residents driving their children to school in Potton because the local middle school in Sandy had closed.
- The Council's self-build officer's request that 10% of the proposed dwellings be serviced (self-build) plots and that this represented 10 dwellings. The planning officer stated that 10% of this application was 3 dwellings.
- The MANOP team's request that, due to the loss of a single bungalow, not less than five of the proposed dwellings should be suitable for older people. It was suggested by a Member that one of the five dwellings be an affordable home and that all the dwellings in the development be tenure blind. It was felt that informative notes to this effect should be added to the consent notice if the application was approved.

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

RESOLVED

that Planning Application No. CB/18/01424/OUT relating to land to the west of Everton Road, Everton Road, Potton, SG19 2PD be approved as set out in the Schedule attached to these minutes.

AT THE CONCLUSION OF ITEM 7 ABOVE COUNCILLOR A ZERNY LEFT THE MEETING

AT THE CONCLUSION OF ITEM 7 ABOVE COUNCILLOR K JANES LEFT THE CHAMBER

THE COMMITTEE ADJOURNED AT 11.37 A.M. AND RECONVENED AT 11.45 A.M.

DM/18/68. Planning Application No. CB/18/00875/FULL (Caddington)

The Committee had before it a report regarding Planning Application No. CB/18/00875/FULL for a proposed new residential retirement care village with retirement living, assisted living, high dependency care units, community club house, ancillary retail units and conservatory on a former disused garden nursery and the back garden of 88 Markyate Road. Change of use from unused derelict land and C3 back garden to C2 residential institution at 102 Markyate Road, Slip End, Luton, LU1 4BX.

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.

In advance of consideration of the application the Committee received a representation from Mr Davesh Sharma, an objector, and a joint representation from Mr Simon Chapman and Mr Justin Wickersham, the agents for the applicant.

In response to a Member's query the objector stated that he had formally objected to the proposed diversion of Footpath No. 4 to run behind 94-102 Markyate Road.

In response to a Member's query an agent for the applicant explained the approach taken to arrive at his viability assessment for the project and the resulting non-provision of affordable housing. He explained what he viewed as the difference in process from that adopted by the Council's consultant in providing the independent assessment. The Member explained in turn how the Council's assessment, unlike that of the applicant, had been drawn up by following the guidance set out in the revised 2018 National Planning Policy Framework and stressed that, as a result, there was a significant difference in the outcomes arrived at by the two parties.

In response to a query by the Chairman an agent set out the reasons for not providing the affordable housing on-site.

An agent responded to a Member's queries regarding any discussions which had taken place following the agent's receipt of the Council's own viability assessment, the care home costs for the developer and the impact on viability.

In summary a ward Member commented on the following:

- The application in the context of the adopted Neighbourhood Plan which had received substantial local support.
- That the Neighbourhood Plan had focused on the provision of residential accommodation and the division between housing in general and accommodation for older people. It had encouraged a variety of schemes to come forward specifically for older person accommodation.
- The intention was that older person accommodation would reduce the need for other housing as older people could downsize locally and therefore free up existing family homes.
- The support from Slip End Parish Council and the community in general. Whilst there had been objections from those immediately affected, there had been clear support for the application as it would allow the older residents of Slip End, neighbouring villages and eventually Dunstable to move into purpose built accommodation.

- The need to ensure the scheme's financial viability. He felt that the financial contribution from the applicant was acceptable and was in addition to the other benefits that would be forthcoming.
- The presence of a large field to the east of the application site, which was owned by Central Bedfordshire Council and formed part of a Housing Revenue Account (HRA) bid, and the synergy between the two sites.
- His surprise at the debate regarding parking provision on the site.
- That the provision of older person accommodation in villages should be supported in policy terms and people should not be expected to move a great distance.
- The stated need for 9000 places for older people in Central Bedfordshire. The Council could not meet that need and so should look at different types and ways of providing the accommodation.

The planning officer responded to the points raised as follows:

- Many of the comments raised by the objector had been covered in the officer report. She clarified the proposed diversion of Footpath No. 4 and the resulting impact on residents.
- There had been discussion between the applicant and the Council's viability assessment consultant in order to secure data that was required by the latter. Additional information had been provided to Members in the Late Sheet and both viability assessments had been made available for Members' examination.
- The application was an inappropriate development in a Green Belt location. There needed to be Very Special Circumstances (VSCs) to outweigh this and any other associated harm and the officer report set out the reasons why it was felt this had not been achieved.
- MANOP had concluded that whilst there was a need for elderly accommodation over Central Bedfordshire the location of the provision required consideration as well as the need for those specific locations. MANOP was not necessarily confident that the proposed site was appropriate to meet the local need or that it was sustainable.
- Although a health impact assessment had been submitted in support of the application she referred to the officer report and the alternative health implications to those stated by the applicant.
- The affordable housing provision needed to be policy compliant and was not a VSC in this case.
- There was no formal objection by the rights of way officer although he felt it was not necessary to divert Footpath No. 4 in order to achieve the Heritage Greenway connectivity. He had previously expressed concerns regarding the resulting impact on 102 Markyate Road should the footpath be diverted. The Heritage Greenway did not constitute a VSC.
- There was insufficient parking provision. The possible restriction of the use of the facilities to those persons on the site as a means of reducing demand for parking meant treating the community in isolation from Slip

End which would not be acceptable from a sustainability viewpoint and could have a long term impact on viability.

- The local aspirations in the Neighbourhood Plan were acknowledged but elderly persons accommodation sites had to be directly related to the settlements they served, meet identified need and be supported by the Council's own specialists.
- MANOP had indicated that the majority of the residents on the site development were not likely to be from the area so local homes would not necessarily be released for sale.
- There was clear support for the application from Slip End Parish Council but no clear indication of views from local residents.
- It was not possible to comment if there was any synergy with application site and the Council owned site to the east.

The highways officer responded to the points raised as follows:

- There were 169 residential parking spaces proposed instead of 175. Whilst this was acceptable the issue of the number of commercial parking spaces remained unresolved.
- A drawing had been supplied which indicated the provision of acceptable footways. The highway would not be to Council standards but given the type of development, and that the roads would not be adopted, an objection could not be justified.

A Member, speaking as the Executive Member for Adults, Social Care and Housing Operations (HRA) commented as follows:

- That, whilst issues remained outstanding with the application, Members had to recognise the identified need for 9000 units of older persons accommodation and accept a requirement to be flexible in the means of delivery.
- Members should not assume that the 9000 units could be provided in towns alone.
- She was concerned that policy was not driving the achievement of the Council's aspirations and that there was an absence of the supplementary planning guidance on delivering accommodation for older people she had understood to be forthcoming.
- She expressed concern regarding the consistency of weight awarded to MANOP's comments and the need for the principles of the delivery of older persons accommodation to be clearly and fully established.

A Member advised that the supplementary planning guidance (The Housing Enabling Document) formed part of the emerging Local Plan.

In summary a second ward Member commented on the following:

- He endorsed what had been said by the first ward Member.

- He expressed surprise at the relatively low level of objection to the application and the lack of any comment and, therefore, steer from the local community. He acknowledged the objections raised by those residents of Markyate Road immediately affected.
- He stressed he had retained an open mind regarding the application.
- The parishes of Slip End and Caddington had a history of working well together, as reflected in the production of the joint Neighbourhood Plan, and they shared a pragmatic attitude toward development.
- The community facilities offered by the development would benefit Slip End.
- Many of the residents of Slip End moved there from outside the parish and become permanent because it was an attractive area.
- The aim was to make the Heritage Greenway accessible all year and the existing section of Footpath No. 4 in Markyate Road could not be upgraded to the standard sought which was why the suggested alternative route was attractive. However, he acknowledged that in itself was not a VSC and the existing route was usable.
- The possible reason for the absence of comment from the Council's leisure team.
- The need for suitable conditions relating to archaeology if the application were to be approved.
- There was no flood risk due to the site's high location.
- Parking provision should be at a suitable level.
- He recognised the benefits that would be forthcoming but expressed unease in going against the officer's position in that the applicant had not proved that the benefits of the application outweighed the harm and the officer had therefore recommended refusal for a number of reasons.

The first ward Member stressed the need to divert Footpath No. 4 at some time in order to deliver the Heritage Greenway. He then sought clarification as to possibility of deferring further consideration of the application until the next meeting to allow discussion to take place regarding the level of off-site contribution. He also indicated that he wished to better understand the differences between the approaches adopted by the applicant and the Council on viability assessments. In response the Chairman stated that the applicant had been offered the opportunity to withdraw the application to allow such discussions to take place but had declined and his personal view was that deferral would not, therefore, be worthwhile. Further, a Member had earlier explained the approach on viability as set out in the latest NPPF and that this did not appear to have been adopted by the applicant.

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

- That the application would be dealt with in two parts. First, if it was not viable to provide 30% affordable housing it would not be policy compliant. Second, if the application met this requirement then to create a VSC, because the site lay in the Green Belt then a greater than policy

compliant contribution to affordable housing or on-site affordable housing, as well as VSCs to justify development in the Green Belt, was required.

- The application had the support of the Parish Council and, broadly, that of the community despite the visual impact.
- The Neighbourhood Plan had been formally adopted and therefore carried weight.
- The demand for accommodation and the attractiveness of a rural location for some people, rather than towns, for such developments.
- That whilst the officer report followed the Council's policy the community supported the scheme as did the Executive Member.
- Uncertainty regarding Members' full understanding of the issues relating to the viability assessments.
- Entrance and egress into the site in view of local traffic speeds.
- The high market price of buying retirement accommodation and how the proposed development, without an affordable element and even if it were off-site, would fail to help meet demand.
- A third planning officer explained that there were wide differences in the outcomes of the two viability assessments. Further discussion could take place and the applicant had been offered, but declined, the opportunity to withdraw the application for consideration at a later date. The officer stated that the fundamental issue in terms of the viability was that the starting point was on-site provision of affordable accommodation but the applicant's was off-site provision. Further, the site was in the Green Belt and therefore not considered appropriate. No VSCs had been identified. The officer advised that the new Local Plan contained specific references to the provision of older persons accommodation.
- What was a fair balance in the number of affordable homes in this type of application compared to the provision of 30-40 ordinary houses.
- How many jobs would be created given the previous care home in Caddington closed because it was unable to recruit suitable staff and there were a large number of vacancies in the sector.
- The huge unmet need for older persons accommodation.
- The NPPF not been amended until after the applicant's viability assessment had been submitted to the Council and whether all applicants with outstanding applications had been advised of the revision.
- Concerns at the absence of discussions between the applicant and the Council's consultants.

Note: at this point in the debate it was moved and seconded to approve the application. In response Councillor Young, as set out in paragraph 9.4 of Part 4E of the Constitution, requested that a recorded vote be taken. He advised that if the Committee was minded to approve the application then it would have to be referred to the Secretary of State and the reasons for its approval justified.

- The Chairman referred to the revisions in the NPPF which had strengthened the restrictions on Green Belt development. A planning officer confirmed that if the application was approved the Council would be required to refer it to the Secretary of State given that it was a large scale major development, it was contrary to policy and within the Green Belt. She described the related Green Belt test and recent legal judgements in this area relating to VSCs. A number of VSCs would therefore need to be brought forward should the application be approved.
- A comparison with the size of the application and the existing Greenfields extra care facility in Leighton Buzzard and the parking problems which had subsequently arisen at the latter due to insufficient parking provision.
- The size of the existing loss of Green Belt in Central Bedfordshire due to growth demand and the apparent contradiction between the actions of Secretaries of State in permitting this and the policies in the revised NPPF. A Member commented that the Green Belt sites concerned had been allocated for many years and there was a major difference between those and a new application.

The mover of the recommendation to approve reminded the meeting that each application was determined on its own merits. He then listed the planning conditions in support of approval these being:

The application supported the aspirations of the adopted Neighbourhood Plan
Would provide enhancements to the landscape and biodiversity
Would provide improvements to the Heritage Greenway
Met identified need
Would create jobs at both the building stage and in the completed scheme
Would free up accommodation in central Bedfordshire and its neighbours as older people downsized.

The planning officer stated that, for the reasons set out in the report, the officers could not agree with the proposed conditions as being VSCs and would not recommend that they were put forward to the Secretary of State as such. She suggested that consideration be given to deferring the application in order to allow discussion to take place on the issues raised.

On being put to the vote 2 Members voted to approve the application (Councillors Dalgarno and Nicols), 8 voted against approval (Councillors Berry, Blair, Collins, Firth, Ghent, Matthews, Swain and Young) and 1 abstained (Councillor Smith).

The motion to approve the application being defeated it was then moved and seconded that the application be refused for the reasons set out in the officer report. On being put to the vote 6 Members voted to refuse the application, 3 voted against refusal and 2 abstained.

RESOLVED

that Planning Application No. CB/18/00875/FULL relating to 102 Markyate Road, Slip End, Luton, LU1 4BX be refused as set out in the Schedule attached to these minutes.

AT THE CONCLUSION OF ITEM 12 ABOVE COUNCILLORS C HEGLEY AND R STAY LEFT THE MEETING

THE COMMITTEE ADJOURNED AT 1.12 P.M. AND RECONVENED AT 1.35 P.M. ALL MEMBERS, INCLUDING COUNCILLOR MRS CLARK, WERE PRESENT

DM/18/69. Planning Application No. CB/18/01001/FULL (Leighton Buzzard North)

The Committee had before it a report regarding Planning Application No. CB/18/01001/FULL for the erection of one detached dwelling with parking and access and erection of a detached garage to serve 10 Copper Beach Way, Leighton Buzzard, LU7 3BD.

The Committee was aware that a previous application for a dwelling on this site had been refused by the Council and the resulting appeal was currently being considered by the Planning Inspectorate.

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

In advance of consideration of the application the Committee received a representation from Mr Richard Murdock, the agent for the applicant, under the public participation scheme.

A ward Member, who had called in the application, commented on various issues including:

- The application site lay in the Green Belt and very special circumstances were required to make the application acceptable.
- The current application was for a smaller dwelling than in the previous application, though he queried if that was sufficient reason to justify approval in the Green Belt.
- If the current application was approved would it mean that the previous application, now with the Planning Inspectorate, would almost certainly be approved and was the Committee therefore deciding two applications?

The planning officer responded to the points raised as follows:

- With regard to the previous application the Planning Inspectorate had only recently registered the appeal. The appeal had been answered with a rebuttal statement setting out the opinion that there would be

harm to the character and, as a result, openness due to the size of the proposed dwelling and the lack of landscaping.

- The current application provided a significant reduction in building size, a lack of harm to openness and the result of the Green Belt Review (which had not been put forward as a Very Special Circumstance in support of the previous application) it was considered that, given the exceptional circumstances of the application site and the five purposes of the Green Belt, this area of land was considered weak in how it contributed to the Green Belt. Those circumstances were not applicable elsewhere and so were felt to be exceptional.
- The Inspector could chose to approve the previous application. However, approving the current application would not mean the original application was also approved and the reasons for the Council's refusal of the former were still held to be valid given the differences between the two.
- The ward Member stated that should the Committee approve the current application then, he felt, the Planning Inspector would be guided by this and approve the previous application. The Chairman stated that Inspectors often stressed that each application was decided on its merits so it would be surprising if the Planning Inspector was influenced by the Committee's decision.
- Whilst the previous application was considered detrimental in size, massing, scale and lack of landscaping the proposed development had removed the planned built garage and reduced the dwelling by one storey. It was not, therefore, overbearing in its revised form. The application met parking standards, there were no objections from the highways officer regarding visibility safety for the vehicle access and the visual impact on the landscape would be mitigated by the reduction in dwelling size and the existing surrounding landscaping which was also conditioned for enhancement.

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

- How much of the application site lay within the Green Belt. To assist the planning officer displayed a map showing the Green Belt boundary.
- Whether the application met the exceptions, as set out within the National Planning Policy Framework (NPPF), in order to allow building on the Green Belt. The planning officer acknowledged that it was inappropriate development and the application did not meet the exceptions set out in paragraph 145 of the NPPF but stated that the limited harm, reduction in size and the Green Belt Review outcome amounted to Very Special Circumstances.
- If the building was no longer felt to be overbearing and was appropriate for its location then it could not be defended on Green Belt grounds given that the independent Green Belt Review had considered every parcel of Green Belt in Central Bedfordshire, had tested them against

the five purposes of the Green Belt and had determined that this parcel did not meet some of those purposes.

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

RESOLVED

that Planning Application No. CB/18/0100/FULL relating to 10 Copper Beech Way, Leighton Buzzard, LU7 3BD be approved as set out in the Schedule attached to these minutes.

DURING CONSIDERATION OF ITEM 9 BELOW COUNCILLOR B SPURR LEFT THE MEETING

DM/18/70. Planning Application No. CB/17/01525/FULL (Arlesey)

The Committee had before it a report regarding Planning Application No. CB/17/01525/FULL, a retrospective application for a change of use of an existing outbuilding to private gym use comprising 4 no. one-to-one personal training sessions (maximum one person and one hour per session) at 74 Church Lane, Arlesey, SG15 6UX.

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

No representations were received by the Committee under the public participation scheme.

(Note: At this point in the proceedings Councillor Dalgarno, as a ward Member, sat at the seat allocated to public speakers to address the meeting).

The ward Member stated that he knew the next door neighbours on one side of the applicant, that they had approached him with their concerns and had asked him to call the application in which he had done. He commented on various issues including:

- The detrimental impact on neighbours' amenity in the past as a result of group exercises with loud music.
- The parking issues which had arisen because of the visiting clientele. There were local parking restrictions in place including a residents' parking scheme nearby.
- The failure to address the relevance of Policy LP HQ1: High Quality Development (Central Bedfordshire Submission Local Plan) mentioned in the officer's report when the outbuilding was merely a shed.
- There had been a lack of previous engagement by the applicant with his neighbours and the latter felt that the officers were being misled.

- That the application represented an inappropriate change of use and he queried how any of the proposed conditions could be policed.
- That, should the application be approved, a review of what was taking place at the site should be carried out to ensure the neighbours' amenity was protected.
- That unless the activity was self-contained and did not impact on local residents then the proposed use was inappropriate.

Clarification was sought from the ward Member regarding the action which could be undertaken should the planning conditions be breached. The meeting noted various points including that various local residents had contacted the ward Member over the past year regarding the nuisance caused and that enforcement action had been instigated by the latter but had then ceased because the current planning application had been submitted. The ward Member stressed that the applicant was operating a commercial business and it needed to be treated as such.

(Note: Councillor Dalgarno left the Council Chamber at this point and took no further part in the debate or in the vote on this item).

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

- The recommended conditions within the officer's report for the control of noise and parking and how they met the concerns which had been expressed.
- The possible use, by clients of the business, of a nearby public house car park when it was empty.

On being put to the vote 11 Members voted for approval, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/17/01525/FULL relating to 74 Church Lane, Arleseey, SG15 6UX be approved as set out in the Schedule attached to these minutes.

AT THE CONCLUSION OF ITEM 9 ABOVE COUNCILLOR I DALGARNO RE-ENTERED THE CHAMBER

DM/18/71. Planning Application No. CB/13/03433/OUT (Northill)

The Committee had before it a report regarding Planning Application No. CB/13/03433/OUT, an outline application for B1, B2 and B8 units on an existing lorry park site (utilising existing access) with all matters reserved accept access at the Superstore, Bells Brook, Biggleswade, SG18 0NA.

(Note: At this point, and prior to considering this application, Councillor Mrs Clark declared a personal interest because she knew Mr Steven Smith (of Denison Investments Ltd) in his role as a developer. She had worked with him on the delivery of the community building on the Home Farm site in Cranfield and the relationship was of a professional nature.

Also at this point the Chairman stated that he also knew Mr Smith by virtue of the positions he (the Chairman) had held over the years. The Chairman had not discussed the application with him).

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.

No representations were received by the Committee under the public participation scheme.

The ward Member welcomed the proposed small business units and the associated employment opportunities. However, he referred to the location of the site in Flood Plain 3 and queried whether the application would lead to any drainage issues being moved elsewhere. He also referred to local highways issues and asked if the filter lane to the filling station to the south of the application site could be extended to also assist entry into the site. Last, he expressed the hope that the lighting on the site would not impact on traffic using the nearby A1.

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

- The adoption of additional conditions relating to provision of a right turn filter lane and the use of LED lighting on the site. The planning officer advised that neither he nor the highways officer felt an extended filter lane to be necessary. However, he stated that there was no technical reason why conditions relating to it or LED lighting could not be imposed.
- The planning officer felt that access to the stream would not be impeded by the development.
- With regard to possible flooding it was noted that there was no objection to the application by the Internal Drainage Board, the Sustainable Urban Drainage team or the Environment Agency. The possible 'relocation' of flooding risk elsewhere had been considered and the officers did not believe this would occur.

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

RESOLVED

that Planning Application No. CB/13/03433/OUT relating to Superstore, Bells Brook, Biggleswade, SG18 0NA be approved as set out in the Schedule attached to these minutes.

DM/18/72. Planning Application No. CB/18/01461/FULL (Cranfield & Marston Moretaine)

The Committee had before it a report regarding Planning Application No. CB/18/01461/FULL for the erection of 16 new lodges with associated parking and access, footpaths and landscaping at Center Parcs Woburn Forest Holiday Village, Fordfield Road, Millbrook, Bedford, MK45 2GZ.

There were no additional consultation/publicity responses, comments or additional/amended conditions reported in the Late Sheet.

No representations were made under the public participation scheme.

At the request of the Chairman the planning officer responded to the points raised by Steppingley Parish Council as follows:

- Of the five objections received from Steppingley Parish Council the main objections related to proposed lodges 9 and 10, including the impact of the development on the footpath, light intrusion and the requirement for the demonstration of very special circumstances to enable development in the Green Belt. With regard to the requirement for very special circumstances the planning officer stated that, because the application was regarded as infill development on previously developed land, it was considered appropriate development in the Green Belt in accordance with paragraph 145(g) of the National Planning Policy Framework. As such, very special circumstances were not required.

In response to a query from a ward Member regarding the Parish Council's comments the planning officer stated that, subject to suitable landscaping, he did not believe proposed lodges 9 and 10 would be visible from the existing footpath. He also stated that the provision of a bund was beyond the scope of the current application.

The Chairman, also commenting as a ward Member, stated that as far as he was aware, the proposals accorded with the existing character of the site and he had no objection.

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

- The requirement to replace any broad leaf trees lost by the development, the need to undertake all possible measures to protect those trees earmarked to be retained and the addition of wording to the

proposed conditions so that the landscaping scheme included replacement tree planting.

- The Parish Council's policy of there being no street lighting in Steppingley. The Committee noted that the application site did not lie within the Parish boundary.
- The possibility of securing an additional financial contribution from the applicant towards possible projects. The planning officer advised that no projects had been identified by spending officers in the consultation process and the size of the application also meant a significant contribution was unlikely. The Chairman suggested that the applicant be requested to voluntarily 'top up' the existing contribution sum set out within the S106 Agreement. The second planning officer stated that he would report back to the Chairman of the Committee, the Executive Member and ward Members, on the outcome of the negotiations.

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

RESOLVED

- 1 that Planning Application No. CB/18/01461/FULL relating to Center Parcs Woburn Forest Holiday Village, Fordfield Road, Millbrook, Bedford, MK45 2GZ be approved as set out in the Schedule attached to these minutes;**
- 2 that the applicant CP Woburn (Operating Company) Ltd be invited to make a voluntary financial contribution to top up those monies already allocated towards the proposed cycleway as set out within the existing S106 Agreement for this site.**

DM/18/73. 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/18/74. Site Inspection Appointment(s)

NOTED

that the next meeting of the Development Management Committee will be held on 10 October 2018.

RESOLVED

that all Members and substitute Members along with the relevant ward representatives be invited to conduct the site inspections on 8 October 2018.

(Note: The meeting commenced at 10.00 a.m. and concluded at 3.43 p.m.)

Chairman

Dated

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Item No. 5

APPLICATION NUMBER	CB/18/00223/OUT
LOCATION	Land to the rear of Stondon Lower School and playing fields, Upper Stondon, SG16 6QB
PROPOSAL	Outline: Formation of new access together with residential development of 40 dwellings together with associated landscaping and engineering operations
PARISH	Stondon
WARD	Arlesey
WARD COUNCILLORS	Cllrs Delgarno, Shelvey & Wenham
CASE OFFICER	Matthew Heron
DATE REGISTERED	17 January 2018
EXPIRY DATE	8 May 2018
APPLICANT	Optimus Consulting
AGENT	Optimus Consulting
REASON FOR COMMITTEE TO DETERMINE	Major development contrary to existing Development Plan
RECOMMENDED DECISION	Outline application – Recommend approval subject to completion of legal agreement

Recommendation:

That Outline Planning Permission be GRANTED subject to the completion of a S106 for affordable housing and contributions to local infrastructure and the following conditions:

RECOMMENDED CONDITIONS / REASONS

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

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

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

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

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

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

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans;

15120 (B) 099 Rev. A & 171990-SK01 Rev. F.

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

- 5 The number of dwellinghouses approved shall not exceed 40.

Reason: To appropriately manage the scale of the development at the site, in accordance with Policies CS14, DM3 and DM4 of the Core Strategy and Development Management Policies 2009.

- 6 The applicant shall submit a comprehensive noise assessment at the reserved matters stage which considers the potential noise impact of the lower school sports and recreation facilities on the amenity of future occupiers of the proposed dwellings and provides details of a noise mitigation scheme for written approval by the Local Planning Authority.

Any works which form part of the scheme approved by the local authority shall be completed before any permitted dwelling is occupied.

Reason: To protect the amenity of future occupiers of the development and to safeguard sports and recreation facilities at the school, in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 7 No development shall commence until an Ecological Management Plan for the land to the south west (considered under application ref CB/18/00231/FULL)

and a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority. Subsequently, development shall be carried out in accordance with agreed details.

Reason: In the interest of biodiversity, in accordance with Policy CS18 of the Core Strategy and Development Management Policies 2009.

- 8 No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk statement and Drainage strategy (January 2018) and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details of how the system will be constructed, including any phasing, and how it will be managed and maintained after completion. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 of the National Planning Policy Framework (2012).

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

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 10 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding, in accordance with the Core Strategy and Development Management Policies 2009.

- 11 No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

A Phase 1 Desk Study report prepared by a suitably qualified person adhering to BS 10175 and CLR 11 documenting the ground and material conditions of the site with regard to potential contamination.

Reason: In the interest of human health in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 12 No occupation of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

- Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175 and CLR 11, incorporating all appropriate sampling, prepared by a suitably qualified person.

- Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 Remediation Scheme (RS) prepared by a suitably qualified person, with measures to be taken to mitigate any risks to human health, groundwater and the wider environment, along with a Phase 4 validation report prepared by a suitably qualified person to confirm the effectiveness of the RS.

Any such remediation/validation should include responses to any unexpected contamination discovered during works.

Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 13 No building shall be brought in to use until a 2m wide footway on the northern side of The Pastures has been constructed in accordance with approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises, in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 14 Visibility splays shall be provided at the junction of the access with the public highway before the development is first brought into use. The minimum

dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 17m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it, in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 15 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 Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 16 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate vehicular turning areas for all service vehicles.

Reason: To enable vehicles to draw off and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway, in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 17 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include car and cycle parking in accordance with Central Bedfordshire Design Guide September 2014 or other such documents that replace them has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.

Reason: To ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014, in accordance

with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 18 Prior to the construction of the affordable dwellinghouses at the site, a scheme for their final mix shall be submitted to and approved in writing by the Local Planning Authority. Subsequently the development shall be in accordance with agreed details.

Reason: To ensure an appropriate mix of affordable dwellings, in accordance with Policy CS7 of the Core Strategy and Development Management Policies 2009.

- 19 Prior to the construction of vehicular parking areas associated with the approved dwellinghouses, a scheme for the charging of electric vehicles shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall be in accordance with these approved details.

Reason: To assist with the transition to low-emission vehicles in line with paragraph 110 of the National Planning Policy Framework (2018).

INFORMATIVE NOTES TO APPLICANT

1. The applicant should address the following concerns when submitting details of the drainage plan:
 1. There is no evidence in the form of a detailed ground investigation report to confirm that the ground is suitable for infiltration drainage. An infiltration test and report should be carried out to BRE Digest 365 to determine if soakaways or similar features can be used on any part of the site.
 2. Details of the final proposed impermeable area, peak flow rate and storage requirement, with full calculations and methodology. The scheme to be submitted shall include provision of attenuation for the 1 in 100 year event (+ climate change) and demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event (to include for climate change and urbancreep) will not exceed the run-off from the undeveloped site following the corresponding rainfall event.
 3. A full site drawing of the surface water drainage system including inverts, cover levels, pipe numbers, control features etc. should be submitted to the LPA for approval.

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

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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Item No. 6

APPLICATION NUMBER	CB/18/00231/FULL
LOCATION	Land adjacent to 6 The Pastures Upper Stondon, SG16 6QB
PROPOSAL	Demolition of existing village hall and sports pavilion and provision of a new Village Hall, Sports Pavilion, Tennis Court, School Play Ground together with improved car parking, footways, fences, gates, landscaping and associated engineering operations
PARISH	Stondon
WARD	Arlesey
WARD COUNCILLORS	Cllrs Delgarno, Shelvey & Wenham
CASE OFFICER	Matthew Heron
DATE REGISTERED	17 January 2018
EXPIRY DATE	15 May 2018
APPLICANT	Optimus Consulting
AGENT	Optimus Consulting
REASON FOR COMMITTEE TO DETERMINE	Proposes development on Council owned land and objections have been received
RECOMMENDED DECISION	Recommend approval subject to completion of legal agreement

Recommendation:

That Planning Permission be GRANTED 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 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; K1136-04 Rev. D & K1148-02 Rev. D & 15120 (D) 205 & 15120 (D) 204 & 15120

(D) 203 & 15120 (D) 202 & 15120 (D) 201 & 15120 (D) 200 & 15120 (B)
098 Rev. A & 171990-SK01 Rev. F.

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

- 3 No development of the tennis court shall commence until details of the design of the surfacing and fencing of the court have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The tennis court shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose, in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 4 Prior to the construction of the village hall and the sports pavilion hereby permitted full specifications of the materials to be used for their external surfaces must be submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall be carried out and retained in accordance with approved details.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS14, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 5 Prior to the construction of the locally equipped area of play hereby permitted full specifications of this facility must be submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall be carried out and retained in accordance with approved details.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS14, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 6 Prior to first operation of the buildings and facilities hereby approved full details on a suitably scaled plan of both hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be in addition to those shown on the approved plans and shall be carried out and retained as approved. The landscaping details to be submitted shall include:-

a) means of enclosure;

- b) existing and proposed finished levels and finished floor levels.
- c) planting plans, including specifications of species, sizes, planting centres, planting method and number and percentage mix;
- d) details for all external hard surface within the site, including roads, drainage detail and car parking areas.

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy DM14 of the Core Strategy and Development Management Policies 2009.

- 7 All planting, seeding or turfing and soil preparation comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following first occupation of the building; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards.

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy DM14 of the Core Strategy and Development Management Policies 2009.

- 8 Prior to the first operation of the buildings and facilities hereby approved, a scheme for external lighting shall be submitted and approved in writing by the Local Planning Authority. Subsequently, development shall be carried out in accordance with these approved details.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS14, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 9 No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk statement and Drainage strategy (January 2018) and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details of how the system will be constructed, including any phasing, and how it will be managed and maintained after completion. The scheme

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

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 of the National Planning Policy Framework (2012).

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

Reason: To ensure that the implementation and longterm operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 11 No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

A Phase 1 Desk Study report prepared by a suitably qualified person adhering to BS 10175 and CLR 11 documenting the ground and material conditions of the site with regard to potential contamination.

Reason: In the interest of human health in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 12 No occupation of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

- Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175 and CLR 11, incorporating all appropriate sampling, prepared by a suitably qualified person.

- Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 Remediation Scheme (RS) prepared by a suitably qualified person, with measures to be taken to mitigate any risks to human health, groundwater and the wider environment, along with a Phase 4 validation report prepared by a suitably qualified person to confirm the effectiveness of the RS.

Any such remediation/validation should include responses to any unexpected contamination discovered during works.

Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 13 Prior to the first operation of the buildings and facilities hereby approved, an Ecological Management Plan shall be submitted to and approved by the Local Planning Authority. Subsequently, the development shall be in accordance with agreed details.

Reason: In the interest of biodiversity, in accordance with Policy CS18 of the Core Strategy and Development Management Policies 2009.

- 14 No building shall be brought in to use until a 2m wide footway on the northern side of The Pastures has been constructed in accordance with approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises, in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 15 Visibility splays shall be provided at the junction of the access with the public highway before the development is first brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 17m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it, in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 16 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 Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 17 No part of the village hall or sports pavilion building shall be brought in to use until car parking (with access thereto) has been provided in accordance with the approved plans. The spaces for each building shall be retained throughout the lifetime of the development and shall be kept available for parking at all times.

Reason: To minimise the potential for on-street parking and thereby safeguard the interest of the safety and convenience of road users, in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

INFORMATIVE NOTES TO APPLICANT

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

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

Item No. 7

APPLICATION NUMBER CB/18/01424/OUT
LOCATION Land to the west of Everton Road, Everton Road,
Potton SG19 2PD
PROPOSAL Outline Planning Permission - A residential
development with all matters reserved except
access following the demolition of a detached
bungalow (87 Everton Road), involving the erection
of up to 30 dwellings including an access road,
landscaping and associated ancillary works.
PARISH Potton
WARD Potton
WARD COUNCILLORS Cllrs Mrs Gurney & Zerny
CASE OFFICER Benjamin Tracy
DATE REGISTERED 17 April 2018
EXPIRY DATE 17 July 2018
APPLICANT Blakeney Estates Ltd.
AGENT Woods Hardwick
REASON FOR Major Development - Departure from the
COMMITTEE TO Development Plan
DETERMINE

Cllr Zerny Call-in for the following reasons:

- Contrary to policy
- Over development
- Overbearing
- Impact on Landscape

**RECOMMENDED
DECISION**

Parish Council objection to Major Application.
Outline Application - Approve subject to the
applicant entering into a legal agreement to secure
financial contributions, on-site provision of
affordable housing and self/custom build serviced
plots and, subject to conditions.

Recommendation:

That Planning Permission be **APPROVED** subject to the applicant entering into a legal agreement to secure financial contributions, on-site provision of affordable housing and self/custom build serviced plots and, subject to the following planning conditions:

RECOMMENDED CONDITIONS / REASONS

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

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

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

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

- 3 The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.

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

- 4 The number of dwellings approved shall not exceed 30.

Reason: To appropriately manage the scale of the development at the site, in accordance with Policies CS14, DM3 and DM4 of the Core Strategy and Development Management Policies 2009.

- 5 The landscaping details required to be submitted by Condition 2 of this permission shall include details of hard and soft landscaping (which shall include the retention of trees and hedgerows in accordance with XXX), together with a timetable for its implementation and maintenance for a period of 5 years following implementation. Notwithstanding the details submitted any subsequent submission under Condition 2 of this permission shall include details measures for their protection during the course of development. The approved measures shall be implemented in accordance with a timetable to be included as part of the landscaping scheme. The development shall be carried out as approved and in accordance with the approved timetable.

Reason: To ensure the development would concern or enhance the landscape, provide a net gain for biodiversity, retain trees/hedgerows and safeguard the character and appearance of the area, in accordance with Policies CS16, DM14, DM15 and DM3 of the Core Strategy and Development Management Policies (2009) and the NPPF.

- 6 The application for reserved matters shall include details of the existing and final ground, ridge and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal shall be developed in accordance with the approved details.

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009) and the NPPF.

- 7 **No development shall commence until a detailed surface water drainage scheme, to manage surface water run off from the development for up to and including the 1 in 100 year event (+40%CC), using sustainable drainage principles as set out in the CIRIA SUDS Manual (C753), has been submitted to and approved in writing by the Local Planning Authority. Discharge of surface water off site must not exceed the greenfield rate or volume for the 1 in 1 year event. The final detailed design shall be based on the agreed drainage Strategy (March 2018), and shall be implemented and maintained as approved. Maintenance will ensure the system functions as designed for the lifetime of the development. The scheme shall include, at a minimum, the following:**

- **Full detailed calculations using FEH rainfall data showing the simulated rainfall storms for the 1 year, 30 years, 100 years and 100 years plus climate change;**
- **Detailed plans and drawings showing the proposed drainage system in its entirety, including location, pipe run reference numbers, dimensions, gradients and levels (in metres above Ordinance Datum). This shall include all elements of the system proposed, including source control, storage, flow control and discharge elements;**
- **Details of flow control measures to be used, demonstrating that runoff rate and volume will not exceed greenfield rate/volume;**
- **Details of the ownership, condition and capacity of any receiving watercourse or waterbody;**

- **Full calculations of the attenuation storage volume required including allowances for climate change, based on the simulated rainfall runoff and the agreed post-development discharge rates;**
- **Flooded areas for the 1 in 100-year storm when system is at capacity, demonstrating flow paths for design for exceedance.**
- **Integration of the drainage system with wider site objectives, including water quality treatment, amenity, biodiversity and Amenity.**
- **Details of the structural integrity, proposed construction of the system, and any phasing of works.**
- **Full details of the maintenance and/or adoption proposals for the entire drainage system, including all elements listed above, and any proposed split of the surface water management system and/or maintenance responsibilities between private (i.e. within curtilage) and public (i.e. in public open space and/or highway).**

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

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

Reason: To ensure that the implementation and long-term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 9 No dwelling hereby approved shall not be first occupied until the access including footpath connections, in accordance with Drawing Number: 18018-POTT-5-500, as well as the provision of the required unobstructed vision splays at the junction of the access with the public highway have been completed in full accordance with the approved details. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the

public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To ensure the provision of appropriate access arrangements including the provision of adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.

- 10 Any subsequent reserved matters application shall include an unobstructed public footpath connection up to the western boundary of the site to Mill Lane Recreation Ground. Thereafter the development shall be completed in accordance with the approved details prior to the first occupation of the last dwelling hereby approved.

Reason: In the interest of improving accessibility and connectivity to local community facilities and to promote sustainable modes of transport, in accordance with Policy DM3 and CS4 of the Core Strategy and Development Management Policies and the NPPF.

- 11 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.

- 12 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.

- 13 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include car and cycle parking in accordance with Central Bedfordshire Design Guide September 2014 or other

such documents that replace them has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.

Reason: To ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014.

- 14 As part of any reserved matters application a scheme for the provision of spaces and electric charging points to serve the development shall be submitted for the approval by the Local Planning Authority. The scheme shall include a timescale for implementation. The approved scheme shall be implemented in accordance with the details approved.

Reason: The need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles, in accordance with Policy T5 of the Emerging Local Plan and Paragraph 105 of the NPPF.

- 15 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.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

- 16 **The development shall not commence until a Construction Management Plan has been submitted to and approved, in writing, by the Local Planning Authority. The statement shall include:**

- i) waste management measures;**
- ii) details of site compounds, offices and areas to be used for the storage of materials;**
- iii) methods and details of dust suppression during construction;**
- iv) proposals to minimise harm and disruption to the adjacent local area from ground works, construction noise and site traffic.**
- v) construction traffic routes**

The development shall be carried out in accordance with the details so approved.

Reason: In the interest of highway safety and the living conditions of surrounding properties.

- 17 Prior to the first occupation of the buildings hereby approved, a scheme for external lighting shall be submitted to and approved in writing by the local planning authority. Subsequently, the development shall be carried out and retained in accordance with approved details.

Reason: To ensure a satisfactory appearance to the development and in the interest of biodiversity in accordance with Policies CS14, CS18, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 18 Prior to the first occupation of the development hereby approved details for ecological enhancements at the site shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall be carried out and retained in accordance with these details.

Reason: In the interests of biodiversity, in accordance with Policy CS18 of the Core Strategy and Development Management Policies 2009.

- 19 Any Reserved Matters application submitted shall include a scheme for protecting the proposed dwellings from any potential noise and/or light identified in an associated assessment of the local recreation ground and plant hire premises (including access) for the approval of the local planning authority. Thereafter no dwelling hereby approved shall be occupied until any such scheme identified as necessary has been implemented in accordance with the approved details, shown to be effective and retained in accordance with those details thereafter.

Reason: To protect human health and residential amenity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 20 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 18020/1000 and 18018-POTT-5-500.

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

- 21 No dwelling shall be occupied until a new location for the existing bus stop has been agreed in writing with the Local Highway Authority.

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

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicant is advised that in order to comply with Conditions 1 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ
3. The applicant is advised that all car parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Design Guide 2014.
4. 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.
5. The applicant is advised that the site is located above a Principle Aquifer and within Source Protection Zone 3. Although the proposal is not considered to be of high risk, however the developer should address risks to controlled waters from contamination at the site.
6. The applicant is advised that the Environment Agency consider any infiltration (SuDS) greater than 2.0m below ground level to be a deep system and are generally not acceptable. If the use of deep bore soakaways are proposed the EA would wish to be consulted. All infiltration SuDS require a minimum of 1.2m clearance between the base of infiltration SuDS and peak seasonal groundwater levels.

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 and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Item No. 12

APPLICATION NUMBER	CB/18/00875/FULL
LOCATION	102 Markyate Road, Slip End, Luton, LU1 4BX
PROPOSAL	Proposed New Residential Retirement Care Village with Retirement Living, Assisted Living, High Dependency Care Units, Community Club House, Ancillary Retail Units and Conservatory on a former disused garden nursery and the back garden of 88 Markyate Road. Change of use from unused derelict Land and C3 back garden to C2 Residential Institution.
PARISH	Slip End
WARD	Caddington
WARD COUNCILLORS	Cllrs Collins & Stay
CASE OFFICER	Donna Lavender
DATE REGISTERED	21 March 2018
EXPIRY DATE	20 June 2018
APPLICANT	Black Shu Limited
AGENT	Regents Park Group
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr R Stay, if minded to refuse due to local aspirations and need for elderly accommodation.
RECOMMENDED DECISION	Full Application - Recommended for Refusal

Recommendation:

That Planning Permission be REFUSED subject to the following:

REASONS FOR REFUSAL

- 1 The site lies within the South Bedfordshire Green Belt and would result in harm to the openness of the Green Belt, and would have an adverse impact on the setting of the site and the character of the area, by way of the urbanisation of the area and would result in an erosion of the rural transition between the villages. The proposal is inappropriate development within the Green Belt and would be harmful by reason of inappropriateness and loss of openness and would conflict with the purposes of including land within the Green Belt by way of encroachment of the countryside. Very special circumstances that would outweigh the identified harm have not been established in this case. The proposal is contrary to Section 13 of the National Planning Policy Framework.

- 2 The proposal due to its location, setting on the brow of a hill, its relationship to the existing villages and the scale of the development, would cause significant and demonstrable harm to the character and appearance of the area by extending built development into the countryside and due to the pattern of development in this area it would appear incongruous and out of character with the existing character of the villages and with adjoining dwellings in the locality. As such the proposal would be contrary to policy BE8 of the S.B.L.P.R and section 12 & 15 of the NPPF.
- 3 The proposed development makes inadequate provision for the on-site parking of vehicles and is likely to lead to an increase in on-street parking so resulting in traffic congestion and additional hazards for highway users. The proposal is therefore contrary to Policy T10 of the South Bedfordshire Local Plan Review and sections 9 & 12 of the NPPF.
- 4 In the absence of a completed legal agreement securing financial contributions to offset infrastructure impact, including the provision of affordable housing, the development would have an unmitigated and unacceptable impact on existing local infrastructure. The development would therefore not amount to sustainable development and would be contrary to the objectives of the National Planning Policy Framework.
- 5 The proposal fails to demonstrate how the intensified mix use of the site could be accommodated without detrimental impact on existing residents in terms of noise and disturbance. In addition, the proposal would fail to provide suitable level of accommodation or external amenity to meet the needs of the future occupiers and therefore is contrary to policy BE8 of the S.B.L.P.R., Section 12 of the NPPF and the Central Bedfordshire Design Guide.
- 6 Given its location and relationship to the existing settlement and in the absence of provision for direct and suitable footpath and cycleway connections and the lack of public transport provision, it would be isolated from the services and facilities of the adjacent settlement of Slip End and would thereby result in a heavy dependency on car journeys. As a result the proposal would not amount to sustainable development and would be inappropriate and unacceptable in principle. The proposal therefore fails to conform with the objectives of the National Planning Policy Framework and policy SD1 of the S.B.L.P.R.
- 7 This application does not provide sufficient information on the proposed development site's archaeological potential to be able to assess the impact of the proposal on the significance of heritage assets with archaeological interest. The proposal therefore fails to conform with the objectives of section 16 the National Planning Policy Framework and the Central Bedfordshire Design Guide.

The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The applicant was invited to withdraw the application to seek pre-application advice prior to any re-submission but did not agree to this. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) 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/18/01001/FULL
LOCATION	10 Copper Beech Way, Leighton Buzzard, LU7 3BD
PROPOSAL	Erection of one detached dwelling with parking and access. Erection of detached garage to serve 10 Copper Beech Way.
PARISH	Leighton-Linslade
WARD	Leighton Buzzard North
WARD COUNCILLORS	Cllrs Johnstone, Spurr & Ferguson
CASE OFFICER	Nicola Darcy
DATE REGISTERED	12 March 2018
EXPIRY DATE	07 May 2018
APPLICANT	Mr F Marshall
AGENT	Woods Hardwick Planning
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Spurr as the site lies within the Green Belt.
RECOMMENDED DECISION	Full Application - For Approval

Recommendation:

That Planning Permission be APPROVED for the following:

RECOMMENDED CONDITIONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Section 12, NPPF)
- 3 **No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance**

for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

**Reason: To ensure an acceptable standard of landscaping.
(Sections 12 &15, NPPF)**

- 4 The parking scheme shown on approved drawing ref: 18/FM/101 Rev B shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure provision for car parking clear of the highway.
(Section 9, NPPF)

- 5 Prior to the occupation of any dwelling on the site, a scheme for the provision of waste receptacles for each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The receptacles shall be provided before occupation takes place.

Reason: In the interest of residential amenity and to reduce waste generation in accordance with the Councils's Minerals and Waste Local Plan 2014, Policy WSP5 and the adopted SPD "Managing Waste in New Developments" (2006).

- 6 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 the buildings hereby permitted shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the external appearance of the buildings in the interests of the amenities of the area.
(Section 12, NPPF)

- 7 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the property without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the development in the interests of the visual amenity of the area.
(Section 12, NPPF)

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 18/FM/101 Rev B, 18/FM/112 Rev A, 18/FM/113 Rev A & 18/FM/114 Rev A.

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

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

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

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Item No. 9

APPLICATION NUMBER	CB/17/01525/FULL
LOCATION	74 Church Lane, Arlesey, SG15 6UX
PROPOSAL	Retrospective: Change of use of existing outbuilding to private gym use comprising 4 no. one-to-one personal training sessions (maximum one person and one hour per session)
PARISH	Arlesey
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Julia Ward
DATE REGISTERED	18 April 2017
EXPIRY DATE	13 June 2017
APPLICANT	Mr R Hall
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Councillor Dalgarno has called the application to committee for the following reasons: Noise/ disturbance to adjoining residents; Car parking and highway safety/ inconvenience issues caused by the change of use; Inappropriate development within a residential area.
RECOMMENDED DECISION	Full Application – Recommended for Approval

Recommendation:

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 The vehicle parking spaces shown on approved drawing ref: CBC05 shall be kept available for parking at all times.

Reason. To ensure that there is adequate parking within the site.
- 2 The premises shall only be open to customers between the hours of 0900 to 1800 on Mondays and Thursdays and 0900 to Midday on Saturdays and at no other time, including Sundays or Bank Holidays, for one to one training sessions. There shall be no group classes run at the premises at any time.

Reason: To safeguard the residential amenity which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 3 No music, musical instruments, or loudspeakers shall be played or used within the premises forming the subject of this permission so as to be audible outside the premises.

Reason - To safeguard the residential amenity which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 4 Except for access and egress the doors and windows of the gym shall be kept closed at all times whilst customers are visiting the premises. All personal training activities hereby approved shall take place within the building.

Reason: To safeguard the residential amenity which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 5 Within 4 months of the issuing of this permission the gym building shall be insulated in accordance with a scheme agreed in writing with the local planning authority to reduce emissions of noise arising from its use affecting neighbouring residents. The works and scheme shall thereafter be maintained in accordance with the approved details.

Reason: To safeguard the residential amenity which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 6 This permission is for the sole benefit of the occupier of no. 74 Church Lane, Arlesey and shall not extend to any other person.

Reason: To ensure the retention of planning control by the Local Planning Authority on the operation of the business with respect to limiting the impact on adjoining residents to an acceptable level.

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC01; CBC02; CBC03; CBC04; CBC05

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

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The proposed use of the premises will give rise to particular health and safety risks. The applicant is advised to look at the Central Bedfordshire Council website for further information on duties and responsibilities at <http://www.centralbedfordshire.gov.uk/business/health-safety-work/overview.aspx>
3. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

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 (paragraph 38) 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/13/03433/OUT
LOCATION	Superstore, Bells Brook, Biggleswade, SG18 0NA
PROPOSAL	Outline planning permission for B1, B2 and B8 units on existing Lorry Park site (utilising existing access) all matters reserved except access
PARISH	Northill
WARD	Northill
WARD COUNCILLORS	Cllr Frank Firth
CASE OFFICER	Stuart Robinson
DATE REGISTERED	31 October 2013
EXPIRY DATE	30 January 2014
APPLICANT	Denison Investments Ltd
AGENT	Arrow Planning Limited
REASON FOR COMMITTEE TO DETERMINE	Departure from the Development Plan
RECOMMENDED DECISION	Outline Application - Approval

That Outline Planning Permission be approved subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 no 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 **Prior to the commencement of the development, hereby approved, wheel-cleaning facilities, which prevent the deposit of mud or other extraneous material on the highway during the construction period, shall be installed at all vehicular site exits. The wheel-cleaning facilities shall be retained until the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).**

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period, in accordance with Policy DM3 within the adopted Local Plan and the NPPF. These details are required prior to commencement, as any of the construction works, proposed as part of this development, have the potential to impact the highway.

- 4 **No development pursuant to this outline permission shall commence on any part of the site until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The works shall then be implemented in accordance with the details approved.**

Reason: To ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period and in accordance with the NPPF. Details must be approved prior to the commencement of development to mitigate nuisance and potential damage which could occur in connection with the development.

- 5 Notwithstanding the details in the outline application, any reserved matters application submitted pursuant to this outline permission shall include a Detailed Surface Water Drainage Scheme to be prepared in accordance with the principles established within the approved Woods Hardwick Flood Risk Assessment and Drainage Strategy (November 2017). The final scheme shall be based on an assessment of the hydrological and hydro geological context of the development. The scheme shall cater for the 1in100 year event + 40% allowance for climate change and discharge shall be limited to 2.5l/s/ha. The scheme will prioritise sustainable drainage systems in the final layout as agreed in the outline strategy. In addition to this the Detailed Surface Water Drainage Scheme shall, at a minimum, include the following:

Full detailed calculations using FEH rainfall data showing the simulated rainfall storms for the 1 year, 30 years, 100 years and 100 years plus climate change;

- Detailed plans and drawings showing the proposed drainage system in its entirety, including location, pipe run reference numbers, dimensions, gradients and levels (in metres above Ordinance Datum). This shall

include all elements of the system proposed, including source control, storage, flow control and discharge elements;

- Details of flow control measures to be used, demonstrating that runoff rate and volume will not exceed greenfield rates;
- Full calculations of the attenuation storage volume required including allowances for climate change, based on the simulated rainfall runoff and the agreed post-development discharge rates;
- Flooded areas for the 1 in 100-year storm when system is at capacity, demonstrating flow paths for design for exceedance;
- Integration of the drainage system with wider site objectives, including water quality treatment, amenity, biodiversity and amenity;
- Details of the structural integrity, proposed construction of the system, and any phasing of works;
- Full details of the maintenance and/or adoption proposals for the entire drainage system, including all elements listed above, and any proposed split of the surface water management system and/or maintenance responsibilities between private (i.e. within curtilage) and public (i.e. in public open space and/or highway).

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

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

- 6 Prior to the first use of the development, a 'management and maintenance plan' for the entire surface water drainage system shall be submitted to the Local Planning Authority, for approval in writing. The plan shall demonstrate that all surface water management structures and facilities shall be maintained in perpetuity to ensure that the structures and facilities function as originally designed, and that the approved surface water drainage scheme shall be correctly and fully installed as per the approved details for that phase.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved in the interests of policy DM3 of the Core Strategy and Development Management Policies 2009.

- 7 Prior to the occupation of any of the proposed units a scheme shall be submitted to the Local Planning Authority, for approval in writing, demonstrating that noise from fixed plant, equipment and machinery shall not exceed the existing background level (or 5dBA below if there is a tonal quality or distinguishable characteristics) for that building, when measured or

calculated according to BS4142:1997, at the boundary of noise sensitive premises.

Reason: To protect nearby residential properties against noise impacts associated with the use of the units in the interests of policy DM3 of the Core Strategy and Development Management Policies 2009.

- 8 Notwithstanding the details in the outline application, any External Lighting installations shall be constructed with LED lighting and shall comply with “ILE External lighting” Guidelines & Dark Sky policy’s zonal classification E2: Low district brightness areas, Rural or small village locations and shall be in place prior to the occupation of any of the proposed buildings subsequently approved through reserved matters.

Reason: To protect the future neighbouring occupiers from light pollution associated with the use of the business parking the interests of policy DM3 of the Core Strategy and Development Management Policies 2009.

- 9 Any reserved matters application submitted pursuant to this outline permission shall include details of the finished ground levels and finished floor levels for the reserved matters development for which approval is sought. Details submitted shall also include sections through the site and include adjacent land and buildings. Development shall be carried out in accordance with the approved details.

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

- 10 Any reserved matters application submitted pursuant to this outline permission shall include a foul water strategy for the reserved matters development for which approval is sought. No building shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding in the interests of policy DM3 of the Core Strategy and Development Management Policies 2009.

- 11 Any reserved matters application for proposed buildings on the site will include details to show how the buildings will be constructed to achieve either BREEAM excellent rating or BREEAM Very Good and source 10% of its energy demand from renewable or low carbon sources. The works shall then be carried out in accordance with the approved details.

Reasons: To ensure development is constructed to an appropriate standard in the interests of policies DM1 and DM2 of the Core Strategy and Development Management Policies.

- 12 Any reserved matters application submitted pursuant to this outline permission shall include a Biodiversity Mitigation Strategy & Management Plan. The scheme shall include details of ecological surveys and suitable habitat mitigation, including lighting strategies and monitoring including details extent and type of new planting and new habitat created on site. Any reserved matters proposals permitted shall be carried out in accordance with the approved Mitigation Strategy & Management Plan.

Reason: To protect wildlife and supporting habitat and in accordance with the NPPF and policy DM3 of the Core Strategy and Development Management Policies 2009

- 13 The reserved matters proposal 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: To minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road, in accordance with the NPPF and policy DM3 of the Core Strategy and Development Management Policies 2009

- 14 Visibility splays shall be retained at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the retained splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it (them), in accordance with the NPPF and policy DM3 of the Core Strategy and Development Management Policies 2009

- 15 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 the NPPF and policy DM3 of the Core Strategy and Development Management Policies 2009.

- 16 Prior to the occupation of the development, hereby permitted, a scheme for a right hand filter lane serving the development, on Bells Brook, shall be submitted for the Local Planning Authority for approval in writing. The scheme shall be implemented prior to occupation and shall be retained thereafter.

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety, in accordance with Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF.

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/001 (Site Plan), Drawing Number 01 Rev C (to the extent that it shows the access proposal only).

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

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. 1/ The applicant is advised that all HGV/car parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Design Guide 2014.

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".
3. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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Item No. 11

APPLICATION NUMBER	CB/18/01461/FULL
LOCATION	Center Parcs Woburn Forest Holiday Village, Fordfield Road, Millbrook, Bedford, MK45 2GZ
PROPOSAL	Erection of 16 new lodges with associated parking and access, footpaths and landscaping.
PARISH	Millbrook
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER	Benjamin Tracy
DATE REGISTERED	01 May 2018
EXPIRY DATE	31 July 2018
APPLICANT	CP Woburn (Operating Company) Ltd
AGENT	NTR Planning
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Steppingley Parish Council Objection - Major Development Recommended for Approval

Recommendation:

That Planning Permission be **APPROVED** subject to the following planning conditions:

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

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

- 2 Notwithstanding the details submitted, no works above slab level shall take place until a soft landscaping scheme including replacement tree planting and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any

which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of soft landscaping.

- 3 **No equipment, machinery or materials shall be brought on to the site for the purposes of development until a method statement for protecting the retained trees is provided to and agreed in writing by the Local Planning Authority, which shall include details of the location of tree protection fencing. The approved methods for protecting trees shall be undertaken in accordance with the approved details until all equipment, machinery and surplus materials have been removed from the site.**

Reason: Details are required pre commencement to ensure the trees are suitably protected during earthwork and construction.

- 4 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 retained trees .

- 5 All measures and/or works for protection and retention of trees to be retained shall be carried out in accordance with the details contained in the February 2018 (Revised March 2018) Arboricultural Report & Impact Assessment *and the details agreed under conditions 3 and 4 of this decision.*

Reason: To protect trees.

- 6 **No development shall commence until a scheme for surface water and foul drainage, including details of management of the drainage systems have been submitted to and approved in writing by the Local Planning Authority. The Development shall be completed and thereafter managed in accordance with the approved scheme, unless otherwise approved in writing by the Local Planning Authority.**

Reason: Pre commencement condition is required to ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

- 7 All ecological measures and/or works shall be carried out in accordance with the details contained in the March 2018 Preliminary Ecological Appraisal and

Further Surveys as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To protect the existing ecological assets on the site.

- 8 No works above slab level shall take place until details of the materials to be used for the external walls and roofs of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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

- 9 All the buildings hereby approved, shall be for holiday/conference occupancy only in association with the main use of the site as a forest holiday village.

Reason: For the avoidance of doubt.

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 17/2135/PL/LP01 Rev C; 17/2135/(90)001 Rev D; 17/2135/(90)002 Rev D; 17/2135/(90)003 Rev D; 17/2135/(90)005 Rev E; 17/2135/CL(22)006 Rev A; 17/2135/(90)008 Rev E; 17/2135/(90)009 Rev D; 17/2135/(90)010 Rev E; 17/2135/(90)104 Rev F; 17/2135/(90)106 Rev D; 17/2135/CL(22)001 Rev A; 17/2135/CL(22)002 Rev A; 17/2135/CL(22)003 Rev A; 17/2135/CL(22)004 Rev A; 17/2135/CL(22)005 Rev A; 17/2135/CL(22)008 Rev A; 17/2135/CL(22)009 Rev A; 17/2135/CL(22)010 Rev A; 17/2135/CL(25)001; CP01-1 Rev G; CP08 Rev F; CP13-2 Rev E; CP38-1 Rev B; Arboricultural Report & Impact Assessment February 2018 (Revised March 2018); and Preliminary Ecological Appraisal (PEA) and Further Surveys March 2018.

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

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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 12 September 2018

Item 5 – CB/18/00223/OUT – Land to the rear of Stondon Lower School and playing fields, Upper Stondon SG16 6QB

Additional Consultation/Publicity Responses NONE

Additional Comments NONE

Additional/Amended Conditions/Reasons NONE

Item 6 – CB/18/00231/FULL – Land adjacent to 6 The Pastures, Upper Stondon, Henlow SG16 6QB

Additional Comments

In the Officer report, at the summary and at paragraph 6.2, reference is made to Holywell Middle School. Please replace this with Stondon Lower School.

The wildflower meadow identified at paragraph 5.6 will be provided in the residential application, adjacent to the entrance road.

Given this application is a standalone application, it is not considered necessary to grant subject to a S106 agreement (this will remain recommended for associated application ref. CB/18/00223/FULL). Accordingly, a new recommendation is as follows:

Recommendation:

That Planning Permission be GRANTED subject to highlighted conditions.

Item 7 – CB/18/01424/OUT – Land to the west of Everton Road, Everton Road, Potton SG19 2PD

Additional Consultation/Publicity Responses

Revised representation received on 10/09/2018 from the Bedfordshire Clinical Commissioning Group (BCCG) on behalf of the BCCG and NHS England seeking a

financial contribution from the development of £815 per dwelling for GP Core Services, to be used by Greensands Medical Practice (Potton Premises), to mitigate the impact of this development.

Additional Comments

The agent of the application has confirmed that the application is willing to accept the contribution for GP Core Services as outlined by the NHS.

The agent of the application has also written a letter to Members which is appended to the late sheet.

Additional Condition

No dwelling shall be occupied until a new location for the existing bus stop has been agreed in writing with the Local Highway Authority.

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

Item 8 – CB/13/03433/OUT – Superstore, Bells Brook, Biggleswade SG18 0NA

Additional Consultation/Publicity Responses

When originally consulted, in 2013, Northill Parish Council raised no objection to the application. Following further discussions in September 2018, the Parish Council have confirmed that they maintain no objection against the application, provided access issues to Sainsburys, the Tidy Tip and the petrol station are not acerbated.

Additional Comments

The committee report omitted the reason for recommendation. This has been included below:

“The proposal is located outside of the Settlement Envelope and therefore represents a departure from the development plan. However, the site, due to its location and the nature of the proposal, is considered to represent sustainable development, which outweighs non-compliance with Policy DM4. The development would also provide significant economic benefits.

There is not considered to be any material harm in terms of highways safety, residential amenity, character, ecology or flood risk, and the development is considered to be acceptable in principle.”

Additional/Amended Conditions/Reasons NONE

Item 9 – CB/18/01278/FULL – Land to the rear of 3 Grove Road, Dunstable, LU5 4BY

Additional Consultation/Publicity Responses NONE

Additional Comments NONE

Additional/Amended Conditions/Reasons NONE

Item 10 – CB/17/01525/FULL – 74 Church Lane, Arlesey, SG15 6UX

Additional Comments

Neighbour consultations – It should be noted that a total of 9 letters of objection have been received from a total of 5 addresses.

Item 11 – CB/18/01001/FULL – 10 Copper Beech Way, Leighton Buzzard LU7 3BD

Additional Comments

A revised plan was received which satisfies the Highways Officer's concerns.

Typos:

Para 1.13 'The Agent has revised the design of dwelling by reducing it to by one storey.....'

Para 3.6 'this will provide a softer edge to the development and will be no different to the existing conifer hedge that currently existing exists along the boundary in part.'

Item 12 – CB/18/01461/FULL – Center Parcs Woburn Forest Holiday Village, Fordfield Road, Millbrook, Bedford MK45 2GZ

Additional Consultation/Publicity Responses NONE

Additional Comments NONE

Additional/Amended Conditions/Reasons NONE

Item 13 – CB/18/00875/FULL – 102 Markyate Road, Slip End, Luton, LU1 4BX

Additional Consultation/Publicity Responses

1. CBC Archaeology additional comments received on 04.09.18 (following the receipt of Archaeological information supplied on the same date);

The proposed development site lies within an area that has produced archaeological remains dating to the Palaeolithic period and under the terms of the National Planning Policy Framework (NPPF) these are heritage assets with archaeological interest.

The amended details represent the results of a geophysical survey (Phase Site Investigations Ltd, dated 29th August 2018) supplied to the Archaeology Team on 3rd September 2018. The results of this survey indicate that the site may contain a number of dolines, which as the Archaeology Team's previous comments noted have the potential to contain Palaeolithic deposits. If these features were found to contain Palaeolithic remains, then the discovery would be of national significance and would require specialist archaeological investigation, and this may affect the viability of the development proposals. However, at present, the exact nature of the geophysical anomalies remains unknown and therefore it is not possible for the Archaeology Team to advise on the impact of the development proposals on the archaeological resource.

Recommendation

The Archaeology Team recognise that the applicant has now provided the results of a geophysical survey of the site and that the survey suggests that some of the anomalies recorded could contain deposits that may relate to the known Palaeolithic sites at Caddington which are nationally significant. However, the exact extent and nature of those anomalies is unknown. The Archaeology Team have already advised that if the geophysical survey produced anomalies that could be dolines some intrusive evaluation may be required. The number of features recorded, their distribution across the site and the need for specialist archaeological intervention which could affect the viability of the scheme all mean that pre-determination intrusive field evaluation must now be undertaken. If the applicant or their agent is not prepared to provide the required archaeological information then the Archaeology Team will object to this proposal on the grounds that insufficient information has been provided on the potential archaeological resource of the application area and the application is contrary to paragraph 189 of the NPPF.

2. CBC Highways additional comments received on 11.09.18 (following the receipt of revised parking schedule and supporting appeal decision information received on 04.09.18 and 07.09.18)

Whilst it is acknowledged that additional spaces have been provided, overall the layout remains deficit in the appropriate parking provision for the nature of uses on the site.

N.B. An additional revised layout plans with further parking provision up to the 200 spaces required, was supplied on 07.09.18 however these plans were declined to be accepted as a consideration of this application due to the fact that the plans were materially different (with the loss of an amenity feature for future residents) and as such would have required the benefit of reconsultation.

3. CBC Viability Consultant (11.09.18) - Based on our assessment, we conclude that the proposed development could viably provide the full policy requirement (30% Affordable Housing at 73% Affordable Rented / 27% Shared Ownership tenure mix) on site. This equates to the following: Affordable Rented – 29 & Shared Ownership – 11.

N.B. In accordance with the requirements of the revised NPPF, viability assessments are required to be made available in the public domain. As such a copy of the assessment is available on the council's website via the case reference under supporting documents.

Additional Comments

Additional information was supplied by the agent in rebuttal to some of the officer's reasons for refusal outlined in the committee report. In particular in relation to the sustainability of the site covered under reason for refusal 6. The agent advises that the sites distance and connectivity to core services are only some 550m away and therefore the site should be considered sustainable in that regard.

In addition, a rebuttal was supplied in respect of the officer's reason for refusal no. 5 in respect of the impact on existing residents and the lack of amenity for future residents. The agent advises in summary, that the internal spaces conforms to nationally prescribed standards and that the design was such to minimise impact and maximise capacity of the site. In addition to the conservatory and other planned facilities to the site, the landscaping around the units provides external amenity and the heritage greenway provides connectivity those contributing to appropriate external amenity.

Both of these rebuttals are available on the council's website via the case reference annotated as the date of receipt 07.09.18.

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I write to you in advance of the Development Management Committee meeting on 12th September where our application at Everton Road, Potton comes before you with a recommendation for approval. The application (LPA Ref: CB/18/01424/OUT) seeks permission for the erection of up to 30 dwellings at the site along with a new priority junction, landscaping and ancillary works. Figure 1 displays the extent of the proposed development edged in red and overlaid on Google Maps for reference.



Figure 1 – Location of site shown edged in red which also demonstrates the strong boundary features present at the site

An application has been brought forward at this site to deliver a modest addition to the settlement of Potton. The applicant wishes to, at this stage, acknowledge the resistance towards recent speculative and inappropriate development in Potton, however, as will be demonstrated in this letter, this proposal represents a logical and proportionate addition to Potton and is situated in a sustainable location.

The applicant wishes to make focused comments on the various element of the proposed development, and how they consider these to be policy compliant and in the best interests of the wider community. Firstly, the site itself benefits from both a strong relationship with the existing built form in

the area but also strong boundary features that explicitly distinguish the site from the wider landscape beyond. The proposed development at the site would not extend the current margin of the settlement any further east, and is complimentary to the surrounding built environment. The recreation ground to the east further separates the site from the wider landscape and results in a situation where it's clear that the site is far more associated with the built environment of Potton and, therefore, represents a logical location to accommodate the necessary growth across the borough. The applicant is overtly aware of the fact that this site is an edge of settlement location and is seeking to bring forward a development that directly responds to this consideration. Please find at figure 2 the Illustrative Sketch Layout for the proposal at the site.



Figure 2 – Illustrative Sketch Layout for the site

Furthermore, the applicant wishes to draw the Member's attention to the conclusions reached regarding the site in the recent 'Call for sites' which largely concur with the points made above. During this process, the site

passed the initial tests of sustainability to accommodate future growth, the main conclusions reached by the Council being;

- The site is considered to be a logical extension to the existing settlement and does not cause coalescence;
- There are no known physical or environmental constraints;
- The site would not result in the loss of services or impact sustainability;
- The site would be complimentary to the settlement pattern as it does not extend beyond the settlement edge;
- The site is within 400m of the bus stop;
- No heritage issues identified;
- The site is worthy of further assessment as long as existing hedgerows and treelines are maintained to protect ecological value.

Potton itself is a sustainable location for growth, benefitting from various amenities and services including: Potton Middle & Lower School, a Medical Practice and Surgery, a broad array of convenience stores, a mini mart and numerous bus stops connecting the settlement to various other settlements across the borough. Furthermore, where appropriate and justified, financial contributions will be made as part of the development towards various services and amenities that require mitigation against the potential uplift in requirements for these services.

To conclude, it is considered the application is acceptable for the following reasons:

- The site exhibits a strong relationship with the existing built form, it is far more associated with the settlement of Potton than wider landscape beyond;
- Existing landscaping at the site creates a natural and desirable boundary that will be retained and, where appropriate, enhanced;
- The site was assessed favourably in the 'Call for Sites' submission and was considered appropriate for allocation;

- Potton itself is a highly sustainable location for new development with suitable levels of services and amenities to comfortably accommodate a development of this description;
- The proposed quantum of development is a modest and proportionate addition to Potton which fully respects its edge of settlement location; and
- Development at the site will make an important contribution towards the Council's pressing housing needs.