

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 6 March 2019

PRESENT

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

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

Members in Attendance: Cllrs S Dixon
Mrs A L Dodwell
P Downing
Ms A M W Graham
P Smith
R C Stay

Officers in Attendance:	Mr D Ager	Principal Highways Officer
	Ms P Bramwell	Planning and Highways Solicitor, LGSS Law
	Mr J Ellis	Planning Manager South
	Mr T Garner	Principal Planning Officer
	Mr D Hale	Planning Manager
	Mr D Lamb	Strategic Delivery Manager
	Mrs C Macrdechian	Senior Planning Officer
	Mr L Manning	Committee Services Officer
	Mr T Mead	Planning Officer
	Mr R Page	Principal Highways Officer
	Mr J Peck	Planning Officer
	Mr M Plummer	Planning Manager North
	Mrs A Robinson	Senior Planning Officer
	Ms S Sherwood	Committee Services Officer
	Mr B Tracy	Planning Officer
	Ms S Tucker	Principal Planning Officer
	Miss D Willcox	Principal Planning Officer

DM/18/139. **Chairman's Announcements**

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

Morning: Items 8, 10, 9, 6, 11, 15.

Afternoon: 5, 13, 16, 7, 12, 14, 18, 17.

(Note the above order of business was subsequently changed by the Chairman).

DM/18/140. **Minutes**

NOTED

that the minutes of the meeting of the Development Management Committee held on 6 February 2019 were not yet available to be signed as a correct record.

DM/18/141. **Members' Interests**

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

Item Nature of Interest Present or Absent during discussion

Cllr K Collins	7	Has spoken previously with one of the speakers and spoken several times with the applicant. Will not vote as has been closely involved with the item.	Present
	11	The parish lies within his ward so Parish Cllr Perry is well known to him.	Present
	12	The speaker on behalf of the applicant is well known to him because he acts on behalf of a frequent planning applicant in his ward.	Present
	16	Has met Parish	Present

		Cllr Papworth previously.	
All except Cllrs Firth, Ghent and Swain	15	Parish Cllr Aldis is a former Member of CBC	Present
Cllr N Young	All	Will have met some developers, particularly those for the larger applications, through his role as a Portfolio Holder/Executive Member.	Present
	11	Sat on the last DMC when the original application was heard and may have spoken at that time. He did not go on the most recent site visit but has met the applicants previously.	Present
Cllr M Blair	14	Was approached some years ago by a consultant acting on behalf of the applicant who was a friend. He was unsure if this was in relation to this application or the previous one on this site.	Present
Cllr I Dalgarno	16	Knows Parish Cllr Smith through being a ward Member.	Present
	16	Knows Mr Jones, the agent, through his (the Cllr's)	Present

		work with Gypsy and Travellers for CBC.	
Cllr K Matthews	17	Attends Parish Council meetings in his ward so knows Parish Cllr Spearing.	Present
	5	Has met the agent in the course of his (Cllr Matthew's) work and the agent has attended DMC on a number of occasions.	Present
	12	Knows Parish Cllr Papworth as she has attended previous meetings.	Present

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

	Item	Present or Absent during discussion
Cllr T Swain	10	Absent. Called in the application and has predetermined .
Cllr F Firth	16	Absent. Is the ward Cllr and knows Parish Cllrs Smith and Papworth. Knows the developer personally. Has not predetermined

and kept an open mind but will make a presentation and then leave the meeting.

(c) Prior Local Council Consideration of Applications			
Member	Item	Parish/Town Council	Vote Cast
Cllr K Collins	11	Studham	No. He only spoke about process when the item was discussed.
Cllr F Firth	16	Northill	No. Attended meeting but took no part in the discussion.
Cllr M Blair	14	Clophill	No. Has been at meeting when discussed but has not been considered for a long time.
Cllr R Berry	9	Leighton-Linslade Town Council	No. Following a newspaper article and social media comment he will withdraw from the meeting and take no part in the debate or decision.

DM/18/142. Planning Application No. CB/18/04165/OUT (Silsoe & Shillington)

The Committee had before it a report regarding Planning Application No. CB/18/04165/OUT, an outline application for the redevelopment of a site to provide 46 dwelling houses and one building with six self-contained flats, retail

unit and associated parking and roads at Oakridge, 13 Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF (resubmission of Application No. CB/17/01360/OUT dated 13 July 2017).

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

In advance of consideration of the application the Committee received representations from Councillor Richard Brewer (representing Gravenhurst Parish Council), Elizabeth Lush, an objector, and Jeff Gillett, who spoke on behalf of the applicant. Members sought clarification from all three speakers.

The ward Member commented that, given that time had passed since the dismissal of the planning appeal for the site, circumstances could and did change. She referred to the NPPF, the Council's design guide and the Local Plan and how they had identified the importance of a community's sense of place, its local environment and its history, especially the continuity of this history. She explained that Gravenhurst was one of the very few hill villages in Central Bedfordshire.

The ward Member stated that the planning inspector had conceded that there would be harm to the character of the village because of the urbanising effect into the open countryside of a proposed estate whose scale and density was out of character with the existing village. The inspector had also queried the impact on, and restoration of, the affected green infrastructure. However, he saw minor economic benefits as outweighing the harm. The ward Member felt that the inspector had drawn the conclusion that a previous planning decision to allow 10 dwellings on a smaller site meant a larger development was also acceptable. She argued that allowing a smaller development actually emphasised the need to preserve the remainder of the hillside from development. The ward Member added that the village's skyline, as it was approached from Lower Gravenhurst, was a key element of its history and geographical appearance. The Committee had previously rejected a three storey house on the site because its height would impact on the church tower. The Committee had also refused high roof lines because they impacted on the skyline yet the current application threatened to do exactly the same. The ward Member stressed that the village's sense of place and its individuality was under threat and once the open rural view had gone it would be permanently lost.

The ward Member turned to the issue of traffic and access to the site through Orchard Close and how consideration in detail of this had been delayed until the submission of a reserved matters application. She commented that the access had been described by an officer as one of ongoing concern and detrimental to highway safety. She felt that the problem would remain because the existing buildings in Orchard Close gave rise to an insoluble problem.

The ward Member referred to various planning inspectors disagreeing as to whether the Council had achieved its five year deliverable housing supply. Some had argued for a 20% buffer and others 10%, as had the Council. Central Bedfordshire had now submitted its Local Plan so it carried some planning weight. The Plan had identified the village's housing need and allocated a site to supply the need.

The latest appeal for the site had been dismissed by the planning inspector mainly because of the inadequate delivery of social housing. The ward Member stated, however, that if the submitted Local Plan and further developments with regard to numbers indicated that Central Bedfordshire's total number of homes and social housing needs had been fulfilled, then the main reason given for rejecting the appeal fell and the reasons originally given for refusal by the Council stood. She concluded by asking Members to decide on this question and emphasising that what was not in question was the detrimental impact on the village if the current application was approved.

The planning officer responded to the points raised as follows:

- The planning inspector had considered many of the issues raised by the Parish Council as set out in the planning inspector's decision notice, a copy of which had been attached to the officer report for Members' guidance.
- The planning inspector's decision on the original application was a material planning consideration for the Committee when determining the application before it.
- The inspector was of the opinion that whilst the original application would create a level of harm there were also economic benefits.
- The main reason why the inspector had refused the original application was because of the lack of affordable housing and this had been overcome in the current application.
- The streets in the village were quite narrow and busy, making expansion difficult. However, the inspector had felt that they could accommodate the extra traffic generated. It was, however, acknowledged that the inspector had visited during the school holidays in August and so had not seen the related traffic movements.
- Letters of objection had referred to infrastructure pressures in the village but the inspector had not recognised these as an issue and there had been no objections raised to the current application by the relevant consultees.
- The planning officer acknowledged that the proposed three storey properties were out of scale and the buildings should be of a maximum of two stories in height with some bungalows given the elevation of the site.
- The number of units proposed represented a significant increase in the size of the village but the inspector had not felt that to be of significant detriment to its character and setting.
- Although the Neighbourhood Plan had been mentioned it had not been submitted and he presumed it was still in draft form.

- The settlement boundary encroached on to the application site. This had partially contributed to the decision to grant planning permission for the 10 units in 2017. The planning inspector had considered that approval and was of the opinion that DM4 had been partially complied with though he had no significant objection to the additional units proposed as they were within the existing boundary of the site.
- The scale of the development was significant. However, at appeal, the inspector had stated that he had no issues at that point. The inspector had accepted the size of the site in relation to the existing settlement nor sought any changes.
- There were high evergreen trees around the boundary of the site though most of the internal landscaping had been removed with the exception of one tree left in the centre. The site was slightly elevated in places and difficult to see view clearly.

The highways officer responded to the points raised as follows:

- Access to the site through Orchard Close was constrained, as it had been in 2017 when the previous application had been submitted. A highway objection had been raised at that point because it was regarded as unsuitable to serve the proposed development. However, the planning inspector had rejected this and found the access acceptable, having taken account of the increase in traffic levels on the highway network, which he felt would have no detrimental impact on highway safety.
- Given that there was no real difference between the application submitted in 2017 and the one currently before Members so the application was considered acceptable in that respect.
- There was no recent traffic impact assessment but, based on previous applications for a development of the application's size, then it was envisaged there would be 19 movements in the mornings with one every three minutes. The number of possible traffic movements was considered acceptable.

The planning officer responded to outstanding points raised by the Chairman as follows:

- Changes in circumstances which could allow a different recommendation to come forward - The circumstances relating to the appeal lodged in 2017 and the proposed development before Members had not changed to that extent. The application was in outline form so the scheme of development could be reviewed. There had been no changes with regard to the access. The planning inspector had reviewed all the issues raised and he had considered the application acceptable apart from the lack of affordable housing.
- The 40% increase in housing within the village and the cumulative impact – The 52 units represented a significant change to a small hill

village but the inspector had not viewed this as being so significant as to warrant refusal.

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

- The strong objection to the application raised by the ecology officer which referred to the loss of a Habitat of Principal Importance and the detrimental impact on biodiversity, which could not be mitigated against, and the reference to retaining the orchard and pond.
- The detailed objection to the application submitted by the landscape officer.
- The subsequent removal of the pond and orchard and the associated reduction in the site's contribution to natural capital as defined in the NPPF.
- The need for the Council to comply with a planning inspector's decision and the strong likelihood that a court of law or second inspector was likely to agree with that decision.
- The possibility of challenging a planning inspector's decision on the grounds that he or she had erred in law immediately following the release of the decision.
- The inspector's comment in his appeal decision, in which he agreed with the view of the Council, that Policy DM4 did not explicitly prevent development outside the defined village envelope.
- The inspector's reference to Policies CS14, CS16 and DM3 relating to new developments being of a high quality respecting the local context and distinctiveness and the conservation and enhancement of the landscape quality.
- The inspector's reference to the provision of a suitable transition between the open and developed land to the southeast and the existing (and proposed) built form of the village and the absence of any such related indicative layout and design within the current application.
- The planning inspector's reference to the concerns of the ecologist and the former's opinion that it would be possible to develop the site to include a suitable provision for green infrastructure and biodiversity improvements.
- The planning inspector's claim that the development would outweigh any minor conflict with the development plan policies in respect of the location of the village envelope. It was not felt that this was a minor conflict as the emerging Local Plan and the Development Plan were clear on the appropriate level of housing for the village.
- The planning inspector's reference to the provision of a retail unit.
- The planning inspector's comment that he felt it was unclear whether the Council could demonstrate a deliverable five year supply of housing and his subsequent conclusions.
- Whether a planning inspector was a qualified highways officer and able to comment as authoritatively on highways matters.

- The impact on traffic levels on the local highways network and in particular Orchard Close as a result of the presence of a retail unit.
- That it was too late to raise an objection to the planning inspector's decision given it had been released in November 2018.
- Whilst highways access and environmental impact were issues of concern the inspector's report had dealt with these and his report was definitive. The key item why the original application had been refused at appeal was the unsubstantiated quantum of social housing provision but that had now been overcome in the current application.
- A challenge to the inspector's viewpoint would likely go to appeal and it was also likely that the new inspector would find in favour of the appellant. Refusal to take notice of the inspector's decision would be seen as obduracy by the Committee.
- The claimed over density of the site though the planning officer stated the density of approximately 12.5 dwellings per hectare was not particularly high.
- There had been a pre-application for 32 dwellings in 2018 but the application submitted for determination was for 52 dwellings. The addition of 19 affordable homes in the application before Members represented the reason for the increase and that application had to be viewed on its own merits.
- That the application before Members had always been an outline application but the indicative plan had been removed as it had been felt unhelpful by the officers in resolving issues and that reserving all matters would enable a full examination of the site and how it should be developed.
- The possible restriction of the height of any building on the site. A second planning officer explained that a condition to this effect was not required at outline stage but it could be included at this stage if Members wished.
- That the Neighbourhood Plan currently carried no weight as a planning document due to the stage it had reached. Even on submission they carried only limited weight and only carried significant weight once it had been examined.

On being put to the vote 7 Members voted for approval, 3 voted against and 2 abstained.

RESOLVED

that Planning Application CB/18/04165/OUT relating to Oakridge, 13 Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF be approved as set out in the Schedule attached to these minutes.

AT THE CONCLUSION OF ITEM 8 ABOVE COUNCILLOR S CLARK JOINED THE COMMITTEE

THE COMMITTEE ADJOURNED AT 10.52 A.M. AND RECONVENED AT 11.04 A.M.

DM/18/143. Planning Application No. CB/18/02275/FULL (Tithe Farm)

The Committee had before it a report regarding Planning Application No. CB/18/02275/FULL for the erection of 12 dwellings with associated access, parking, landscaping and amenity space on land at the former Church of St Vincent, Tithe Farm Road, Houghton Regis.

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

(Note: At this point in the proceedings Councillor T Swain moved to the seating to the rear of that allocated to members of the Committee).

In advance of consideration of the application the Committee received representations from Councillor Jimmy Carroll of Houghton Regis Town Council (which objected to the application) and Adam White, the agent for the applicant. The Town Council representative responded to Members' requests for clarification.

(Note: At this point in the proceedings Councillor T Swain, as a ward Member for this Item, moved to the public speaker's point in order to address the Committee).

The ward Member expressed concern that the proposed, large three storey dwellings would block the view from those existing homes which overlooked the local play area and skate park. He explained that drug trafficking took place in the area and that the Council had a moral and social obligation to ensure that the wellbeing of the children was not threatened by preventing the play area and skate park from being monitored.

The ward Member also queried the suitability of three storey dwellings on the site given that existing homes were all two storey dwellings.

In response to Members' requests for clarification the ward Member stated that he believed the skate park was floodlit in the evening until approximately 10.00 p.m.

(Note: At this point in the proceedings Councillor T Swain left the Council Chamber and took no further part in the debate on this Item or in the vote thereon).

The planning officer responded to the points raised as follows:

- Although the proposed dwellings were three storeys in height, the third storey was within the roof space.
- The proposed dwellings were, therefore, only slightly higher than two storey homes and would be located between 30-60 meters away from

the existing two storey homes so there would not be an overbearing impact.

- The Houghton Regis North Strategic Allocation urban extension had received outline planning permission and would result in development taking place within the vicinity of the site and so formed part of the context for the planning application despite the former's long build out period.
- The nursing home which had been previously approved for the application site was for a privately run service and so could not be regarded as a community facility.
- Consultation with the police architectural liaison officer would only take place on major applications hence the absence of any comment by that officer.
- The skate park was floodlit but the MUGA, which was closer to the site, was not.
- The windows in the property at Plot 1 allowed the overlooking of the play area. Overlooking would also take place as a result of the movement of persons to and from the site.

The highways officer responded to the points raised as follows:

- The required number of car parking spaces for residents had been provided under the application.
- There should be three additional spaces provided for visitors but as there was significant open frontage on Tithe Farm Road which could be used for parking this could not be used as justification to refuse the application.
- The parking space for plot 8 would need to be relocated as it was too close to the road markings for the bus stop. A condition to this end had been recommended.

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

- That most of the concerns had been broadly resolved and there was no robust reason to prevent development from proceeding.
- That although some of the proposed room sizes were smaller than those set out within the Council's design guide the differences were insufficient to justify refusal or defend at appeal. Further, they did meet national standards and should the Council require the dwellings to be increased in size it would fundamentally impact on 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/18/02275/FULL relating to land at the former Church of St Vincent, Tithe Farm Road, Houghton Regis be approved as set out in the Schedule attached to these minutes.

AT THE CONCLUSION OF ITEM 10 ABOVE COUNCILLOR R BERRY LEFT THE CHAMBER

AT THE CONCLUSION OF ITEM 10 ABOVE COUNCILLOR T SWAIN RE-ENTERED THE CHAMBER

DM/18/144. Planning Application No. CB/18/02600/FULL (Leighton Buzzard South)

The Committee had before it a report regarding Planning Application No. CB/18/02600/FULL for the construction of two blocks containing 10 no. flats together with associated parking and landscaping at Leedon Service Station, Hockliffe Road, Leighton Buzzard, LU7 3JU.

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

In advance of consideration of the application the Committee received representations from Jacki Banfield, an objector to the application, and William Macleod, the agent for the applicant. Members sought clarification from the objector.

A ward Member (and Chairman of Leighton-Linslade Town Council's Planning Committee) stated that she concurred with the observations of the Town Council (set out in the planning officer's report) and the objector on the application. She stated that whilst the Town Council would welcome the tidying up of the site there was concern that the proposed development would be overbearing. It was felt inappropriate to site a three storey block of flats so close to surrounding houses.

The ward Member reminded the meeting that an application for 18 flats on the site had been previously rejected. The proposed blocks of flats would tower over nearby homes and would be highly visible from the path running alongside the Clipstone Brook. These were not in keeping with the local area which was some distance from the town centre. Whilst obscured glass was to be used on the side of the block (Block A) facing 41 Woodman Close there would be a loss of leylandii trees to the rear of the site meant that the garden of 41 Woodman Close would lack privacy. The ward Member stated she was not convinced that the proposed small trees and shrubs would offer sufficient screening.

Turning to the parking and highways concerns, the ward Member stated that there were two spaces provided for each flat but no on-site visitors spaces, despite the site being on a main road (Hockliffe Road) with little on-street parking, and on-going calls for a residents' car parking scheme to be

introduced. It was also less than twelve months since parking restrictions had been introduced further along Hockliffe Road because of poor parking and she was concerned that, if the application was approved, there would be a repeat of the traffic problems. The proposed development on Hockliffe Road would be opposite the busy junction with Brook Street, the former being a main HGV route. It was also felt that the access and egress from the site would present a danger to all road users and pedestrians. The ward Member stated that it had been at least 20 years since the site had been used for a filling station and traffic levels in Hockliffe Road had significantly increased.

Turning to the issue of flooding the ward Member stated that the officer report dismissed any concern regarding flooding despite part of the site laying in Flood Zone 3. She advised that the land had laid vacant since the early 2000's and the area suffered severe flooding in 1992. Flood prevention measures had recently been introduced near Carina Drive and close to the site but this was a scaled down scheme and there was further building to the east of Leighton Buzzard in the flood plain of Clipstone Brook. She asked that Members bear these concerns in mind as especially as climate change made extreme weather and flooding more likely.

The ward Member asked the Committee to reject the application as it was not sympathetic to the surrounding area, with barely sufficient parking and was partially site in Flood Zone 3. If Members were minded to approve she asked that they look at the level of screening provided both to the rear and along the brook.

The planning officer responded to the points raised as follows:

- She described the measures she had taken to obtain a full view of the site and the garden of 41 Woodman Close.
- With regard to residential amenity, the main windows in the living rooms of Flat Block A would not be obscure glazed.
- A condition was recommended for adoption which would ensure that the obscure glazing, which was in those windows facing 41 Woodman Close, was permanent.
- Juliet balconies were not the type which would allow residents to stand on outside and overlook 41 Woodman Close. The Committee could choose to have them replaced by windows. She added that the only overlooking from Block A would be from windows that were obscure glazed.
- Block B was 60 meters from the boundary with 41 Woodman Close.
- Block A could be seen from the garden of 41 Woodman Close. However, three storey blocks of flats were not unusual in an urban setting.
- Although there was an impact on the amenity of 41 Woodman Close it was not sufficient to as to warrant refusal of the planning permission.
- The leylandii trees were not of great ecological value, being essentially a monoculture.

- The site had been severely contaminated and subsequently decontaminated although a recommended condition also required the submission of a remediation scheme.
- The ecological value of the site was minimal.
- The trees on the corner of the site would remain. The recommended landscaping scheme would not replicate the screening currently provided by the leylandii trees and though the visual amenity was effected it was not harmed.
- If the leylandii trees were retained it would not be possible to provide the amount of parking that was proposed.
- The problem with this type of site, and especially those that required remediation work, was that the building of houses did not make the site viable. Hence the construction of flats.
- From a planning perspective the effect on the neighbouring amenity was acceptable.
- The required sequential test had been carried out and, given that most of the site was in Zone 2 it was considered the scheme was appropriate for the location, especially as there had been no objection from the Environment Agency or Internal Drainage Board or Anglian Water.
- A small part of the site was in Flood Zone 3 but the floor levels of Blocks A and B would be above the flood level arising from climate change.
- The loss of the flood plain would be attenuated by the lowering of the ground level of some of the parking spaces.

The highways officer responded to the points raised as follows:

- The number of parking spaces to be provided complied with the Council's standards.
- The average parking demand for this type of development was possibly lower than was provided for. There was, therefore, no reason to expect an increase in demand for on-street parking on nearby roads as a result of the development.
- The trip generation for the site when it was a petrol filling station was considerably higher than it would be for the proposed flats. As such there was no traffic hazard arising from the use of an access to the site from Hockliffe Road despite the proximity of the junction with Brook Street.
- The development would see the closing off of the nearest of the two current accesses from the site on Hockliffe Road to the junction with Brook Street which would benefit road safety.

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

- The possible retention of the leylandii trees to create a formal hedge and the possible impact on parking provision. The planning officer advised that the trees were quite old with a fairly large girth and very close to the site's rear boundary. If retained seven parking spaces would be lost on

the southern boundary although some parking could be provided on what was proposed to be amenity space.

- The planning officer was unable to suggest suitable, alternative, fast growing planting to form a high formal hedge to replace the leylandii trees.
- A mechanism to ensure that the proposed cycling storage provision was retained as such and not used as a utility room. The planning officer referred to a recommended condition which dealt with the submission of details of a scheme for the parking of cycles and the retention of storage space for use by cycles.
- A Member stressed the importance of the screening provided by the leylandii trees for 41 Woodman Close and retaining them around the tall blocks of flats as they would be overlooking the garden of 41 Woodman Close, rather than keeping them along by the parking spaces in order to retain privacy and reducing the overbearing presence of Block A.
- The planning officer advised that the landscaping scheme could be amended to retain the leylandii trees but the proximity of the trees' root system to the flats was unknown and it would be necessary to defer any decision on the application to allow discussion with the architect.
- A Member commented that to have any benefit the leylandii trees would need to be far higher than they were at present thereby obscuring any views from the windows of the lowest flats.
- The planning officer stated that the distance from Block A to the boundary with no. 41 was four meters whilst the distance, at an angle, from the obscured glazed windows in Block A to the rear of no. 41 was 22 meters.
- The cost of remediation works for the site given its previous use as a filling station and the resulting reasonably high intensity of the development to ensure its viability as had occurred at similar sites.
- The possible issues that could arise during the construction phase as a result of parking by contractors' vehicles on Hockliffe Road.
- The use of recommended condition 9 could incorporate a requirement for a satisfactory boundary treatment. This suggestion was accepted by the mover of the recommendation.

On being put to the vote 8 Members voted for approval, 0 voted against and 4 abstained.

RESOLVED

that Planning Application No. CB/18/02600/FULL relating to Leedon Service Station, Hockliffe Road, Leighton Buzzard, LU7 3JU be approved as set out in the Schedule attached to these minutes.

DM/18/145. Planning Application No. CB/18/01651/RM (Toddington)

The Committee had before it a report regarding Planning Application No. CB/18/01651/RM, a reserved matters application following Outline Approval

CB/14/02348/OUT for the redevelopment of up to 45 residential units with associated amenity space, landscaping and parking provision and the demolition of the existing bungalow at Harlington Station Yard, Station Road, Harlington.

Members were aware that the application had originally been submitted for consideration to the Committee on 6 February 2019 but this had been deferred for one cycle (minute DM/18/130 refers).

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

(Note: Councillor Berry re-entered the Chamber during the officer's introduction to this item. Being unable to participate in the related discussion and decision, he left the Chamber).

In advance of consideration of the application the Committee received representations from Parish Councillor Mary Walsh of Harlington Parish Council (which objected to the application) and the applicant's agent, William Macleod.

The planning officer responded to the points raised as follows:

- The plans included in the original, and approved, Outline application were indicative only and showed a potential layout for the site. The applicants had subsequently altered this and, by doing so, had generated benefits by pulling the development away from the conservation area. In addition the resulting openness facilitated views of the conservation area from Station Road.
- The Parish Council had been consulted when the application was originally received and its concerns noted.
- The existing surrounding homes were two storey houses and the proposed new dwellings were three storey flats. At outline stage they were shown as relatively large blocks, two and a half storeys high. The proposed increase in height to three stories was not considered detrimental to the wider character of the area.
- To mitigate overlooking of the existing two storey dwellings, four balconies had been removed from Block B and replaced by Juliet balconies. Block A would have privacy screens on the balconies closest to the properties in Park Leys.
- A large band of trees separated the site from neighbouring properties, mostly those in Christian Close, Prudence Close and Pilgrims Close.
- The development faced towards the flank elevations of the existing properties. The windows in the elevations were mainly secondary or obscure glazed so the overlooking was not considered so detrimental as to justify refusal.
- The number of affordable homes (five) was negotiated at outline stage.

A ward Member commented that the application site had been deserted for eight years, having been a transport site prior to that. It was a brownfield site which met the necessary criteria for development and how development of such sites was preferable. He was grateful that the applicant had rearranged the layout to accommodate the conservation area although, historically, large lorries had turned in and out on that land. His only concern related to overlooking Park Leys and, in particular, Prudence Close but the offset distance at that point was significant and the relative landscape heights were more acceptable on that southern end of the development. He felt the developer had done as much as was possible to meet the objections whilst not straying too far from the outline permission. It was also necessary to be aware of viability.

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

- There was a strong body of opinion that wanted brownfield sites to be developed first. There are few such sites in Central Bedfordshire.
- The Council was bound by government policy and although it was not yet part of the National Planning Policy Framework (NPPF) there had been lengthy discussion on allowing 'permission in principle' for brownfield sites.
- The current application was sympathetic to the band of trees and adjacent conservation area.

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

RESOLVED

that Planning Application No. CB/18/01651/RM relating to Harlington Station Yard, Station Road, Harlington be approved as set out in the Schedule attached to these minutes.

AT THE CONCLUSION OF ITEM 6 ABOVE COUNCILLOR R BERRY RE-ENTERED THE CHAMBER

DM/18/146. Planning Application No. CB/18/03451/VOC (Caddington)

The Committee had before it a report regarding Planning Application No. CB/18/03451/VOC which sought the variation of conditions 3 and 5 of Planning Permission CB/13/03219/FULL from a temporary consent to a permanent permission regarding development at the existing authorised residential caravan site at Valley View, Hemel Hempstead Road, Dagnall, Berkhamsted, HP4 1QR.

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

In advance of consideration of the application the Committee received representations from Parish Councillor Eddie Perry of Studham Parish Council (which objected to the application), Steve Humphreys, who objected to the application, and Joseph Jones, the agent for the applicants. Members sought and received clarification from Mr Humphreys and Mr Jones.

A ward Member endorsed the comments expressed by the above objectors, mentioned his lengthy involvement in the site and stated that the Committee would not be granting permission for a permanent brick built dwelling on the site. He explained his concerns regarding the related legislation which allowed permission to be granted for gypsy and traveller sites where settled community dwellings would not be permitted and that this was unfair. The ward Member added that the Secretary of State would be considering the application if approved by the Committee and he would be asking the Secretary of State to uphold a previous decision regarding the site. He believed that the previous Secretary of State had called in most, if not all, of the gypsy and traveller decisions made by local authorities because the sites lay in the Green Belt or rural areas where permission for permanent dwellings would not normally be granted. The ward Member stated the application site before Members was in a highly sensitive area and therefore harmful to the Green Belt and the Area of Outstanding Natural Beauty (AONB). The ward Member stated that there was an argument that the unmet needs measure for gypsy and traveller pitches actually increased demand and every time the Council asked what the need was it increased. He suggested that an extension to the existing temporary permission might be a more appropriate way forward.

The planning officer responded to the points raised as follows:

- In 2016 the Secretary of State overruled the Planning Inspector's recommendation that permanent consent should be granted. However, the welfare of the applicant's daughter, who was happily settled in the local school, carried weight.
- There was much development around the application site including a new build development on previously developed 'brownfield' land.
- The Planning Inspector had stated that the previous application was harmful to the area but not significantly so. Nor was it isolated given the other developments around it.
- The Very Special Circumstances required to justify the development were the wellbeing of the applicant's child and family.
- The extent of the harm to the openness had slightly changed since the Secretary of State's decision.
- The Secretary of State had given due weight to the impact on the AONB (the Chilterns) but his concerns related more to the Green Belt. Further,

the site was screened and could not be seen that well from the main road. The impact would be seen from across the fields.

A second planning officer responded to the outstanding points as follows:

- All temporary permissions did not count toward the 5 year supply of gypsy and traveller sites. However, it had been demonstrably shown that the need for the site before Members was genuine.
- Currently, the five year supply stood at 5.33 years but meeting the high level of need in the first five years revealed how close the Council was to the 5 years figure.
- The applicant's agent had stated that the Council did not have a 5 year supply. The definition of travellers introduced in 2015 omitted non travelling travellers even if they only stopped travelling temporarily. Based on this definition the Council had a requirement of 71 pitches for travelling households and unknowns households and this formed the land supply of 5.33 years.
- Until 2035 another 96 pitches were required. Those pitches were supplied through the General Housing Supply at a range of locations. The way the policy had been put forward would be subject to the local planning enquiry in the early summer.
- The Council decided in 2013 to approve the last planning application for the site. At the subsequent planning inquiry the Planning Inspector recommended permanent consent be granted permission with a fallback position of a four year temporary consent and the Secretary of State had reduced that to three years.
- The wellbeing of the applicant's child represented a Very Special Circumstance, having been present on the site for six years and attending a local school. Further, her family circumstances also supported approval of a permanent permission although, he acknowledged, the Secretary of State could call the application in.

The other ward Member referred to earlier comment that the impact on the Green Belt was minimal because it wasn't very visible. He stated that the Committee had previously been advised that whether or not something could be seen was not the Green Belt test.

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

- That the definition of 'permanent' in relation to this case meant any permission granted would be personal to the current occupants. If the occupants moved on the permission would lapse or someone else would need to submit a new application to take on the permission.
- The child's health was not an issue. The focus was that the child continued to have a settled existence, was able to continue her education and was happy.
- The site was very tidy and presentable.

- The grant of a further temporary condition of 5 years would not result in the occupants moving on by that date and the issuing of a temporary permission for any gypsy and traveller site failed to accept the reality of the situation.
- One of the caravans present on the site was permanent and the open countryside had already been harmed. If that caravan was removed it would not lead to a measurable improvement in the AONB nor would its continued presence worsen it.
- The extenuating circumstances of the family were stronger now than when originally discussed as there was a child now involved.
- The Secretary of State could call the application in if he so wished though he might take a different viewpoint from that of his predecessor.
- It was a named permission, it was in the best interests of the child, and the child's grandparents suffered from ill health.

On being put to the vote 9 Members voted for approval, 0 voted against and 4 abstained.

RESOLVED

that Planning Application No. CB/18/03451/VOC relating to Valley View, Hemel Hempstead Road, Dagnall, Berkhamsted, HP4 1QR be approved as set out in the Schedule attached to these minutes.

THE COMMITTEE ADJOURNED AT 1.21 P.M. AND RECONVENED AT 1.50 P.M.

COUNCILLORS YOUNG & BLAIR WERE NOT PRESENT AT THE START OF THE BELOW ITEM AND THEREFORE TOOK NO PART IN THE VOTE. COUNCILLOR JANES DID NOT RETURN TO THE MEETING AFTER THE ADJOURNMENT.

DM/18/147. Planning Application No. CB/17/02694/OUT (Cranfield & Marston Moretaine)

The Committee had before it a report regarding Planning Application No. CB/17/02694/OUT for outline permission for erection of 10 dwelling houses at Land opposite (south) of Ivy House, Lodge Road, Cranfield, Bedford, MK43 0BQ.

Before considering this item it was recommended this item be deferred for at least one cycle, given the need to further consider the impact on the non-designated heritage asset.

On being put to the vote for DEFERAL, 10 voted in favour, 0 against and 0 abstention.

RESOLVED

That the Planning Application No. CB/17/02694/OUT at Land opposite (south) of Ivy House, Lodge Road, Cranfield, Bedford, MK43 0BQ, be deferred at least one cycle.

DM/18/148. Planning Application No. CB/18/04625/FULL (Sandy)

The Committee had before it a report regarding Planning Application No. CB/18/04625/FULL for a change of use, conversion of redundant telephone exchange building for use as a hairdressers salon (Use Class A1) at Glebe House, 4 Station Road, Blunham, Bedfordshire, MK44 3NZ.

In advance of consideration of the application the Committee's attention was drawn to representations from public speakers. There were no additions to this report in the Late Sheet.

The public speakers included a representation in support from Parish Councillor Nigel Aldis and a representation from the applicant in support from Michelle Clayton.

Committee Members discussed the following points:

- Members heard from the applicant and the Parish Councillor that the business serves a popular local need for residents, in particular those who are unable to travel outside the village for these services.
- It was noted that the business enables access to customers with mobility issues and as its by appointment only, always has ample parking available. The applicant reported she had never received a complaint from a neighbouring property. It was clarified that she lives in a neighbouring property and has support from the closest neighbour to the application site.
- Members agreed as the business is in an existing building that this change of use would have no adverse impact on the character and appearance of the area.
- Members agreed that the use as a salon was considered a community-based asset, especially as a provision for the elderly and are unable to travel into town. This was supported by the support of neighbours, the Parish Council and a petition.
- Members agreed that there should not be an imposed boundary treatment condition as the current landscaping is acceptable.
- The planning officer suggested a restriction to A1 use only with a restriction to operating hours as stated in the report. The applicant was agreeable to this.

- Members agreed to move for approval against the officers original recommendation with the restriction of use and hours as set out in the report.

On being put to the vote for APPROVAL, 11 voted in favour, 0 against and 1 abstention.

RESOLVED

That the Planning Application No. CB/18/04625/FULL at Glebe House, 4 Station Road, Blunham, Bedfordshire, MK44 3NZ, be approved as set out in the schedule attached to these minutes.

DM/18/149. Planning Application No. CB/18/04119/FULL (Cranfield & Marston Moretaine)

The Committee had before it a report regarding Planning Application No. CB/18/04119/FULL for a site clearance and erection of a warehouse and distribution facility (Use Class B8) with ancillary offices, including new vehicular and pedestrian access, parking, internal access roads and service yard, external lighting, landscaping, infrastructure and associated works at Former Goods Transport Site, 7 Bedford Road and 1 and 2 Salford Road, Brogborough (nearest postcode MK43 0XX).

In advance of consideration of the application the Committee's attention was drawn to additional consultation/publicity responses/additional comments/additional/amended conditions and additional informatives as set out in the Late Sheet as well as representations from public speakers.

The public speakers included a representation in objection from Parish Councillor Maria Spearing and a representation from the agents for the applicant in support from John Bowles and Oliver Bycroft.

Before considering this item, Councillor Clark made a declaration that she had met the developer Prologis to discuss issues and was present at a Parish Council meeting where the developer gave a presentation. It was noted that she had not expressed an opinion on their application and would be present for discussion and voting. Councillor Matthews had also attended the briefing and did not express an opinion on the application.

Committee Members discussed the following points:

- The Parish Council raised concerns about light, noise and air pollution arising from the application. The planning officer responded that these issues have been assessed by the applicant's professional consultants and those reports have been assessed by the Council's pollution team who have not asked for anything else other than the conditions stated in the officer's report.

- Concerns over increased HGV movements were discussed, it was noted that the Highways Officer had stated that the increased movements would equate to 0.05% and that was not considered a severe impact.
- It was noted that the application will provide improved gateway features to the village, including improved footways, cycle ways and a toucan crossing across Bedford Road at the junction with the A507 and Salford Road. Members also requested a zebra crossing be provided within Brogborough village and agreed that along with the proposed civilisation of the village gateway, signage could be added to direct HGVs to the correct way to enter and exit the site away from the village - of which the developer could contribute towards. A member reported there will be a HGV ban through the village and this could be additionally signed and would alleviate traffic concerns. When discussing the enforcement of the HGV ban, as well as a reporting service, it was suggested ANPR could be utilised.
- A Member raised concern over the number of staff per square footage being very low and that it did not bring much employment to the area and that the building that the prospective tenant would leave could be left vacant. It was noted that the building being vacated already has an applicant interested.
- A Ward member made a representation detailing concerns about the capacity of Junction 13, the over population of the small community with warehousing and as this area is not considered a village, it is subject to a 40mph speed limit. It was also reported that there are no regular bus service to the area that would be suitable for prospective employees of the application.
- The Highways Officer noted that a zebra crossing was not possible on the road due to its 40mph speed limit, however a puffin crossing could be used. Members discussed ways a 30mph could be imposed. The Highways officer had no concerns relating to junction 13 or HGVs entering traffic at the traffic lights from the application site. He noted there is a condition to quantify access arrangements within the report.
- Members agreed to move as set out with the additions of conditions or informatives to consider yellow boxes to alleviate traffic flow issues, investigate the use of ANPR to aid the HGV ban, to consider additional signage to direct lorries correctly away from the village, investigate the use of red signage, investigate 30mph speed limit (with required highways engineering) and providing a zebra crossing in Brogborough, to close all laybys other than those by the shop for cars and buses only, all to be worded appropriately by the officers and added to the application.

- The Planning Officer stated that they would consider whether conditions or informatives would be the best way to address the additional requirements and would seek agreement with the Chair, the Vice-Chair, the Portfolio Holder and the Ward Member.

On being put to the vote for APPROVAL, 7 voted in favour, 3 against and 1 abstention.

RESOLVED

That the Planning Application No. CB/18/04119/FULL at Former Goods Transport Site, 7 Bedford Road and 1 and 2 Salford Road, Brogborough (nearest postcode MK43 0XX), be approved as set out in the schedule attached to these minutes.

NOTE: COUNCILLOR COLLINS LEFT THE MEETING AT 15.05 DURING THE ABOVE ITEM AND WAS NOT PRESENT FOR ANY FURTHER DISCUSSION OR VOTE.

AT THE CONCLUSION OF THE ABOVE ITEM THE COMMITTEE ADJOURNED AT 15.27 AND RECONVENED AT 15.37.

DM/18/150. Planning Application No. CB/18/04013/OUT (Northill)

The Committee had before it a report regarding Planning Application No. CB/18/04013/OUT an outline application for development of land for up to 21 dwellings to include 2no. Bungalows, all matters reserved except access at Land between 21 – 39 Thorncote Road, Northill, Biggleswade

In advance of consideration of the application the Committee's attention was drawn to additional consultation/additional comments and additional/amended conditions as set out in the Late Sheet as well as representations from public speakers.

The public speakers included a representation in objection from Parish Councillor Smith.

Committee Members discussed the following points:

- Members noted a representation from Northill Parish Council in which concerns were raised about the density of the site being inappropriate for the rural location and the site was not identified in the neighbourhood plan. It was clarified that the neighbourhood plan had not yet been submitted and carries little weight.
- Members heard a representation from the Ward Member. In response to concerns regarding space for refuse vehicles not been accommodated, the Highways officer reported that there was no need for a refuse

vehicle turning head as a designated refuse collection area would need to be made.

- The Ward Member raised concerns about the footpath as it is part of the Greensand Ridge. The Planning Officer noted there were conditions in the application that protected the rural feel of the pathway.
- It was noted that the applicant originally applied for 10 dwellings and was advised to increase the site to 21 dwellings by the Planning Department. The Planning Officer reported that the applicant was given this advise to make more efficient use of the site as per NPPF guidance and to provide community benefit to the area, including affordable housing provision.
- It was noted that the application site is beyond the settlement envelope but has been allocated within the emerging local plan.
- Members agreed to move as set out with the additions of conditions set out in the late sheet.

On being put to the vote for APPROVAL, 7 voted in favour, 0 against and 2 abstention.

RESOLVED

That the Planning Application No. CB/18/04013/OUT at Land between 21 – 39 Thorncote Road, Northill, Biggleswade, be approved as set out in the schedule attached to these minutes.

NOTE: COUNCILLOR DALGARNO WAS NOT PRESENT AT THE START OF THE ITEM ABOVE AND TOOK NO PART IN THE DISCUSSION OR VOTE. COUNCILLOR FIRTH MADE A WARD REPRESENTATION AND TOOK NO FURTHER PART IN DISCUSSION OR VOTE OF THE ABOVE ITEM.

DM/18/151. Planning Application No. CB/18/04383/FULL (Caddington)

The Committee had before it a report regarding Planning Application No. CB/18/04383/FULL for Retrospective change of use from agriculture to temporary use as storage area for five years, with ancillary landscaping works and formation of hardstanding area using road planings (scalpings) at Manor Farm, Watling Street, Kensworth, Dunstable, LU6 3QU.

In advance of consideration of the application the Committee's attention was drawn to representations from public speakers.

The public speakers included a representation in objection from T Gillingham and a representation from the agent for the applicant in support from S Andrews.

Committee Members discussed the following points:

- Members noted concerns raised by the public speaker. It was reported that the site was being used to store building materials as well as historical artefacts. Members suggested that this could be addressed through conditions with permission restricted to historical artefacts in connection with HS2 only.
- Members noted concerns relating to HGV movements, lighting and hours of use. It was reported that the Public Protection proposed hours of use and lighting conditions would bring an improvement to the current arrangements in place and Highways proposed conditions would offer an improvement of visibility splays and on site parking for HGVs.
- Members noted the planning officers concerns as set out in the report in relation to inappropriate development within the greenbelt and an AONB. It was however felt that the site is not in open country side, is already well screened and will be utilising existing structures so will add limited harm to the greenbelt.
- Members supported that this would be a temporary application and subject to a plan to return the site to its original state after five years.
- Members moved to approve the application as the site was already industrialised therefore having a limited impact on the countryside and it would be supporting the rural economy.
- Members moved the application subject to conditions that would limit the use of the site to historical HS2 artefacts only, subject to Highways conditions as proposed within the report and to be consistent with the planning permission already granted on the site and with the proposed Public Protection conditions to limit the site hours of use and lighting as set out within the report.

On being put to the vote for APPROVAL, 9 voted in favour, 0 against and 1 abstention.

RESOLVED

That the Planning Application No. CB/18/04383/FULL at Manor Farm, Watling Street, Kensworth, Dunstable, LU6 3QU, be approved as set out in the schedule attached to these minutes.

NOTE: COUNCILLOR CLARK LEFT THE MEETING AT 16.35 P.M DURING THE ABOVE

ITEM AND WAS NOT PRESENT FOR ANY FURTHER DISCUSSION OR VOTE.

DM/18/152. Planning Application No. CB/18/04368/VOC (Barton-le-Clay)

The Committee had before it a report regarding Planning Application No. CB/18/04368/VOC for variation of condition 10 of planning permission CB/16/04198/FULL dated 08/11/16 (new two storey 4 bedroom dwelling with double garage to be built in garden of 67 Bedford Road. Access to be via Nicholls Close. Exterior finishes to be similar to neighbouring house in Nicholls Close.) – Garage to be removed and parking layout changed at Maple House, Nicholls Close, Barton Le Clay, Bedford, MK45 4LL.

In advance of consideration of the application the Committee's attention was drawn to representations from a public speaker.

A public speaker was a representation in support from the agent Mr L Butler.

Committee Members discussed the following points:

- Members heard from the public speaker, the applicant reported that he had worked with Highways and Planning officers and there would still be ample parking without the garage.
- Members heard a written representation, read by the Chair, from Cllr Shingler who called in the application to Committee. It was noted that the main reason for the call in was parking related; overspill parking was already causing friction within the village. Other issues were raised about further harm to the Barton-le-Clay Conservation Area with concerns that removal of the condition for the garage is due to another application on land adjacent to the site which could establish principle for development by allowing vehicle access to the land. A number of conditions were suggested.
- A Member stated that the Committee can only consider the application as set out in front of them and consideration cannot be given to further proposed development. It was noted that the access and parking as laid out was adequate and the application was moved for approval as set out.

On being put to the vote for APPROVAL, 8 voted in favour, 0 against and 1 abstention.

RESOLVED

That the Planning Application No. CB/18/04368/VOC at Maple House, Nicholls Close, Barton Le Clay, Bedford, MK45 4LL, be approved as set out in the schedule attached to these minutes.

NOTE: COUNCILLOR NICOLS WAS NOT PRESENT DURING THE ABOVE ITEM SO TOOK NO PART IN THE DISCUSSION OR VOTE. HE RETURNED AT 17.15 AND WAS PRESENT AT THE START OF THE BELOW ITEM.

DM/18/153. Planning Application No. CB/16/05438/OUT (Ampthill)

The Committee had before it a report regarding Planning Application No. CB/16/05438/OUT for an outline application for a residential development of up to 51 dwellings at Land at former Readshill Quarry, Back Street, Clophill.

In advance of consideration of the application the Committee's attention was drawn to a representation from a public speaker.

The public speaker included a representation in objection from E Thoulass.

Committee Members discussed the following points:

- Members noted that this 'major' outline planning application for up to 51 residential units was subject to an appeal against non-determination. The appeal was due to be determined by written representations at a date yet to be determined. The application was therefore no longer before Central Bedfordshire Council for determination. However, under paragraph 4.4.53 of Part 3E of the Central Bedfordshire Constitution, the non-determination of a 'major' application needs to be reported to Development Management Committee for a resolution.
- The public speaker, a resident of Clophill, raised multiple objections to the application. She noted that the application is a resubmission of an application on the site that was refused at appeal in 2017. Reasons given for this refusal were noted as significant harm to the appearance and character of the area and the benefits did not outweigh the significant and demonstrate harm.
- It was noted that the village suffers from congestion at busy times in many areas, especially the high-street and Clophill roundabout.
- A Ward Member supported the officers reason for objections and noted that there were 391 objections from local residents to the application. It was also noted that the access would not be acceptable to the residents or ward members although approved by Highways and not objected to by the Planning Inspector.
- A Member noted that the application was remote to the community and would not be able to link into the current population in the area. He also shared the Ward Members concerns about the access.

- Members discussed the inspectors report and asked the Planning officer to add the wording 'significant harm' to the refusal to mirror that in the inspectors report.
- Members agreed to ratify and agree the recommendation of refusal with the additions of the above wording, the resolution of which will therefore form the basis of the grounds the Council will defend the appeal.

On being put to the vote for ratification of REFUSAL, 9 voted in favour, 0 against and 0 abstention.

RESOLVED

That the Planning Application No. CB/16/05438/OUT at Land at former Readshill Quarry, Back Street, Clophill be refused as set out in the schedule attached to these minutes.

NOTE: COUNCILLOR BLAIR WITHDREW FROM THE ABOVE ITEM AT 17.15 AND TOOK NO PART IN THE DISCUSSION OR VOTE. HE RETURNED TO TAKE PART IN THE BELOW ITEM.

DM/18/154. Planning Application No. CB/19/00182/REG3 (Flitwick)

The Committee had before it a report regarding Planning Application No. CB/19/00182/REG3 for continuation of the use of the land for a car park for 293 car park spaces at Central Bedfordshire Council Car Park, Station Approach, Steppingley Road, Flitwick, MK45 1AJ.

In advance of consideration of the application the Committee's attention was drawn to additional consultation/publicity responses as set out in the Late Sheet. There were no representations from public speakers.

Committee Members discussed the following points:

- Members discussed the application and asked for an informative to the applicant to be added to clear up the car park railings and building rubble with consideration to resurfacing the car park which is in a poor state of repair. It was noted that this was in progress and no informative was required.
- Members moved the application for approval as set out.

On being put to the vote for APPROVAL, 9 voted in favour, 0 against and 1 abstention.

RESOLVED

That the Planning Application No. CB/19/00182/REG3 at Central Bedfordshire Council Car Park, Station Approach, Steppingley Road, Flitwick, MK45 1AJ, be approved as set out in the schedule attached to these minutes.

DM/18/155. Planning Application No. CB/18/02240/OUT (Arlesey)

The Committee had before it a report regarding Planning Application No. CB/18/02240/OUT, an outline application for the erection of three dwelling houses and associated works, all matters reserved except access at The Limes, 85 High Street, Henlow, SG16 6AB.

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

There were no public representations.

Despite the withdrawal of objections by the ward Member who had called-in the application and a fellow ward Member, a third ward Member expressed concerns on the following issues:

- The change to the environment for the residents of the Limes Care Home, the application site lying within the grounds of the Home, would lead to a substantial loss of amenity for its residents.
- The impact on the High Street and the loss of parking due to the installation of a new access.
- The loss of the bin store due to the new access and the need to relocate the former within the grounds of the Home.
- The impact on the amenity of the neighbouring properties by the proposed, substantial, buildings; the impact being overbearing specifically to the north of the site though less so to the south due to the distance involved.

The planning officer responded to the points raised as follows:

- This was an outline application and the dwellings and layout were indicative only. The only matters for determination were the access and the principle of the development.
- With regard to car parking recommended condition 11 required a reserved matters application to include vehicle parking to serve The Limes to the Council's standards.
- The access to the site was wide enough to accommodate parking along the access to replace the parking for The Limes that would be lost.
- A replacement refuse collection point would be located at the site frontage.

- The impact of the development could therefore be mitigated at the reserved matters stage.
- The rear aspect of the site fell within an Important Countryside Gap as defined in Saved Policy CS21 from the Mid Bedfordshire Local Plan. The Policy test was whether actual physical or visual coalescence would arise as a result of the development. The application site was visually separate from the adjacent open countryside and the officer view was that it would not promote visual or physical coalescence between Henlow and Clifton.
- There was an error in the report in paragraph 1.5. The reference in the third sentence to 'Clifton as a minor service centre' should be deleted and replaced by 'Henlow as a large village'.
- The original application had been for four dwellings which would have left no amenity space for the residents of The Limes. The subsequent reduction to three dwellings meant there was sufficient amenity space on the indicative plan to meet the Council's guidance on space standards.

Various Members continued to raise concerns regarding the loss of amenity space, including the loss of the carp pond, which it was felt provided therapeutic value for residents of The Limes. The possible number of residents who were able to make use of the garden was considered as was the possibility of an alternative future use of the whole site. Reference was also made to the objections raised by Henlow Parish Council.

It was moved and seconded that the application be refused on the grounds of loss of amenity for the residents of The Limes and overdevelopment of the site.

The planning officer responded to the points raised as follows:

- He had addressed the issue of amenity space from the officer perspective but it was now for Members to decide whether they agreed with that viewpoint.

Members continued to query the amount and quality of the amenity space that would be left for the enjoyment of the residents of The Limes, queried the reference in the officer report to 'future occupiers' of the site, and again raised the therapeutic value of the carp pond for residents with illnesses such as dementia.

The Planning Officer drew Members' attention to the plans for the site, the total area within the control of The Limes and that the three proposed dwellings would be located within that area. He stressed that the plans were indicative only and the size of the properties proposed at reserved matters could be smaller than shown and the size of the amenity space could increase.

A Member referred to the lack of information before them due to the application being in outline form. Another Member referred to the highways officer's statement in the officer report that the indicative layout showed two 4 bed dwellings and one 5 bed dwelling and, whilst that could change, that was the information before him.

Following a query by a Member the planning officer explained that there was a backland development policy in the emerging Local Plan but it had only limited weight. Further, the site before Members was considered to be previously developed because it held a C2 residential institution. As such the application represented the reuse of previously developed land.

On being put to the vote 8 Members voted to refuse the application, 1 voted against refusal and 1 abstained.

RESOLVED

that Planning Application CB/18/02240/OUT relating to The Limes, 85 High Street, Henlow, SG16 6AB be refused as set out in the Schedule attached to these minutes.

DM/18/156. **Late Sheet**

In advance of consideration of the planning applications attached to the agenda the Committee received a Late Sheet advising 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/18/157. **Site Inspection Appointment(s)**

NOTED

that the next meeting of the Development Management Committee will be held on 3 April 2019.

RESOLVED

that all Members and substitute Members, along with the relevant ward representatives, be invited to conduct the site inspections on 23 April 2019.

(Note: The meeting commenced at 9.30 a.m. and concluded at 5.55 p.m.)

Chairman

Dated

Item No. 8

APPLICATION NUMBER	CB/18/04165/OUT
LOCATION	Oakridge, 13 Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF
PROPOSAL	Outline Application: Redevelopment of site to provide 46 dwelling houses and 1 building with six self contained flats, retail unit and associated parking and roads. Resubmission of Application CB/17/01360/OUT dated 13/07/17
PARISH	Gravenhurst
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Terence Garner
DATE REGISTERED	09 November 2018
EXPIRY DATE	08 February 2019
APPLICANT	2MC Homes
AGENT	ALPS Planning Services Ltd
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Departure to Development Plan. Parish Council Objection to major application, Councillor call in. Outline Application – Recommended for Approval Subject to Satisfactory Completion of a Section 106 Legal Agreement

Recommendation:

That Planning Permission be APPROVED subject to the completion of a s106 agreement and the following:

RECOMMENDED CONDITIONS

- 1 Application for approval of 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.

- 2 The development hereby permitted shall begin not later than two years from the date of the last 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.

- 3 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.

- 4 Development shall not begin until details of the junction between the proposed estate road and the highway have been approved by the Local Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details.

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

5 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.

6 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.

7 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate independent vehicular turning head areas for an 11.5m long 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 and parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

8 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.

9 No development shall take place, including any works of demolition, until a Construction Traffic Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:

- (A) The parking of vehicles
- (B) Loading and unloading of plant and materials used in the development
- (C) Storage of plant and materials used in the development
- (D) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.
- (E) Wheel washing facilities
- (F) Measures on site to control the deposition of dirt / mud on surrounding roads during the development.
- (G) Footpath/footway/cycleway or road closures needed during the development period

- (H) Traffic management needed during the development period including tracking for those building materials and plant equipment brought in by HGV's.
- (I) Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.

The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.

Reason: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety.

- 10 The dwellings hereby approved shall not be occupied until details of the bin storage areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with details approved in this regard.

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.

- 11 No development shall take place until a landscaping scheme to include all hard and soft landscaping has been provided, together with tree protection measures to protect existing trees/hedgerows referring to the natural canopy spread and root protection areas of the trees/hedgerows. A scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme shall be 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. (Section 12, NPPF)

- 12 No development shall commence until a detailed surface water drainage hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for Climate change) and a restriction in run-off rates to a maximum of 5l/s as outlined in the Assessment of Surface Water Capability Report (April 2017). Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included.
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 NPPF.

- 13 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.

- 14 No development shall take place until details of the method of disposal of foul water drainage have been submitted to and agreed in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.

Reason: This condition is pre-commencement as ground works will be required prior to construction to ensure that adequate foul water drainage is provided and that existing and future land drainage needs are protected. (Section 14, NPPF)

- 15 No development shall take place until an Ecological Enhancement Strategy (EES) has been submitted to and approved in writing by the local planning authority. The EES shall include the following:
- a) An ecological assessment of the site prior to any development taking place,
 - b) Purpose and conservation objectives for the proposed development informed by a review of the existing ecological assessment.
 - b) Review of site potential and constraints.
 - c) Detailed design(s) and/or working method(s) to achieve stated objectives.
 - d) Extent and location/area of proposed works on appropriate scale plans.
 - e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
 - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - g) Persons responsible for implementing the works.
 - h) Details of initial aftercare and long-term maintenance.

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

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

- 16 No development shall take place above slab level, until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of fire hydrants at the development. Prior to the first occupation of the dwellings the fire hydrants serving that development shall be installed as

approved. Thereafter the fire hydrants shall be retained as approved in perpetuity. Page 39

Reason: This condition is pre-commencement as the ground works for connectivity will need to be considered prior to construction in order to ensure appropriate access to fire hydrants for use in the event of emergency in accordance with policy DM3 of Central Bedfordshire Core Strategy for the North and Section 12 of the NPPF.

17 No development shall take place (including ground works or site clearance) until an Ecological Enhancement Strategy (EES) for the creation of new wildlife features such as hibernacula, the erection of bird/bat and bee boxes in buildings/structures and trees, hedgerow, shrub and wildflower planting/establishment has been submitted to and approved in writing by the local planning authority. The content shall be informed by an up to date Ecological Appraisal of the site and include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) details of initial aftercare and long-term maintenance.

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

Reason: This condition is pre-commencement to ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework. (Policy DM15 of the Core Strategy for the North and Section 15, NPPF)

18 No dwelling shall be occupied until a timetable for the implementation of Local Equipped Areas of Play and Local Areas of Play has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.

Reason: To ensure that the appearance of the development and facilities for residents would be acceptable in accordance with Policy DM3 of the Core Strategy and Section 8 of the NPPF.

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

Reason: This condition is pre-commencement to ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.(Policy DM3 of the Core Strategy and Section 12, NPPF)

- 20 No development shall commence above slab level, until a scheme demonstrating how and which 10% of units on the development will meet Category 2 standards.

Reason: To ensure that an appropriate level of housing to meet the needs of future generations by being adaptable and accessible, have been provided in accordance with Nationally Described Space Standards and having regard to the benefits proposed of the scheme. (Section 5 of the NPPF)

- 21 No development shall be commenced above slab level, until an estate street phasing and completion plan has been submitted to and approved in writing by the local planning authority. The estate street phasing and completion plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed.

Reason: This condition is pre-commencement to ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway, in accordance with Policies DM3 of the Core Strategy and Sections 9 & 12 of the NPPF.

- 22 Notwithstanding the description of the development the number of properties to be constructed on the site, shall not exceed 52 dwellings.

Reason: In the interests of highway safety, the character and amenity of the area and to allow for bio-diversity issues to be fully addressed.

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. This permission is subject to a Legal Obligation under Section 106 of the Town and Country Planning Act 1990.
4. The applicant is advised that in order to comply with Condition 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. You are advised to

contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. E-mail highwaysagreements@centralbedfordshire.gov.uk 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.

5. 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.
6. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

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

The Council acted pro-actively through positive engagement with the applicant at the preapplication stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (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/18/02275/FULL
LOCATION	Land At Former Church Of St Vincent, Tithe Farm Road, Houghton Regis
PROPOSAL	Erection of 12 dwellings with associated access, parking, landscaping and amenity space
PARISH	Houghton Regis
WARD	Tithe Farm
WARD COUNCILLORS	Cllr Swain
CASE OFFICER	Sarah Tucker
DATE REGISTERED	03 July 2018
EXPIRY DATE	02 October 2018
APPLICANT	Lime Properties Limited
AGENT	McLoughlin Planning
REASON FOR COMMITTEE TO DETERMINE	Cllr Tony Swain called in the application on the following grounds: 3 storey dwellings out of keeping with the area, does not meet design guides for parking, overlook play area reducing safety and security of children
RECOMMENDED DECISION	Full Application – Recommended for Approval

Recommendation:

That Planning Permission be APPROVED subject to the following to the signing of a S106 agreement:

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 until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Section 12, NPPF)**

- 3 Notwithstanding the details on submitted plan 5829/P/10 Rev A, a scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied and be thereafter retained.

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

(Section 12, NPPF)

- 4 The dwellings hereby approved shall not be occupied until details of the bin collection areas have been submitted to and approved in writing by the Local Planning Authority and the bin collection areas have been implemented in accordance with the approved details. The bin collections areas shall be retained thereafter.

Reason: In the interest of amenity.

(Section 12, NPPF)

- 5 **No development shall take place until details of a scheme of environmental mitigation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.**

Reason: To enable proper consideration of the impact of the development on the contribution of nature conservation.

(Section 15, NPPF)

- 6 **No development shall take place until details of the method of disposal of surface water drainage have been submitted to and agreed in writing by the Local Planning Authority, including any land drainage system. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.**

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

(Section 14, NPPF)

- 7 All tree work and protection requirements shall be carried out in strict accordance with Section 6.0 "Recommendations/Tree Protection Strategy", Appendix 2 "Survey Schedule" and Appendix 3 "Tree Constraints/Protection Plan" of the supporting document "Tree Survey Report -Pre Development" dated March 2018 and prepared by RGS Arboricultural Consultants. The tree protection fencing shall remain securely in position throughout the entire course of development works.

Reason: To ensure the protection of trees and hedgerows to be retained, and to avoid unnecessary damage to their root systems.

(Sections 12 & 15, NPPF)

- 8 **No equipment, machinery or materials shall be brought on to the site for the purposes of development until details of substantial protective fencing for the protection of any retained tree(s), has been submitted to and approved in writing by the Local Planning Authority and the fencing has been erected in the positions shown on Tree Survey Report- Pre Development March 2018, specifically Sections 6, Appendix 2 and Appendix 3. The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.**

Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended.

(Sections 12 & 15, NPPF)

- 9 Notwithstanding the submitted plans, 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)**

- 10 No development other than that required to be carried out as part of an approved scheme of remediation shall take place until conditions (a) to (d) below have been complied with, unless otherwise agreed in writing by the Local Planning Authority. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
A survey of the extent, scale and nature of the contamination;

An assessment of the potential risks to:

Human health

Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes

Adjoining land

Ground waters and surface waters

Ecological systems

Archaeological sites and ancient monuments

An appraisal of remedial options, and proposal of the preferred option(s)

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the management of Land Contamination, CLR 11'.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local

Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (b), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (c).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. (Section 15, NPPF)

- 11 Development shall not begin until a scheme to relocate parking space number 8 within the confines of the site has been approved by the Local Planning Authority and no building shall be occupied until that parking space has been constructed in accordance with the approved details.**

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

- 12 No dwelling shall be occupied until Short Path has been constructed to a width of 3.0m wide with a 1.8m by 1.8m intervisibility splay along the western boundary of the application site in accordance with details of the approved drawings to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement.

- 13 **No development shall take place until details of the junction between the proposed estate road and the highway have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until that junction has been constructed in accordance with the approved details.**

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

(Section 94, NPPF)

- 14 No dwelling shall be occupied until visibility splays have been provided at the junction of the estate road with the public highway. The minimum dimensions to provide the required splay lines shall be 1.8m measured along the centre line of the proposed estate road from its junction with the channel of the public highway and 1.8m measured from the centre line of the proposed estate road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site and shall be maintained thereafter free of any obstructions to visibility.

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

(Section 94, NPPF)

- 15 The new access shall not be brought into use until details showing the closing of any existing accesses within the highway frontage of the land to be developed, not incorporated in the access hereby approved have been submitted to and approved in writing by the Local Planning Authority and the accesses have been closed in accordance with the approved details.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

(Section 94, NPPF)

- 16 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans: 5829P/01, 17667-Topo, 582/P/05 A, 5829/P/10 A, 5829/P/20, 5829/P/71, 5829/P/72, 5829/P/73, 5829/P/74, 5829/P/75, 5829/P/80, 5829/P/81, 5829/P/82, SP01

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

INFORMATIVE NOTES TO APPLICANT

1. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.
2. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to 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.
3. You are advised that the grant of permission does not supersede the need to take due care in respect of tree protection and tree surgery works and that all works on or adjoining the site should be undertaken in accordance with recognised Codes of Practice, particularly the standards set out in BS3998 (1989).
4. The Council does not accept materials are their offices. Where there is a requirement for materials to be submitted to and approved in writing by the Local Planning Authority, please contact the Case Officer to arrange for them to be viewed, usually this will be on site.
5. **Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.**
6. The applicant and the developer are advised that this permission is

subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.

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

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

The applicant and the Council engaged in discussion and negotiation at pre-application and application stages which led to improvements to the scheme. The applicant and the Council have therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraph 38) 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/18/02600/FULL
LOCATION	Leedon Service Station, Hockliffe Road, Leighton Buzzard, LU7 3JU
PROPOSAL	The construction of two blocks containing 10 No. flats, together with associated parking and landscaping.
PARISH	Leighton-Linslade
WARD	Leighton Buzzard
South WARD COUNCILLORS	Cllrs Berry, Bowater & Dodwell
CASE OFFICER	Sarah Tucker
DATE REGISTERED	19 July 2018
EXPIRY DATE	18 October 2018
APPLICANT	W E Black Ltd
AGENT	W J Macleod Ltd
REASON FOR COMMITTEE TO DETERMINE	Cllr Dodwell called in the application on the grounds: overbearing/out of keeping with the surrounding area, flood risk and highway safety concerns.
RECOMMENDED DECISION	Full Application – Recommended for Approval

Recommendation:

That Planning Permission be GRANTED following the signing of a S106 agreement or unilateral undertaking subject to the following:

RECOMMENDED CONDITIONS

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

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

- 2 **No 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 Development shall not begin until details the improvements to the junction of the proposed vehicular access with the highway have been

approved by the Local Planning Authority and no building shall be occupied until the junction has been constructed in accordance with the approved details.

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

- 4 Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

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

- 5 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 6 Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved, shall be closed to vehicular traffic in a manner to the Local Planning Authority's written approval.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

- 7 The development hereby permitted shall not be occupied until the details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details.

Reason: To protect the visual amenity of the site and its surrounding area. (Section 12, NPPF)

- 8 **No development shall take place until full details of mitigation, conservation and/or enhancement measures for**

(protected/locally important) species have been submitted to and approved in writing by the Local Planning Authority. These measures shall include

- **surveys at agreed periods during (season) by an agreed expert to determine the possible presence of particular protected species previously specified by the Local Planning Authority.**
- **details of appropriate mitigation measures and contingency plans should such a protected species be found to be present and either (i) preparing for breeding, (ii) in the process of breeding or (iii) rearing young;**
- **mechanisms to enhance identified existing wildlife habitats through the development process.**

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

**Reason: To ensure all impacts from development are taken into account and mitigated.
(Section 15, NPPF)**

- 9 A scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Section 12, NPPF)

- 10 **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)

- 11 **No development shall take place until details of the method of disposal of surface water drainage have been submitted to and agreed in writing by the Local Planning Authority, including any**

land drainage system. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.

**Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.
(Section 14, NPPF)**

- 12 The first and second floor windows in the south elevation of Flat Block A of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the windows which can be opened are more than 1.7m above the floor of the room(s) in which the window(s) is installed. No further windows or other openings shall be formed in the south elevation of Flat Block A.

Reason: To safeguard the privacy of occupiers of adjoining properties. (Section 12, NPPF)

- 13 The development hereby permitted shall not be occupied until a scheme for the parking of cycles on the site, notwithstanding the cycle parking detail on the approved plans, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.
(Section 94, NPPF)

- 14 The following mitigation measures as set out in the Flood Risk Assessment (FRA) dated October 2018 shall be implemented and retained thereafter:
- Finished floor levels of the buildings hereby approved are set at a minimum of 85.25m AOD
 - Floodplain compensation is provided by lowering ground levels in the western section of the site, as detailed in drawing no. C401 in Appendix G and drawing no. C810 in Appendix H of the FRA

Reason: To ensure that flood risk is suitably controlled.

- 15 **No development other than that required to be carried out as part of an approved scheme of remediation shall take place until conditions (a) to (d) below have been complied with, unless otherwise agreed in writing by the Local Planning Authority. If unexpected**

contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

A survey of the extent, scale and nature of the contamination; An assessment of the potential risks to:

Human health

Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes

Adjoining land

Ground waters and surface waters

Ecological systems

Archaeological sites and ancient monuments

An appraisal of remedial options, and proposal of the preferred option(s)

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the management of Land Contamination, CLR 11'.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in

accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (b), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (c).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. (Section 15, NPPF)

- 16 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: Site location plan, 18-3474-1, 18-3474-2 A, 18-3474-3, 18-3474-4, 18-3474-5, 18-3474-6.

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

INFORMATIVE NOTES TO APPLICANT

1. • Where remedial measures are necessary, they should be managed with Part IIA of the Environmental Protection Act 1990 in mind. Encapsulation of any contaminants should be made on the risk-based assessment so that they are unlikely to be subject to future

release to the environment.

- All ground investigations shall be risk based and have regard to BS10175:2001 *Investigation of Potentially Contaminated Sites – Code of Practice* and Environment Agency/NHBC R&D Publication 66 - *Guidance for the Safe Development of Housing on Land Affected by Contamination*.
 - Where analyses are undertaken analytical laboratories should be accredited to MCERTS and where appropriate laboratory methods should also be accredited to MCERTS.
 - The applicants/agent's consulting engineers shall certify that decontamination and remediation of the site has been undertaken in accordance with any measures approved by the Local Planning Authority.
 - The applicant shall advise the Local Planning Authority of commencement of the works.
 - The applicant should also be made aware that the ownership of land shown to be contaminated may accrue legal and financial liabilities under Part IIA of the Environmental Protection Act 1990. Such liabilities are maximised when "pollutant linkages" engender "pathways" for the contaminants to reach "receptors".
 - Central Bedfordshire Council has published its Contaminated Land Inspection Strategy in line with the Environmental Protection Act 1990: Part IIA and its definition thereof. No land has yet been formally designated as being 'contaminated'. However, it should not be taken to imply that the property or adjoining land is free from contamination.
2. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with Central Bedfordshire Council's "Cycle Parking Guidance - August 2006".
 3. You are advised to note the comments of the Anglian Water Services Ltd as set out in the enclosed letter.
 4. 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.

5. **Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.**
6. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

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

The applicant and the Council engaged in discussion and negotiation at pre-application and application stages which led to improvements to the scheme. The applicant and the Council have therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Item No. 6

APPLICATION NUMBER	CB/18/01651/RM
LOCATION	Harlington Station Yard, Station Road, Harlington
PROPOSAL	Reserved Matters following Outline Approval CB/14/02348/OUT Redevelopment up to 45 residential units with associated amenity space, landscaping and parking provision. Demolition of existing bungalow.
PARISH	Harlington
WARD	Toddington
WARD COUNCILLORS	Cllrs Costin & Nicols
CASE OFFICER	Caroline Macrdechian
DATE REGISTERED	10 May 2018
EXPIRY DATE	09 August 2018
APPLICANT.	W E Black Ltd
AGENT	W J Macleod Ltd
REASONS FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Parish Council Objection Reserved Matters – Recommended for Approval

Recommendation:

That Planning Permission should be **granted** subject to the following:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 18-3465-10C, 18-3465-11, 18-3465-12B, 18-3465-13A, 18-3465-14B, 18,3465-15A, 18-3465-16A, 18-3465-17A, 18-3465-18A, 18-3465-19, 18-3465-20, 18-3465-21, 18-3465-22, 18-3465-23, and OS Site Location Plan.

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

- 2 No above ground building work shall take place until details of the materials to be used for the external walls, roofs, balconies, bin and cycle enclosure for Block A 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 Prior to occupation a scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected, including the means of enclosing the private patio areas. The boundary treatment shall be completed in accordance with the approved scheme before the building(s) are occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Section 12, NPPF)

- 4 Full details of the design and materials of the 3 metre high acoustic fence to be provided along the western boundary of the site shall be submitted for approval in writing by the Local Planning Authority before the buildings are occupied. The acoustic fence hereby approved shall be erected prior to occupation and shall be retained thereafter.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Section 12, NPPF)

- 5 The bin storage/collection areas hereby permitted shall be implemented in accordance with the approved details and shall be available for use prior to occupation. The bin storage/collection areas shall be retained thereafter.

Reason: In the interest of amenity.
(Section 12, NPPF)

- 6 The cycle parking stores shall be fully implemented before the development is occupied and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.
(Section 94, NPPF)

- 7 The approved landscaping scheme, as set out on dwg. no. 18-3465-20 and 18-3465-21 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)

- 8 Prior to development, an Arboricultural Method Statement shall be submitted to the Local Planning Authority for approval, setting out details of the 'No Dig' car parking area construction, as being proposed as Option 3, (Section 5.15) of the Arboricultural Survey document, dated 16th April 2018, as prepared by Merewood Arboricultural Consultancy. Also to be included in the Arboricultural Method Statement is the access facilitation pruning required, as identified in Section 5.17 of the Arboricultural Survey. The approved Arboricultural Method Statement shall then be implemented in strict accordance with the required works specification and operational timings for this work.

Reason: To ensure the satisfactory protection of root systems and rooting medium, where there are construction requirements within the designated Root Protection Areas of retained trees, in order to maintain the health and stability of the trees in question, and to ensure a high standard of pruning work to facilitate development.

- 9 Prior to the commencement of development, all tree protective fencing and ground protection shall be installed in strict accordance with the Tree Protection Plan, dated April 2018 including Sections 5.19 and 5.20 Arboricultural Survey by Merewood Arboricultural Consultancy, dated 16th April 2018. The protective fencing and ground protection shall then remain securely in position throughout the entire course of development.

Reason: To ensure that a satisfactory standard of tree protection is maintained throughout the entire course of development, in order to maintain the health and stability of the trees in question.

- 10 Prior to occupation, full details of the means to upgrade Harlington Footpath No. 24, which should include construction details and where necessary boundary treatment details, shall be submitted to and approved by the Local Planning Authority. The scheme hereby approved shall be available for use prior to occupation of the development and retained thereafter.

Reason: In the interests of sustainability and to enhance access for residents (section 9, NPPF).

- 11 Notwithstanding the details contained in Sharps Redmore Acoustic Technical Note dated 11th December 2018, all habitable rooms facing the railway line shall be fixed shut for so long as the development remains in existence. Prior to above ground works, full details of the required mechanical ventilation in these aforementioned habitable rooms shall be submitted to the Local Planning Authority and approved in writing. The mechanical ventilation scheme hereby permitted shall be installed prior to occupation and retained thereafter.

- 12 Prior to occupation, full details of a parking management strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy hereby requested shall include details for maintaining an unobstructed access to the Railway Yard at the southern boundary of the site, as indicated on dwg. no. 18-3465-10A. The strategy shall be implemented in accordance with the approved details.

Reason: In the interest of retaining access to the adjacent yard (Section 9, NPPF).

- 13 Prior to occupation, a Residential Travel Plan setting out measures to reduce car travel and encourage sustainable travel modes shall be submitted to and approved in writing by the Local Planning Authority. The Residential Travel Plan hereby approved shall be implemented at first occupation and retained thereafter.

Reason: In the interests of sustainability (Section 9, NPPF).

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
2. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in central Bedfordshire (Design Supplement 10 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Street", or any amendment thereto.
3. The details submitted with this application have satisfied the requirements of planning conditions 4, 10 and 13 of LPA reference CB/14/02348/OUT.
4. The applicant's attention is drawn to the comments provided by Network Rail in their email dated 01 June 2018, which reiterate the informatives set out in the outline decision (LPA ref. 14/02348/OUT dated 22nd November 2017).
5. 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.

Item No. 11

APPLICATION NUMBER CB/18/03451/VOC
LOCATION Valley View, Hemel Hempstead Road,
Dagnall, Berkhamsted, HP4 1QR
PROPOSAL Variation of Condition: Conditions 3 &
5 of planning permission
CB/13/03219/FULL .
PARISH Studham
WARD Caddington
WARD COUNCILLORS Cllrs Collins &
Stay
CASE OFFICER Judy Martin
DATE REGISTERED 25 September 2018
EXPIRY DATE 20 November 2018
APPLICANT Mrs Golby Webb & Family
AGENT BFSGC
REASON FOR COMMITTEE TO DETERMINE Cllr Richard Stay has called in the application for the following reasons:

- Contrary to policy: Development contrary to Green Belt & contrary to original Secretary of State decision
- Over development: Highly sensitive area & unsuitable for additional development
- Overbearing: Existing site is an eyesore & a constant issue for neighbours, enlargement would make this situation worse
- Impact on landscape: Located within the Green Belt this proposal would add to an already negative impact on Green Belt & adjacent AONB
- Other: CBC would not entertain development in this location unless it was an application from the G& T community

RECOMMENDED DECISION Variation of Condition – Recommended for Approval

Recommendation:

That a Variation of Conditions 3 and 5 be approved to grant permanent planning permission subject to the potential call-in by the Secretary of State for his further consideration and should the application not be called in, the Assistant Director be authorised delegated powers to grant permission subject to the following:

RECOMMENDED CONDITIONS

- 1 The site shall not be occupied by any persons other than Gypsies and Travellers as defined in Annex 1 of *Planning policy for traveller sites (2015)*.

Reason: To ensure that use of the site is restricted to Gypsies and Travellers having regard to the location of the site in the Green Belt together with the provisions of the National Planning Policy Framework and the Planning Policy for Traveller Sites.

(Policies BE8 & H15 SBLPR & Policies H8, SP4, SP8, EE5 & HQ1 of the emerging Central Bedfordshire Local Plan)

- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls or any other means of enclosure or any amenity or storage buildings or other structures shall be erected on the land without the grant of further planning permission.

Reason: In order to ensure that the overall appearance of the development has regard to the views into and over the site and that the development has no unacceptable adverse effect upon general or residential amenity in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and having particular regard to the location of the site in the Green Belt and to the provisions of the National Planning Policy Framework.

(Policies BE8 & H15 SBLPR & Policies H8, SP4, SP8, EE5 & HQ1 of the emerging Central Bedfordshire Local Plan)

- 3 The occupation of the site hereby permitted shall be carried on only by the following: Mrs Jade Golby Webb, Mr Charlton Webb and their resident dependants.

Reason: In recognition of the location of the site in the Green Belt and the "very special circumstances" case accepted in accordance with the National Planning Policy Framework.

- 4 No more than 4 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 2 shall be a static caravan) shall be stationed on the whole of the site at any time.

Reason: In recognition of the location of the site in the Green Belt, AONB and AGLV and having regard to the provisions of the National Planning Policy Framework.

(Policies BE8 & H15 SBLPR & Policies H8, SP4, SP8, EE5 & HQ1 of the emerging Central Bedfordshire Local Plan)

- 5 When the premises cease to be occupied by those named in condition 3 above, the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment brought on to the land, or works

undertaken to it in connection with the use shall be removed within one month of the cessation date.

Reason: In recognition of the location of the site in the Green Belt and the "very special circumstances" case accepted in accordance with the National Planning Policy Framework.

- 6 No commercial activities shall take place on the land, including the storage of materials.

Reason: To ensure the retention of planning control by the Local Planning Authority in recognition of the location of the site in the Green Belt, AONB and AGLV and having regard to the provisions of the National Planning Policy Framework.

(Policies BE8 & H15 SBLPR & Policies H8, SP4, SP8, EE5 & HQ1 of the emerging Central Bedfordshire Local Plan)

- 7 No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.

Reason: To ensure the retention of planning control by the Local Planning Authority in recognition of the location of the site in the Green Belt, AONB and AGLV and having regard to the provisions of the National Planning Policy Framework.

- 8 Within 6 months of the date of this permission a native landscape planting scheme shall be submitted to the Local Planning Authority for approval, which clearly shows the position of new native hedging to be planted around the boundary of the site, and to include a satisfactory planting specification. The hedgerow shall be supplied as "Transplants" being of a size range of at least 60 to 90cm, and be comprised of the following mixture:-

40% Hawthorn (*Crataegus monogyna*)

30% Blackthorn (*Prunus spinosa*) 10% Dogwood (*Cornus sanguinea*) 10% Spindle (*Euonymus europaeus*) 10% Hazel (*Corylus avellana*)

The above mixture shall be set out as a double staggered row, with each row set 500mm apart, and the transplants set 500mm apart in each row. The hedge shall be maintained for a period of 5 years until established, with any losses replaced in accordance with the approved plan.

REASON: To successfully establish a dense, native boundary hedge that shall screen and visually integrate the site into the surrounding rural landscape and soften the visual impact of both new car parking and static homes in the interests of maintaining visual amenity and rural character. (Policies BE8 & H15 SBLPR & Policies H8, SP4, SP8, EE5 & HQ1 of the emerging Central Bedfordshire Local Plan)

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).

**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.

Development Management

Central Bedfordshire Council

Priory House, Monks Walk
Chicksands, Shefford
Bedfordshire SG17 5TQ
www.centralbedfordshire.gov.uk



Mr Connell
GC Planning Partnership Ltd
Bedford I-Lab
Stannard Way
Priory Business Park
Bedford
MK44 3RZ

Contact Nicola Stevens
Direct Dial 0300 300 4454
Email planning@centralbedfordshire.gov.uk
Your Ref
Date 07 March 2019

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England)
Order 2015**

NOTICE OF GRANT OF PLANNING PERMISSION

Application Number: CB/18/04625/FULL
Application Site: Glebe House, 4 Station Road, Blunham, Bedford, MK44 3NZ
Proposed Development: Change of use: Conversion of redundant telephone exchange building for use as a hairdresser' salon (Use Class A1)

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. Officers felt the issues could not be overcome and recommended the application for refusal. However, the Development Management Committee overturned the officers recommendation and granted planning permission. 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.

The Council as the Local Planning Authority hereby gives notice of its decision to **GRANT PERMISSION** for the development specified above and shown on the submitted plans, subject to the following conditions:

- 1 The building shall only be used between the hours of 09:00 am to 17:00 pm Tuesday to Fridays, 09:00 am to 13:00 pm on Saturdays, and not at all on Sundays and Bank Holidays.

Reason: To safeguard the residential amenity which the occupiers of neighbouring properties might reasonably expect to enjoy.
(Section 12, NPPF)

- 2 The outbuilding shall be used for A1 use and no other purpose, and shall be maintained as such hereby after as a result of this planning permission.

Reason: To exclude the provisions of the said Use Classes Order and thereby ensure the Local Planning Authority retains full control of the future use of the land/building(s) in view of the special circumstances of the case.
(Section 12, NPPF)

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC-001, MC/192/A1/01, MC/192/A1/02, MC/192/A1/03, MC/192/A1/04.

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

NOTES TO APPLICANT

Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.

The application form for approval of details reserved by a condition, guidance notes and fees (i.e. £34.00 for householder applications and £116.00 for all other applications, per submission) can be found on our website www.centralbedfordshire.gov.uk or alternatively call Customer Services on 0300 300 8307 for hard copy forms.

- 1 This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
- 2 In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
- 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.
- 4 **Will a new extension affect your Council Tax Charge?**
The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991.

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

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

The website link is:

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

Andrew Davie

Andrew Davie
Assistant Director - Development Infrastructure

Date of Issue: 07 March 2019

TOWN AND COUNTRY PLANNING ACT 1990

**NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING
AUTHORITY REFUSE PLANNING
PERMISSION OR GRANT IT SUBJECT TO CONDITIONS**

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.*
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.*
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

* delete where inappropriate

Item No. 5

APPLICATION NUMBER
LOCATION

CB/18/04119/FULL

**Former Goods Transport Site, 7 Bedford Road
and 1 and 2 Salford Road Brogborough**

PROPOSAL

**Site clearance and erection of a warehouse and
distribution facility (Use Class B8) with ancillary
offices, including new vehicular and pedestrian
access, parking, internal access roads and
service yard, external lighting, landscaping,
infrastructure and associated works.**

PARISH

Brogborough

WARD

Cranfield & Marston Moretaine

WARD COUNCILLORS

Cllrs Morris, Matthews & Mrs Clark

CASE OFFICER

Debbie Willcox

DATE REGISTERED

06 November 2018

EXPIRY DATE

05 February 2019

APPLICANT

Prologis UK Limited

AGENT

Savills

REASON FOR

COMMITTEE TO

DETERMINE

**The application is a departure from the
Development Plan; and the application is for
Major development and has unresolved
objections from the Parish Council.**

RECOMMENDED

DECISION

Full Application - Recommended for Approval

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

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

The Council as the Local Planning Authority hereby gives notice of its decision to **GRANT PERMISSION** for the development specified above and shown on the submitted plans, subject to the following 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 approved shall only be implemented in full accordance with the following document: Written Scheme of Archaeological Resource Management on land at Marston Gate, Unit DC10, Brogborough, Bedfordshire (MOLA Northampton, Issue 3, 21/02/2019)."

Reason: In accordance with paragraph 199 of the National Planning Policy Framework to ensure that the developer records and advances of understanding of the significance of any heritage assets affected by development before they are lost (wholly or in part) and makes the results of the archaeological work (and any archive generated) publicly available.
(CS15 & DM13, CSDMP and Section 16, NPPF)

- 3 The development shall take place strictly in accordance with the submitted Ecological Design Strategy by Middlemarch Environmental dated January 2019, Report No. RT-MME- 129970-01 (Final) and all the Future Management requirements set out within the Ecological Design Strategy shall be carried out throughout the lifetime of the development.

Reason: To ensure that all impacts from development, including ground works, are taken into account and mitigated and that the development delivers a net gain for biodiversity.
(DM15, CSDMP and Section 15, NPPF)

- 4 **No development above slab level shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of fire hydrants at the development. Prior to the first occupation of the development the fire hydrant(s) serving that development shall be installed as approved. Thereafter the fire hydrant(s) shall be retained as approved in perpetuity.**

**Reason: In the interests of fire safety and providing safe and accessible developments.
(Section 8, NPPF)**

- 5 Details of any external plant (to include location on the site and anticipated noise levels) shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of the plant. The plant shall thereafter be maintained such that it complies with the approved anticipated noise levels.

Reason: To ensure that the residential amenity of neighbouring occupiers is not prejudiced by excessive noise.
(Section 15, NPPF)

- 6 The development hereby permitted shall not be occupied a verification report demonstrating that any necessary ground remediation works have been completed to manage risks to human health and the wider environment from any land contamination risks has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of human health and the environment.
(Section 15, NPPF)

- 7 No external lighting shall be installed on the development site until the details of the lighting, including the design of the lighting unit, any supporting structure, lux levels and the extent of the area to be illuminated, have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and maintained as such thereafter.

Reason: To protect the visual amenity of the site and its surrounding area.
(CS14 and DM3, CSDMP and Section 15, NPPF)

- 8 The development shall not be first occupied until the measures set out in the Flood Risk Assessment and Surface Water Management Plan (Ref: 3880 Rev A, December 2018) have been installed in full accordance with the Flood Risk Assessment and Surface Water Management Plan. No variation to the connections and controls indicated on the approved drawing which may be necessary at the time of construction shall be made without the written approval of the Local Planning Authority for written approval.

Reason: To ensure the approved system will be implemented in full to prevent the increased risk of flooding both on and off site, in accordance with Section 14 of the NPPF.
(Section 14, NPPF)

- 9 The development shall not be first occupied until a Management and Maintenance Plan for the Surface Water Management system has been submitted to and approved in writing by the Local Planning Authority. The Surface Water Management System shall thereafter be maintained in full accordance with the 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 Section 14 of the NPPF.
(Section 14, NPPF)

- 10 The development hereby permitted shall not be occupied until details of the following proposed off-site highway works and landscaping works, along with a timetable for their completion, have been submitted to and approved by the Local Planning Authority:

- a) The provision of new HGV and car park accesses from the application site onto Salford Road, together with improvements to Salford Road and introduction of a pedestrian / cycle phase, Toucan Crossing into the existing signalised Bedford Road crossing and, subject to the successful implementation of a TRO, no waiting (double yellow) lines will be introduced on Salford Road to prevent lorry parking;
- b) Provision of a new 3m wide footway / cycleway connecting from Bedford Road in the west to the existing footway on Badgers Rise in the east;
- c) The removal or restriction of use of existing laybys, kerbs and disused bus stop as identified in the approved drawings, the provision of new kerbs along Bedford Road channel line and topsoil / seed remaining verge area behind;
- d) Provision of landscaping works to each side of Bedford Road to create a 'village entrance' feature, which landscaping shall subsequently be maintained by Prologis as part of the wider Marston Gate development;
- e) Provision of "keep clear" markings on the junction of Bedford Road/Salford Road/A507; and
- f) Provision of "no left turn for HGVs" signage on Salford Road.

The off-site highway works shall be in general accordance with the following approved drawings: 248/P/001 Rev F, 248/P/003 Rev B, 248/P/005 Rev B, and 248/P/006 and the landscape works shall be in general accordance with drawings 1817/18 01 Rev I and 1817/18 05 Rev C.

The works shall be completed in accordance with the approved details and the approved timetable; and signed off as complete by, or on behalf of, the Local Planning Authority.

Reason: To ensure the delivery of the off-site works which are necessary to the acceptability of the scheme in terms of mitigation and the delivery of identified benefits of the scheme).

(Policies CS4, CS14 and DM3, CSDMP Sections 9 and 12, NPPF)

- 11 The development shall not be first occupied until an updated Travel Plan has been submitted to and approved in writing by the Council, in consultation with Highways England, such a Travel Plan to include details of:
- Joint working with other local employers and shared travel plan activities across the local industrial area
 - Predicted travel to and from the site and targets to reduce car use for both visitors and staff
 - Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks
 - Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport
 - Timetable for implementation of measures designed to promote travel choice
 - Plans for monitoring and review within 6 months of occupation and then annually for a period of 5 years at which time the obligation will be reviewed by the planning authority
 - Details of provision of cycle parking in accordance with Central Bedfordshire guidelines
 - Details of site-specific marketing and publicity information, to include:
 - Site specific travel and transport information
 - Incentives for sustainable travel
 - Details of relevant pedestrian, cycle and public transport routes to, from and within the site
 - Copies of relevant bus and rail timetables
 - Details of the appointment of a Travel Plan Co-ordinator
 - An Action Plan listing the measures to be implemented and timescales for this
 - Details of the transfer of the travel plan obligation to the future occupier

No part of the development shall be occupied prior to implementation of those parts identified within the Travel Plan as capable of being implemented prior to occupation. Those parts of the approved Travel Plan that are identified as being capable of implementation after occupation shall be implemented in accordance with an agreed timetable and shall continue to be implemented as long as any part of the development is occupied.

Reason: To promote sustainable modes of travel and to reduce the potential traffic impact of the development on the local highway network. (Section 9, NPPF)

- 12 The on-site planting and landscaping scheme shown on approved Drawing No. 1817-18-01 Rev I dated 31-01-18 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 shall mean the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the

Reason: To ensure an acceptable standard of landscaping is planted and maintained in the interests of the visual amenities of the area.
(CS14 & DM3, CSDMP and Sections 12 & 15, NPPF)

- 13 No equipment, machinery or materials shall be brought on to the site for the purposes of development until protective tree fencing for the protection of retained trees, has been erected in the positions shown on Drawing No. 1817-18-04. The fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended.
(Policies CS16 & DM 14, CSDMP and Sections 12 & 15, NPPF)

- 14 The development shall be carried out in accordance with the Sustainability Statement dated November 2018 by Turleys. Within 18 months of the first occupation of the development, the results of the 1 year BREEAM review shall be submitted to the Local Planning Authority.

Reason: To ensure that the development is of sustainable construction.
(Policies DM1 and DM2, CSDMP and Section 14, NPPF)

- 15 The development shall not be occupied until 4 22kW electric vehicle charging pedestals have been erected within the car parking and the necessary infrastructure provided for a further 51 parking spaces to allow the installation of future pedestals as required.

Reason: To ensure that the development provides adequate electric vehicle charging infrastructure in the interests of enhancing the sustainability of the development.
(Section 14, NPPF)

- 16 The development hereby permitted shall not be carried out in complete accordance with the details shown on the submitted plans, (except as varied by details approved as part of details submitted to discharge condition 10) numbers 1817-18-02 Rev D, 1817-18-04, 30992-PL-200 Rev A, 30992-PL-201 Rev D, 30992-PL-202 Rev A, 30992-PL-203 Rev B, 30992-PL-204 Rev B, 30992-PL-205, 30992-PL-206, 30992-PL-220 Rev B, 30992-PL-221 Rev A, 30992-PL-2030 Rev B and 30992-PL-231 Rev B, .

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

- 17 The development shall not be brought into use until the scheme for car and HGV parking shown on drawing no. 30992-PL-201D has been provided and the spaces shall thereafter be kept available for parking at all times.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access and parking arrangements at all times.
(Section 9, NPPF)

- 18 No development shall take place, (excluding archaeological investigation) until a Construction Traffic Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:
- (A) The parking of vehicles
 - (B) Loading and unloading of plant and materials used in the development
 - (C) Storage of plant and materials used in the development
 - (D) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.
 - (E) Wheel washing facilities
 - (F) Measures on site to control the deposition of dirt / mud on surrounding roads during the development.
 - (G) Footpath/footway/cycleway or road closures needed during the development period
 - (H) Traffic management needed during the development period.
 - (I) Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.

The approved Construction Traffic Management Plan associated with the development of the site shall be adhered to throughout the development process.

Reason: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety.
(Section 9, NPPF)

- 19 The development hereby permitted shall not be occupied until a scheme for the management of the vehicular access barriers and security gates has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety and pedestrian movement.
(Section 9, NPPF)

- 20 Visibility splays shall be provided at the junctions of the accesses with the public highway before the development is brought into use. The minimum dimensions to provide the required splay line 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(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).
(Section 9, NPPF)

- 21 The development hereby permitted shall not be first occupied until a Lorry Routing Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall detail measures to minimise the incidence of HGVs (vehicles over 7.5 tonnes) approaching the site from the Brogborough village direction

(C94 Bedford Road) and leaving the site and turning left onto C94 Bedford Road towards Brogborough village. The statement shall include a lorry routing plan, transport management measures that the site occupier(s) will be required to commit to and communicate to their transport suppliers/distributors, details of a CCTV system to monitor the movement of all HGVs (vehicles over 7.5 tonnes) entering and leaving the site, and a method of recording incidences of non-compliance within the preceding 3-month period which shall be submitted to the Local Planning Authority on request, along with details of the mitigation that has been carried out in response to any incidences that have been recorded in that time period. The approved Lorry Routing Statement shall be maintained and operated at all times that the development is in use.

Reason: To ensure that the development does not result in HGVs using Bedford Road through Brogborough Village in the interests of highway safety and amenity.
(Section 9, NPPF)

- 22 The development hereby permitted shall not be first occupied until details of a CCTV system that monitors the movement of all HGVs (vehicles over 7.5 tonnes) entering and leaving the site using the Bedford Road/Salford road light controlled junction have been submitted to and approved in writing by the Local Planning Authority. The approved CCTV system shall be installed in full accordance with the approved details and operated at all times that the development is in use and the CCTV images recorded for monitoring purposes should be kept for a minimum of twenty-eight days from time of recording.

Reason: To ensure that the development does not result in HGVs using Bedford Road through Brogborough Village in the interests of highway safety and amenity.
(Section 9, NPPF)

NOTES TO APPLICANT

Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.

The application form for approval of details reserved by a condition, guidance notes and fees (i.e. £34.00 for householder applications and £116.00 for all other applications, per submission) can be found on our website www.centralbedfordshire.gov.uk or alternatively call Customer Services on 0300 300 8307 for hard copy forms.

- 1 In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
- 2 This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

3 The Internal Drainage Board have provided the following advice:

As the means of storm water disposal is to be via a balancing facility it is essential that this be completed prior to the construction of any impervious areas within the site.

Please also note that the water course is on the boundary of or passing through this site is under the statutory control of the Board. In accordance with the Board's byelaws, no development should take place within 9m of the bank top, without the Board's prior consent, this includes any planting, fencing, or other landscaping.

Please note that storm water discharge will not be allowed into a watercourse under the Board's statutory control without the Board's prior consent.

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

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

These requirements are as follows:

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

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

For further information on disability access contact:

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

5 The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.

6 The applicant is advised that in order to comply with Condition 10 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. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. E-mail: highwaysagreements@centralbedfordshire.gov.uk. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority

equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

- 7 The applicant is advised that the closure of existing access and laybys shall include the reinstatement of the highway to include any footway, verge and kerbing and no works associated with the closure 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 Highways Department. Upon receipt of this Notice of Planning Approval, the applicant is advised to seek approval from the Local Planning Authority for details of the proposed vehicular access junction in accordance with condition 1. Upon formal approval of details, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant will also be expected to bear all costs involved in closing the accesses.
- 8 The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Highways Help Desk tel: 0300 300 8049.

TOWN AND COUNTRY PLANNING ACT 1990

**NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING
AUTHORITY REFUSE PLANNING
PERMISSION OR GRANT IT SUBJECT TO CONDITIONS**

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.*
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.*
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

* delete where inappropriate

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Item No. 16

APPLICATION NUMBER	CB/18/04013/OUT
LOCATION	Land between 21 to 39 Thorncote Road Northill Biggleswade
PROPOSAL	Outline Application: development of land for up to
	21 dwellings to include 2 No. Bungalows, all matters reserved except access.
PARISH	Northill
WARD	Northill
WARD COUNCILLORS	Cllr Mr Firth
CASE OFFICER	Benjamin Tracy
DATE REGISTERED	26 October 2018
EXPIRY DATE	25 January 2019
APPLICANT	Landscape Land and Property Ltd
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Major Development - Departure Major Development - Parish Council Objection.
RECOMMENDED DECISION	Outline Application - Recommended for Approval

Decision

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, subject to the following planning conditions:

CONDITIONS

- 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 not later than two years from the date of approval of the last of the reserved matters to be approved.

- 4 The number of dwellings approved shall not exceed 21 and shall be no less than 18. Any subsequent reserved matters application shall include no less than 2 bungalow style dwellings.

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, and to clarify any ambiguity regarding the description of the approved development.

- 5 Any subsequent reserved matters application for the approval of landscaping shall include details of hard and soft landscaping (including any replacement tree and hedgerow planting), together with a timetable for its implementation and maintenance for a period of 5 years following implementation. Any subsequent reserved matters application submitted under Condition 2 of this permission shall include details measures for the protection of retained trees/hedgerows within or neighbouring the site 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 acceptably mitigate landscape visual impacts, provide a net gain for biodiversity, safeguard retained trees/hedgerows during construction, and ensure the development would provide a high quality landscaping scheme in the interest of the visual amenities of the locality, in accordance with Policies CS16, DM14, DM15 and DM3 of the Core Strategy and Development Management Policies (2009) and the NPPF.

- 6 Any subsequent reserved matters application shall include a soft landscaping buffer along the entire length of the western and eastern boundaries of the site (except that required for vehicular accesses with visibility splays, as well as footpath connections), to soften the visual impact development from the open countryside and to preserve a soft landscaped approach to Northhill Conservation Area along Thorncote Road.

Reason: To ensure the development would acceptably mitigate landscape visual impacts and preserves the character of Northhill Conservation Area, in accordance with Policies CS15, CS16, DM13, DM14, DM15 and DM3 of the Core Strategy and Development Management Policies (2009) and the NPPF.

- 7 Any application for the approval of reserved matters except any application that relates solely to access shall include details of the existing and final ground 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

- 8 **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) for the scheme has been submitted to and approved in writing by the Local Planning Authority. The discharge rate from the development will be limited to the equivalent 1 in 1 year rate, or an appropriate rate as agreed by the Bedford Group of Internal Drainage Boards or sewage undertaker. , and shall be implemented as approved. Any variation to the connections and controls indicated on the approved details which may be necessary at the time of construction would require the resubmission of those details to the Local Planning Authority for approval.**

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 NPPF.

- 9 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.

- 10 **No development shall take place until a foul drainage strategy has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing the works shall be carried out in accordance with the approved details prior to the occupation of any dwelling subsequently approved.**

Reason: Details are required prior to the commencement of development to prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policy DM2 of the Core Strategy and Development Management Policies 2009.

- 11 No building shall be occupied until the junction as of the proposed vehicular access with the highway as shown on Drawing: 18093-NHIL-5-500 has been constructed in accordance with the approved details.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road, in accordance with Policy DM3 and CS4 of the Core Strategy and Development Management Policies and the NPPF.

- 12 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along

the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall 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(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).

- 13 Any subsequent reserved matters application shall include a 2m wide footway from Thorncote Road at the northeastern corner of the site to the northern side pedestrian dropped kerb of the site access as approved and illustrated on Drawing Number: 18093-NHIL-5-500. The approved footpath shall be constructed in accordance with the approved details prior to the first occupation of any dwelling hereby approved and shall thereafter be retained in perpetuity and made available for public access.

Reason: In the interests of road safety and pedestrian movement.

- 14 No dwelling hereby approved shall be first occupied until a scheme for the provision of 2 metre wide footway on the western side of Thorncote Road between the development access to the junction of Thorncote Road/Bedford Road, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, no dwelling hereby approved shall be first occupied until the approved footway has been constructed and completed in accordance with approved details. The scheme shall include the re-siting of any Statutory Undertakers equipment or street furniture to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement.

- 15 No dwelling hereby approved shall be first occupied until a scheme of speed reduction measures along Thorncote Road with a timescale for completion has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the speed reduction measures along Thorncote Road shall be completed in accordance with the approved scheme and within the approved timescale.

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

- 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.

- 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.

- 18 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.

- 19 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.

- 20 **No development shall take place until an ecological enhancement strategy (EES) for the creation of new wildlife features such as hibernacula, the erection of bird/bat and bee boxes in buildings/structures and tree, hedgerow, shrub and wildflower planting/establishment has been submitted to and approved in writing by the local planning authority. The content of the method statement shall be informed by an up to date Ecological Appraisal of the site and include the:**

- a) purpose and objectives for the proposed works;**
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);**
- c) extent and location of proposed works shown on appropriate scale maps and plans;**
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;**
- e) persons responsible for implementing the works;**

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

Reason: Details required prior to the commencement of development to ensure development is ecologically sensitive and secures biodiversity enhancements that are integrated into the development in accordance with the National Planning Policy Framework.

- 21 **No development shall take place until a written scheme of archaeological investigation, that adopts a staged approach and includes the provision for post excavation analysis and publication, has been submitted to and**

approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 199 of the National Planning Policy Framework (NPPF) that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

22 The details required by Condition 2 of this permission shall include a scheme of measures to mitigate the impacts of climate change and deliver sustainable and resource efficient development including opportunities to meet higher water efficiency standards and building design, layout and orientation, natural features and landscaping to maximise natural ventilation, cooling and solar gain. The scheme shall include:

- details to demonstrate how 10% energy demand of the development to be delivered from renewable or low carbon sources or development's energy demand will be reduced by at least 10% through fabric measures, will be achieved; and
- details to demonstrate that Water efficiency to achieve water standard of 110 litres per person per day will be achieved.

Thereafter the development shall be carried out in full in accordance with the approved scheme.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF.

23 **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.

24 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: Site Location Plan - FINAL 26.10.18; and 18093-NHIL-5-500.

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

1. This permission relates only to that required under the Town and 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 12, 13, 14 & 15 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. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. E-mail highwaysagreements@centralbedfordshire.gov.uk
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".

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Item No. 7

APPLICATION NUMBER	CB/18/04383/FULL
LOCATION	Manor Farm, Watling Street, Kensworth, Dunstable, LU6 3QU
PROPOSAL	Retrospective change of use from agriculture to temporary use as storage area for 5 years, with ancillary landscaping works and formation of hardstanding area using road planings (scalpings).
PARISH	Kensworth
WARD	Caddington
WARD COUNCILLORS	Cllrs Collins & Stay
CASE OFFICER	Peter Vosper
DATE REGISTERED	26 November 2018
EXPIRY DATE	21 January 2019
APPLICANT	O'Hagan Transport Ltd
AGENT	Shaun Andrews Design and Architecture
REASON FOR COMMITTEE TO DETERMINE	Called-in by Cllr Stay if the application is recommended for refusal for the following reasons: <ul style="list-style-type: none">• Minimal to zero impact on landscape This proposal is part of a national infrastructure scheme & is strongly supported
RECOMMENDED DECISION	Full Application - Recommended for Refusal

**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. Officers felt the issues could not be overcome and recommended the application for refusal. However, the Development Management Committee overturned the officers recommendation and granted planning permission. 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.

The Council as the Local Planning Authority hereby gives notice of its decision to **GRANT PERMISSION** for the development specified above and shown on the submitted plans, subject to the following conditions:

- 1 The use hereby permitted shall be discontinued on or before 6 March 2024, and within 6 months of this date all structures (if any) removed and the land re-instated with grasscrete to its pre-development condition as an agricultural field in accordance with a scheme of work previously submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the Green Belt, Chilterns Area of Outstanding Natural Beauty and an Area of Great Landscape Value.

(Section 13 and 16, NPPF)

- 2 The storage use hereby approved shall be solely for the storage of historic artefacts arising from excavation at Euston Station, and not for any other use.

Reason: To ensure the use is specific to the very special circumstances demonstrated to clearly outweigh the harm to the Green Belt.
(Section 13 NPPF)

- 3 Details of the landscaping works shown on approved plan 2712.20 A, to include details of native species to be used and a scheme for landscape maintenance for the duration of the planning permission following the implementation of the landscaping scheme, shall be submitted to the Local Planning Authority within three months of the date of planning permission and subsequently approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following this approval (a full planting season means the period from October to March). The landscaping works 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 to screen the storage area, and for the planting to integrate into the surrounding countryside.
(Policies BE8 & NE3, SBLPR and Sections 13 & 16, NPPF)

- 4 Within two months of the date of planning permission details of the improvements to the junction of the vehicular access, in accordance with the Design Manual for Roads and Bridges, including tracking diagrams for an articulated vehicle (16.5m in length) accessing/egressing the site and turning within the development, shall be submitted to and approved by the Local Planning Authority. Within one month of approval, the applicant shall make an application to the Highway Authority to implement the works which shall be constructed within five months of approval and thereafter retained in perpetuity.

Reason: To provide adequate visibility between the existing highway and the vehicle access, and to make the access safe and convenient for the traffic which is likely to use it.
(Section 9, NPPF)

- 5 Within two months of the date of planning permission, details of a turning area suitable for HGV's shall be submitted to and approved in writing by the Local Planning Authority and once approved the turning areas shall be constructed within two months of approval and thereafter retained in perpetuity.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.
(Section 9, NPPF)

- 6 Visibility splays shall be provided at the junction of the access with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the improved access from its junction with the channel of the public highway and 215m measured either side from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

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

(Section 9, NPPF)

- 7 Within two months of the date of this permission, a scheme for the parking of cars and HGV's on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall comply with the standards of the Local Planning Authority and once approved shall be constructed within two months of approval and thereafter retained in perpetuity

Reason: To ensure the provision for vehicle parking clear of the public highway.

(Section 9, NPPF)

- 8 The proposed driveway shall be constructed and surfaced in a stable and durable material in accordance with details to be approved in writing by the Local Planning Authority for a minimum distance of 20m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of the highway.

(Section 9, NPPF)

- 9 Any gates provided shall open away from the highway and be set back a distance of at least 20m from the nearside edge of the carriageway of the adjoining highway.

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

(Section 9, NPPF)

- 10 The premises shall not be used, including deliveries to and from the site, except between 0800 hours and 1700 hours Monday to Friday and at no time on Saturdays, Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

Reason: To protect the amenity of neighbouring residents.

(Policy BE8, SBLPR and Section 16, NPPF)

- 11 There shall be no lighting on the application site.

Reason: To protect the Green Belt, Chilterns Area of Outstanding Natural Beauty and an Area of Great Landscape Value.

(Section 13 and 16, NPPF)

- 12 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers C2712.20 A and C2712.19.

Reason: To identify the approved plans and to avoid doubt

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Item No. 12

APPLICATION NUMBER CB/18/04368/VOC
LOCATION Maple House, Nicholls Close, Barton-le-Clay, Bedford, MK45 4LL
PROPOSAL Variation of Condition 10 of planning permission CB/16/04198/FULL dated 08/11/16 (New two storey 4 bedroom dwelling with double garage to be built in garden of 67 Bedford Road. Access to be via Nicholls Close. Exterior finishes to be similar to neighbouring house in Nicholls Close.) - Garage to be removed and parking layout to be changed.
PARISH Barton-Le-Clay
WARD Barton-le-Clay
WARD COUNCILLORS Cllr Shingler
CASE OFFICER James Peck
DATE REGISTERED 03 December 2018
EXPIRY DATE 28 January 2019
APPLICANT Gill-Hudson Homes Ltd
AGENT Mr Butler MRICS
REASON FOR COMMITTEE TO DETERMINE This submission has been called into the CBC Development Management Committee by ward councillor Mr Shingler on the basis that:

- the proposed details would be contrary to other planning conditions under the planning reference CB/16/04198/FULL, as well as that:
- it would establish the principle of development to the rear of Maple House, Nicholls Close and to the rear of 67 & 69 Bedford Road by providing a means of vehicular access to such development.

RECOMMENDED DECISION Variation of Condition - Recommended for Approval

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.

The Council as the Local Planning Authority hereby gives notice of its decision to **GRANT PERMISSION** for the development specified above and shown on the submitted plans, subject to the following 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 building shall be occupied until the junction of the proposed vehicular access with the

highway has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises (Policy T10, SBLPR, policy T2 of the emerging Central Bedfordshire Local Plan and section 9, NPFF).

- 3 Before the new access is first brought into use visibility splays shall be provided on each side of the new access at its junction with the public highway. 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 vision splays so described shall thereafter be kept free of all obstruction to visibility exceeding a height of 600mm above the adjoining carriageway level.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it (Policy T10, SBLPR, policies T2 & T3 of the emerging Central Bedfordshire Local Plan and section 9, NPFF).

- 4 The parking scheme indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and those areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and park clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway (Policy T10, SBLPR, policies T2 & T3 of the emerging Central Bedfordshire Local Plan and section 9, NPFF).

- 5 Before the premises are occupied all on site vehicular areas shall be surfaced in a stable and durable material in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits (Policy T10, SBLPR, policies T2 & T3 of the emerging Central Bedfordshire Local Plan and section 9, NPFF).

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers LB-0005/ Sheet No. 1 of 2 (dated 03/12/2018) and LB-0005/ Sheet No. 2 of 2 (dated 03/01/2019).

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

NOTES TO APPLICANT

Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.

The application form for approval of details reserved by a condition, guidance notes

and fees can be found on our website www.centralbedfordshire.gov.uk or alternatively call Customer Services on 0300 300 8307 for hard copy forms.

- 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 follow this link on the Council website <http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx> or contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8301 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented.

The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration. To fully discharge condition 1 the applicant should provide evidence to the Local Planning Authority that the Highway Authority have undertaken the construction in accordance with the approved plan, before the development is brought into use.

- 4 The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from The Street Works Co-ordinator, Central Bedfordshire Highways, by contacting the Highways Helpdesk 0300 3008301.
- 5 The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into the public highway without authorisation from the highway authority. If necessary further details can be obtained from The Street Works Co-ordinator, Central Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8301.

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Item No. 14

APPLICATION NUMBER	CB/16/05438/OUT
LOCATION	Land at Former Readshill Quarry, Back Street, Clophill
PROPOSAL	Outline: Residential development of up to 51 dwellings.
PARISH	Clophill
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Annabel Robinson
DATE REGISTERED	05 December 2016
EXPIRY DATE	06 March 2017
APPLICANT	Hamlin Estates
AGENT	DLP Planning Ltd
COMMITTEE TO DETERMINE	Appeal against non-determination for a major development
RECOMMENDED DECISION	Outline application – Recommended for Refusal

Summary of Recommendation:

This 'major' outline planning application for up to 51 residential units is subject to an appeal against non-determination. The appeal is due to be determined by written representations at a date yet to be determined. The application is therefore no longer before Central Bedfordshire Council for determination. However, under paragraph 4.4.53 of Part 3E of the Central Bedfordshire Constitution, the non-determination of a 'major' application needs to be reported to Development Management Committee for a resolution.

This outline application seeks approval for the matter of access, with the remaining matters of appearance, landscaping, layout and scale for consideration at reserved matters application stage. Whilst with additional information the access arrangements could be considered acceptable for the scale of the development, the proposed development represents inappropriate and harmful development within the open countryside and is therefore unacceptable in principle. In considering this application it is material that planning permission has been refused and dismissed at appeal for a similar development.

Recommendation:

Officers are therefore asking Committee, at their discretion, to ratify and agree, the recommendation of refusal. The resolution will therefore form the basis of the grounds the Council will defend the appeal.

RECOMMENDED REASONS

- 1 The site is outside of the Clophill Settlement Envelope and is within the open countryside. The site is a habitat and species rich green infrastructure asset within the Greensands Ridge Nature Improvement Area and lies on the route of the Greensands Ridge Walk. The proposed development would be significantly harmful to the natural environment and the local, rural character of the area and it has not been properly demonstrated how the changes to levels and slopes within the site would provide a safe and high quality environment suitable for residential occupation. As a result, the development would not amount to sustainable development and would be inappropriate and unacceptable in principle. The development is therefore contrary to the objectives of the National Planning Policy Framework (2018) and Policies CS14 (High Quality Development), CS16 (Landscape and Woodland), CS17 (Green Infrastructure), DM3 (High Quality Development), DM4 (Development Within and Beyond Settlement Envelopes) and DM14 (Landscape and Woodland) of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the Central Bedfordshire Design Guide (March 2014).
- 2 In the absence of a completed legal agreement securing the provision of housing, including affordable housing, in accordance with a Build Rate timetable; highways mitigation; and contributions towards education facilities and services, the development would have an unmitigated and unacceptable impact on existing local infrastructure and would fail to make an acceptable contribution towards the five year supply of deliverable housing land for Central Bedfordshire and the local affordable housing stock. The development would be contrary to the objectives of the National Planning Policy Framework (2012), Policies CS2 (Developer Contributions) and CS7 (Affordable Housing) of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

Item No. 18

APPLICATION NUMBER	CB/19/00182/REG3
LOCATION	Central Bedfordshire Council Car Park, Station Approach, Steppingley Road, Flitwick, MK45 1AJ
PROPOSAL	Planning Permission sought to continue the use of the land for a car park for 293 car park spaces.
PARISH	Flitwick
WARD	Flitwick
WARD COUNCILLORS	Cllrs Mrs Chapman, Gomm &
Turner CASE OFFICER	Annabel Robinson
DATE REGISTERED	21 January 2019
EXPIRY DATE	18 March 2019
APPLICANT	Central Bedfordshire Council
REASON FOR COMMITTEE TO DETERMINE	The application has been made by Central Bedfordshire Council
RECOMMENDED DECISION	Regulation 3 – Recommended for Approval

Recommendation:

That Planning Permission be approved subject to the following:

- 1 The use of the land as a surface car park shall be carried on for a limited period of 5 years commencing from the date of the granting of permission, at the end of which the use shall cease, unless a further planning permission has been granted.

Reason: The proposal is stated in the application to be for a temporary 5 year period only.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number 4002 A

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

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Item No. 17

APPLICATION NUMBER	CB/18/02240/OUT
LOCATION	The Limes, 85 High Street, Henlow, SG16 6AB
PROPOSAL	Application for Outline Planning for the
erection of	3 dwellinghouses and associated works, all
	matters reserved except access.
PARISH	Henlow
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey &
Wenham CASE OFFICER	Benjamin Tracy
DATE REGISTERED	07 June 2018
EXPIRY DATE	02 August 2018
APPLICANT	Mrs Wilkinson
AGENT	JK Architecture
REASON FOR	Cllr David Shelvey Call-in on the following
COMMITTEE TO	grounds:
DETERMINE	no amenity left for care home
	over development of the site
	limited parking
	gardens small;
	lack of parking for staff and visitors of Care
	Home not as many spaces as shown on plan
	Request from Parish Council
RECOMMENDED	
DECISION	Outline Application – Recommended for Approval

Recommended

That the application be **REFUSED** for the following reasons:

The provision of an additional three dwellinghouses within the site would form overdevelopment of the site, resulting in a significant loss of private amenity space to the Limes Care Home which would cause harm to the amenity of the occupiers of the Limes Care Home. It is considered that the proposed development would not provide a high standard of amenity for existing and future users of the Limes. The proposal is therefore considered to be contrary to Policy DM3 of the Core Strategy and Development Management Policies (2009) and paragraph 127 of the Revised NPPF which seeks to create places with a high standard of amenity for existing and future users.

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LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 06 MARCH 2019

Item 5 – CB/18/04119/FULL – Former Goods Transport Site, 7 Bedford Road and 1 and 2 Salford Road, Brogborough

Additional Consultation/Publicity Responses

Brogborough Parish Council

Brogborough Parish Council have provided an addendum to their additional response, which is as follows:

The application has been updated to provide more details of the village entrance and to include the closure of two of the lay-bys on Bedford Road. The lay-bys proposed for closure are the southern most lay-by on the west side of Bedford Road and the lay-by immediately south of the gardens of Highfield Crescent on the eastern side of the road.

Please could I bring to your attention that the site named is not 'Former Goods Transport' but 'Former Goode's Transport ' as this would indicate on the application that it is just a rebuild rather than a new warehouse.

Originally it was part residential and the three houses were demolished which I understand contravenes national and CBC's Empty Homes Strategy. We felt this was a premature move as this application had not at that time been approved.

We can see that there are a number of items within this application which have been changed as well as those you have indicated and will affect our original objection - such as the extension of construction required by their expected tenant - which also affects the pollution (Light, Noise and Exhaust listings) as there is no indication of an update from Highways re the effect this will have on our community

The closure of the two lay-bys on Bedford Road is more than welcome but the 'village entrance' landscaping at the traffic lights will still have the appearance of being the entrance to the complete Prologis, Marston Gate site and therefore will still encourage visitors and, in particular HGVs, into our village as a shortcut. This happens on a fairly regular basis already which we feel will increase and should be considered as a serious downfall to the well-being of our community.

With the revised plans we would like the following to be taken into consideration.

1. Highways England Doc 6.12.18

This survey originally stated that the increase in traffic would be negligible with 80 movements am and 41 pm however with the revised plans for the site 30992PL201D the increase in movements would be extra as there are now 42 HGV spaces as opposed to 28 on the original plans and also 140 - 221 car parking spaces - we are unsure of this statement as this indicates a substantial increase in traffic movement contrary to the original and will affect item 2..

2. Noise and light pollution

The noise assessment - dated 6.11.18 a report of excessive noise and light was reported before these amendments and will therefore increase significantly with the new build. The light increase alone from such addition will cause further distress to residents and a long-term detriment to the cycle of wildlife in our area in addition to the vast dome of light already apparent on the existing site.

3. Transport assessment dated 6.11.18

We feel the bus and rail services which operate near the site and through Brogborough will not support a 24 hour operation and will certainly increase the traffic on the Bedford Road at all times causing noise and intrusion to residents.

The bus stop at the lay-by near the takeaway that is mentioned is also the school bus stop so such increase is considered dangerous for the children getting on and off the school bus. As will crossing the road to the bus stop on the Bowling Green side of the road this will also be the case for those residents wishing to use the village facilities i.e.: Village Hall, playground, open space and adult equipment or even returning on the bus. Likewise, for villagers in Highfield Crescent, Hill Crescent and Ridgeway Road trying to access the bus stop or even pull out onto the Bedford Road itself is at most times a distinctly dangerous venture.

4. There is no safe pedestrian access to this proposed site from Ridgmont Station so any footpath network included in this application will end at the traffic lights - unless provision is made for a safe footpath from the proposed site to the station.

These are our additional comments re the altered plan submitted.

Milton Keynes Council

Milton Keynes Council have responded to state that they have no objections to the application.

CBC Highways Officer

The Highways Officer has provided expanded comments as follows:

The Transport Assessment is considered acceptable in terms of capacity and that there is no reason why development could not go ahead on highway grounds or the NPPF.

It is noted that security barriers would be in operation for both the HGV and car parking access. The HGV security gates when opened could mean that the end of HGV could overhand the footway/cycleway when the gates are swung open, so a rising barrier would be the better option, or the gates should be moved further within the site area. The car park access would only provide for 2 cars to stack before the footway/cycleway is blocked so either the barriers are removed or sited further in to the parking area. To prevent vehicles parking on Salford Road a TRO for double yellow lines to prevent any queuing back to the signalised junction will be required through the Section 278 Agreement process.

Parking accords with the Central Bedfordshire Local Transport Plan: Appendix F Parking Strategy in terms of parking for cars, HGV's and cycles. Turning for HGV's is

available with independent turning head further available to the west of the HGV parking layout. Car parking bay for cars have been provided and whilst the bays are only 4.8m in length the actual aisle width shows this as being 6.5m in wide (usually only 6m in width) and therefore this is considered acceptable.

Given the height of the building, the provision of a fire track is always welcome for the Fire Service and that tracking has been provided to ensure that an 11m long platform can gain access, if any further amendments are required this will be for the fire service to decide.

Additional conditions are recommended.

CBC Archaeologist

The Council's Archaeologist has confirmed that the submitted Written Scheme of Investigation is acceptable and an amended condition 2 is recommended.

CBC Ecologist

The Council's Ecologist has confirmed that the submitted Ecological Design Strategy is acceptable and an amended condition 3 is recommended.

Prospective Tenant

A letter has been received from the prospective tenant of the unit. The letter states that the proposal would allow their existing Central Bedfordshire based business to expand. It notes that they currently employ 93 people, of which 85 live within Central Bedfordshire. The proposal would allow them to relocate without having an impact on their current workforce and would allow them to grow their business and provide additional jobs, estimated to be at a rate of an additional 7 jobs per year for the next 5 years.

The letter confirms that traffic movements are expected to be in accordance with those forecast in the traffic model. The letter also states that they will continue to work with the Prologis management team to address any issues raised by the community.

Additional Comments

At the request of a Ward Member, the applicant has agreed to the partial closure of a third layby in Brogborough village and an amended plan, drawing no. 248/P/005 Rev A has been submitted.

In response to the additional comments of Brogborough Parish Council, the proposed number of car parking and HGV spaces have not changed during the application process and nor has the gross footprint of the building. Minor amendments have been made to the layout of the office section of the proposal, which also resulted in minor elevational changes.

There has been no change to the anticipated travel movements during the course of the application.

Highway improvements are scheduled to take place in the near future in Brogborough to secure a safe crossing point to the bus stop.

The proposal includes the provision of a footpath and cycleway from the traffic lights to Ridgmont Station.

Additional/Amended Conditions

2. The development hereby approved shall only be implemented in full accordance with the following document: Written Scheme of Archaeological Resource Management on land at Marston Gate, Unit DC10, Brogborough, Bedfordshire (MOLA Northampton, Issue 3, 21/02/2019)."

Reason: In accordance with paragraph 199 of the National Planning Policy Framework to ensure that the developer records and advances of understanding of the significance of any heritage assets affected by development before they are lost (wholly or in part) and makes the results of the archaeological work (and any archive generated) publicly available.
(CS15 & DM13, CSDMP and Section 16, NPPF)

3. The development shall take place strictly in accordance with the submitted Ecological Design Strategy by Middlemarch Environmental dated January 2019, Report No. RT-MME- 129970-01 (Final) and all the Future Management requirements set out within the Ecological Design Strategy shall be carried out throughout the lifetime of the development.

Reason: To ensure that all impacts from development, including ground works, are taken into account and mitigated and that the development delivers a net gain for biodiversity.
(DM15, CSDMP and Section 15, NPPF)

10. The development hereby permitted shall not be occupied until details of the following proposed off-site highway works and landscaping works, along with a timetable for their completion, have been submitted to and approved by the Local Planning Authority:
 - a) The provision of new HGV and car park accesses from the application site onto Salford Road, together with improvements to Salford Road and introduction of a pedestrian / cycle phase, Toucan Crossing into the existing signalised Bedford Road crossing. Subject to the successful implementation of a TRO, no waiting (double yellow) lines will be introduced on Salford Road to prevent lorry parking;
 - b) Provision of a new 3m wide footway / cycleway connecting from Bedford Road in the west to the existing footway on Badgers Rise in the east;
 - c) The removal of existing laybys, kerbs and disused bus stop as identified in the approved drawings and the provision of new kerbs along Bedford Road channel line and topsoil / seed remaining verge area behind; and
 - d) Provision of landscaping works to each side of Bedford Road to create a 'village entrance' feature, which landscaping shall subsequently be maintained by Prologis as part of the wider Marston Gate development.

The off-site highway works shall be in general accordance with the following approved drawings: 248/P/001 Rev E, 248/P/003 Rev B and 248/P/005 Rev A

and the landscape works shall be in general accordance with drawings 1817/18 01 Rev I and 1817/18 05 Rev C.

The works shall be completed in accordance with the approved details and the approved timetable; and signed off as complete by, or on behalf of, the Local Planning Authority.

Reason: To ensure the delivery of the off-site works which are necessary to the acceptability of the scheme in terms of mitigation and the delivery of identified benefits of the scheme).

(Policies CS4, CS14 and DM3, CSDMP Sections 9 and 12, NPPF)

16. The development hereby permitted shall not be carried out in complete accordance with the details shown on the submitted plans, (except as varied by details approved as part of details submitted to discharge condition 10) numbers 1817-18-02 Rev D, 1817-18-04, 30992-PL-200 Rev A, 30992-PL-201 Rev D, 30992-PL-202 Rev A, 30992-PL-203 Rev B, 30992-PL-204 Rev B, 30992-PL-205, 30992-PL-206, 30992-PL-220 Rev B, 30992-PL-221 Rev A, 30992-PL-2030 Rev B and 30992-PL-231 Rev B, .

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

17. The development shall not be brought into use until the scheme for car and HGV parking shown on drawing no. 30992-PL-201D has been provided and the spaces shall thereafter be kept available for parking at all times.

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

18. No development shall take place, (excluding archaeological investigation) until a Construction Traffic Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:

- A. The parking of vehicles
- B. Loading and unloading of plant and materials used in the development
- C. Storage of plant and materials used in the development
- D. The erection and maintenance of security hoarding / scaffolding affecting the highway if required.
- E. Wheel washing facilities
- F. Measures on site to control the deposition of dirt / mud on surrounding roads during the development.
- G. Footpath/footway/cycleway or road closures needed during the development period
- H. Traffic management needed during the development period.
- I. Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.

The approved Construction Traffic Management Plan associated with the development of the site shall be adhered to throughout the development process.

Reason: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety.
(Section 9, NPPF)

19. The development hereby permitted shall not be occupied until a scheme for the management of the vehicular access barriers and security gates have provided in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of road safety and pedestrian movement.
(Section 9, NPPF)

20. Visibility splays shall be provided at the junctions of the accesses with the public highway before the development is brought into use. The minimum dimensions to provide the required splay line 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 accesses, and to make the accesses safe and convenient for the traffic which is likely to use them.
(Section 9, NPPF)

Additional Informatives

6. The applicant is advised that in order to comply with Condition 10 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. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. E-mail: highwaysagreements@centralbedfordshire.gov.uk. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

7. The applicant is advised that the closure of existing access and laybys shall include the reinstatement of the highway to include any footway, verge and kerbing and no works associated with the closure 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 Highways Department. Upon receipt of this Notice of Planning Approval, the applicant is advised to seek approval from the Local Planning Authority for details of the proposed vehicular access junction in accordance with condition 1. Upon formal approval of details, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures

under Section 184 of the Highways Act to be implemented. The applicant will also be expected to bear all costs involved in closing the accesses.

8. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Highways Help Desk tel: 0300 300 8049.

Item 6 – CB/18/01651/RM – Harlington Station Yard, Station Road, Harlington

Additional Consultation/Publicity Responses

One additional neighbour consultation response has been received and whilst it would be normal practice to summarise the points raised, as the residents has requested that the letter is read out at committee it is deemed appropriate for this to be made available to Members through the late sheet. The letter also includes extracts from the plans and photographs. The letter will not be read out at committee.

Dear Committee Members,

I live with my partner in Pilgrims Close, Harlington and the house at the end of the row nearest the Station Yard area and at the bottom of the public footpath running along the Station Yard. We moved to Harlington in April 2018 because of the village feel, countryside and privacy of the property and the area. Please review the below information and may I ask that you personally consider the information I have outlined when making any final agreement in regards to this development.

Effect on current residents:

- 1) I am aware that the consultation for this development only went to 9 properties in the village, all end of row houses and therefore many other properties who will be effected by this development have not had the opportunity to be part of this consultation. They therefore have not been provided the information or updates on this developments progress.*
- 2) The proposed development of 3 storey flats and their proposed positioning means they will be directly facing all properties within the area of Station Yard with balconies therefore overlooking residents and their gardens, removing all and any privacy that existed.*
- 3) Due to the position of Station Yard, being elevated, this will increase the feeling of being overlooked and with a 'towering over' impression to those in the current properties.*

Documents provided to the public via Bedfordshire Borough Council, points numbered according to the documents:

A) Arboriculture Survey:

1.2.5: Although I am sure this has now been confirmed, this report outlines that it was not determined at the time of the survey if the area is a conversation area. This confirmation has not been provided to the public via any report that I have noted.

P.18 This page within the report is unreadable and therefore cannot provide relevant information to the public as part of the consultation.

B) *Design and Access Statement:*

"Habitable Rooms and balconies are designed to face away from the railway line to reduce noise impact."

This will result in the flats and balconies facing current properties at an elevated level and balconies invasive to current residents.

At 3 storeys and at an elevated level, they are 'towering' above current residents.

The tree line cannot be considered a suitable 'screen' between the flats and current residents as without leaves for most of the year and the thinness of the tree line at the middle to top of the path this is unsuitable and allows the flats to be intrusive.

C) *Planning Statement:*

3.3 "Meet Councils target for providing affordable housing" 5 of the 45 flats will be affordable which equates to only 11%. The standard percentage for a development is 30% and therefore does not meet the requirements.

5.3 "All existing trees will be retained and protected": This is essential not only for the protection of the wildlife in the area but also the current residents. This is a very thin line of trees (incorrectly reflected in the architects impression of the area which implies there is a thick treeline) and would be the only small amount of coverage in, and only in, the spring/summer months when leaves are present. As outlined above, this is not a sufficient depth of trees to provide suitable privacy.

I would like to redraw your attention to a number of other documents within the consultation with, importantly, the Parish Council's rejection to this development. In regards to the requirements from the Fire and Rescue Service and the National Rail Service, no document has been provided in response to these requirements for members of the public to view. These requirements are considerable and raise a number of serious concerns outlining the lack of space within the development area.

May I draw your attention to a number of points from the Bedfordshire Council 'Residential Development Guidance' which is available on their website for you to view in full. The points below are raised as significant to this development.

5.05.05 "An individual private garden should.....include an area which is not directly overlooked by other residents" This is for those residents of a new development but I would query why the Council do not adhere this to include its current residents. Current residents should be held in regard when considering any changes to their living conditions.

5.12.35 "Balconies....care needs to be taken that firstly, they maintain the privacy of nearby properties...." This is not being taken into account as the balconies are directly facing all current properties at an elevated and intrusive level.

5.13.10 "The scale/plot coverage, height.... Should 1) avoid dominating adjacent buildings 2) respect privacy of adjacent buildings" Again this is not being considered with this new development.

SUPERSEDED 18-3465-18 Street Scene and Site Sections

This is considerably inaccurate in terms of the vision of space available. This is giving the impression that there is a vast space between the development, a thick tree line providing privacy and a considerably sized public footpath. This inaccuracy is deceptive and should not stand as an accurate record of what is reality. The footpath is in fact only wide enough for

one person at most, the treeline is thin and the development in another plan gives a secondary impression that they will have plenty of space but will in fact be squashed up against the trees. The two images of the development are there to deceive those agreeing to the plans in allowing them to consider the space is vast enough when it is not. I have provided these impressions below.

Personal Comparison:

I have reviewed many of the Committee Members residential locations on google maps, provided by the Committee Services Officer to ascertain if some understanding of the upset this development will cause to current Harlington residents can be compared with Committee Members should they be in the same situation.

I note that a number of Committee Members live in areas where, if a similar development were built in their residential area, their properties and gardens would lose privacy and the sense of why they chose to live in their area. Please consider when you look out of your window or sit in your garden looking at the sky, wildlife and trees what it would be like to see a block of flats with balconies looking down on you removing the reason you wanted to live in the property. I have provided photos of my current view to give an understanding of how we will be effected.

Closing Statement:

Please consider what benefits this development will truly bring to Harlington and its residents. If the only benefit is 5 affordable flats out of 45, can this truly be considered enough in comparison to the upset to the roughly 40 houses (and therefore roughly 120 plus residents).

There will be an increase in population but no increase in amenities, more traffic and in a dangerous area and if truth be told the only provision of this development will be expensive flats for London commuters.

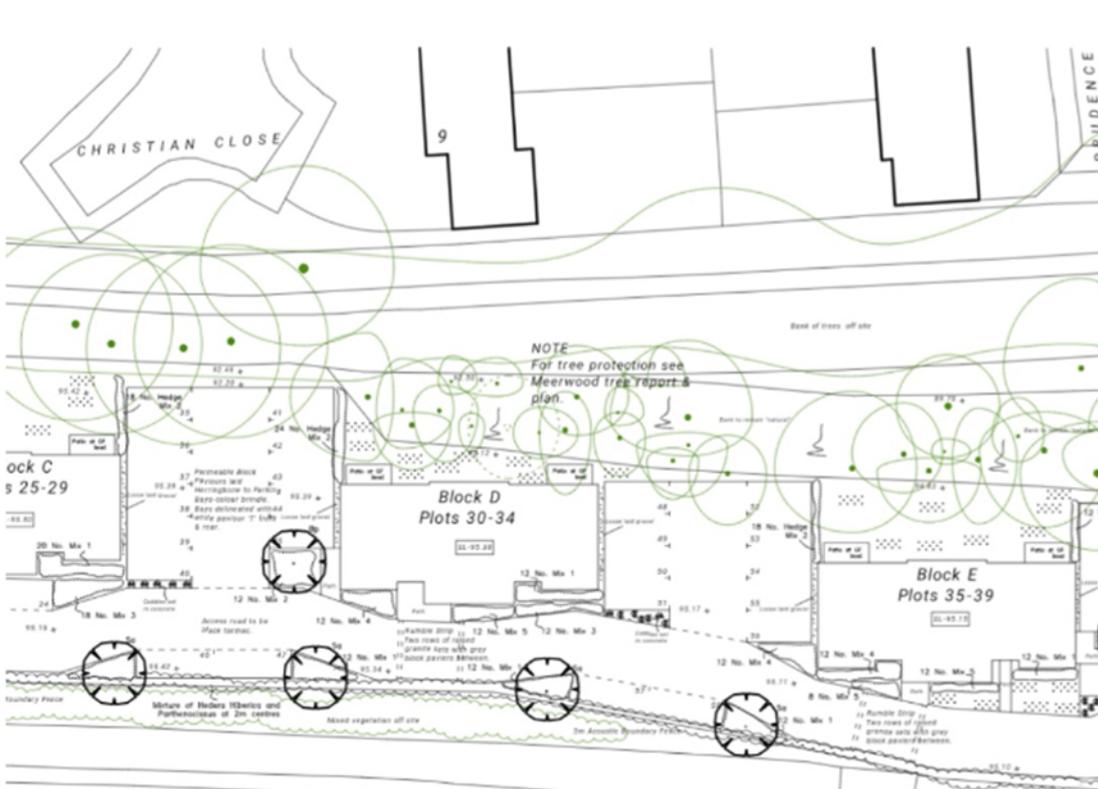
My partner and I at 35 years old, saved for many years to buy a house together in a village with a lovely garden, wildlife in the surrounding trees, country walks and to have neighbours who are happy because they moved to Harlington for the very same reasons. Having only been here less than a year, this is about to be ruined.

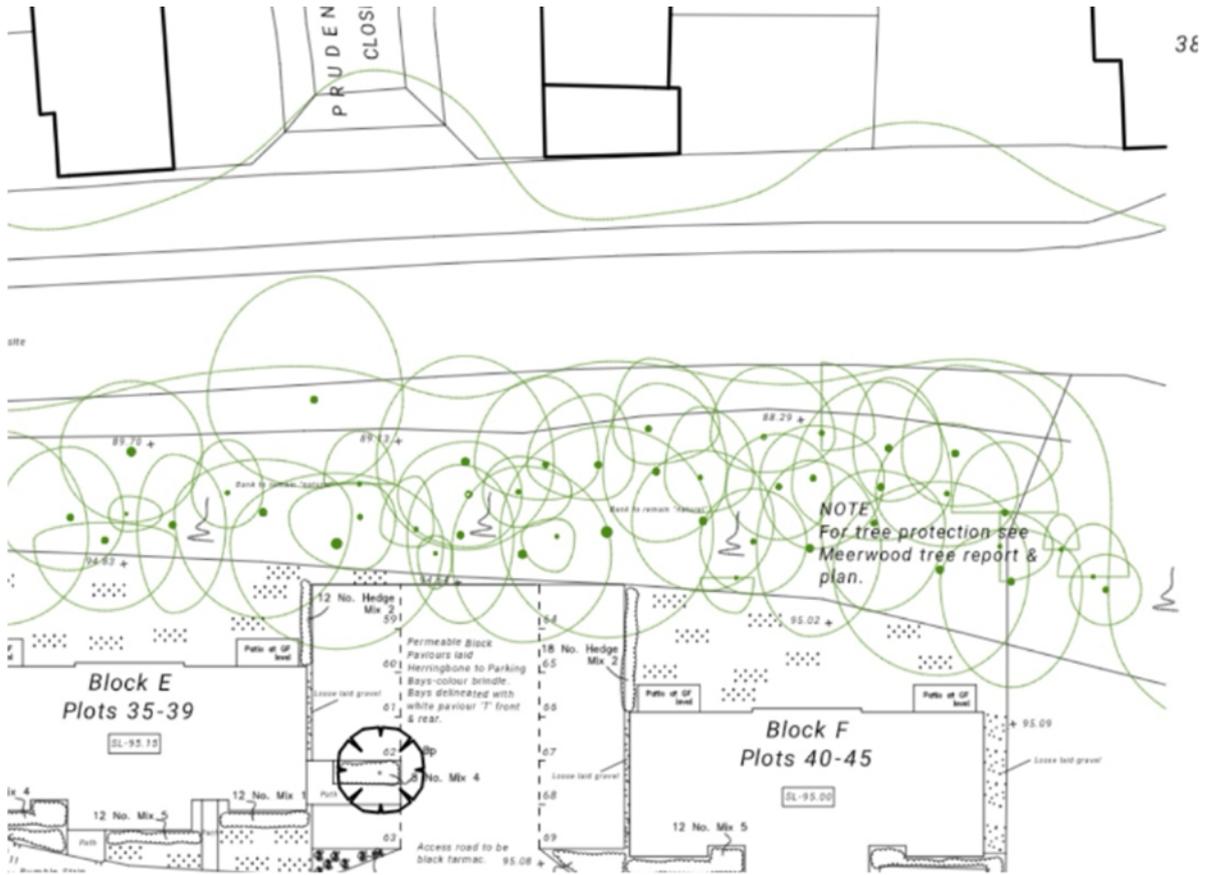
The residents within the area of the Station Yard sincerely hope that this development will be reconsidered and further thought into how this piece of land can be developed to really benefit this village and its residents maintaining their rights to privacy within their own property boundaries.

Thank you

Please see images below for reference:

Drawings give impression of vast space which is deceptive.





Flats with balconies facing current residents.



East

If this development goes ahead, there will be the above illustrated block of flats with balconies overlooking from this section.



Additional Comments

None

Additional/Amended Conditions

None

Item 7 – CB/18/04383/RM – Manor Farm, Watling Street, Kensworth, Dunstable, LU6 3QU

Additional Consultation/Publicity Responses

None

Additional Comments

None

Additional/Amended Reasons

None

Item 8 – CB/18/04165/OUT – Oakridge, 13 Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF

Additional Consultation/Publicity Responses

None.

Additional Comments

The report references that the Housing officer requested 19 affordable homes, this has since been revised to require 18 affordable homes which will form part of the Section 106 Agreement should members resolve to approve that application.

It is stated in the report that Development Management Committee made the previous decision on this site, this was in fact incorrect as the decision was a delegated decision prior to the planning appeal being lodged.

Additional/Amended Conditions

Notwithstanding the description of the development the number of properties to be constructed on the site, shall not exceed 52 dwellings.

Reason: In the interests of highway safety, the character and amenity of the area and to allow for bio-diversity issues to be fully addressed.

Item 9 – CB/18/02600/FULL – Leedon Service Station, Hockliffe Road, Leighton Buzzard, LU7 3JU

Additional Consultation/Publicity Responses

None.

Additional Comments

One further objection has been received, raising issues already raised apart from: the increased use of footpaths as a result of the development harming the privacy of neighbouring residents.

Additional/Amended Conditions

Add a further informative: 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.

Item 10 – CB/18/02275/FULL – Land at Former Church of St Vincent, Tithe Farm Road, Houghton Regis

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

Condition 7 to be amended to read: All tree work and protection requirements shall be carried out in strict accordance with Section 6.0 "Recommendations/Tree Protection Strategy", Appendix 2 "Survey Schedule" and Appendix 3 "Tree Constraints/Protection Plan" of the supporting document "Tree Survey Report -Pre Development" dated March 2018 and prepared by RGS Arboricultural Consultants. The tree protection fencing shall remain securely in position throughout the entire course of development works.

Reason: to remain unchanged.

Condition 16 be removed and replaced with the following: Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

Add a further informative: 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.

Item 11 – CB/18/03451/VOC – Valley View, Hemel Hempstead Road, Dagnall, Berkhamsted, HP4 1QR

Consultation Responses

Studham Parish Council comments (Apologies but these were not included into the committee report).

Studham Parish Council object strongly to the requested variation of the existing planning consent (KB/12/03219) from a temporary consent to a permanent one for Valley View, Hemel Hempstead Road, Dagnell, Berkhamsted, HP4 1QR.

Studham Parish Council considers that the proposed development is inappropriate development in the Green Belt and Area of Outstanding Natural Beauty ("AONB"). As stated later, Studham and the subject site fall within the Chilterns AONB and this needs to be taken into account.

The reasoning behind the "temporary consent" remains valid as the Central Bedfordshire Council Local Plan 2035 ("CBCLP") remains outstanding albeit has now been submitted to the government on 30 April 2018, and is subject to an independent examination by a Planning Inspector (Regulation 22).

The draft policy is outlined in Section 10 and in particular Policy SP8: Gypsy and Traveller, and Travelling Showpeople Pitch Requirement. There is commentary on the PPTS and the change in definition which removed persons who have ceased to travel permanently meaning that those who have stopped travelling no longer fall under the planning definition of a Traveller in terms of assessing the needs for accommodation. As a result, it is noted the need in Central Bedfordshire has been reduced by 43% since the previous assessment was undertaken in 2014.

Policy SP8 states that 71 pitches will be created by 2035 and that only 14 are required by 2021. This is a very small figure and it would seem that this makes the application to turn the temporary planning consent into a permanent less relevant, and is not required.

(C) Planning Meeting Overview & Community Feedback

For the record, 4 residents attended the Planning Committee Meeting held on Tuesday 9 October 2018 but the applicant and their advisors did not attend.

Studham Parish Council had received apologies from 2 people who could not attend the meeting. I set out the key issues raised (in no particular order) at the planning meeting as follows:-

- The site is in the Green Belt and ANOB.
- The site is prominent within the Gade Valley.
- We were told that the occupants of Valley View have a large number of dogs on-site which are noisy. Is this some form of dog kennels; breeding programme or rearing puppies on the site?
- Following the granting of the "temporary" planning consent, we understand that a further semi-permanent marquee style of tent of similar size to the second static caravan has been erected outside the defined area on the site, along with another caravan.
- If permanent consent is granted, this will simply be the first of many such applications for this site i.e. "planning creep" and as a result, the variation should be refused.
- The site has a significant and controversial planning history.
- The applicant does not own the access road to Valley View.
- The access road is narrow and is not suitable for touring caravans to enter/exit the site.

- There are no new "very special circumstances" to justify the variation.
- It is alleged that none of the touring caravans have moved since arriving at Valley View.
- The occupants of Valley View leave 8 bins of rubbish for CBC to collect every fortnight which is significantly more than you would expect from the occupants of two static caravans.
- The original planning consent (back in 1999) permitted no more than one caravan to be stationed on the site for residential purposes.
- The applicant has had just over 2 years to find an alternative site at the time of this planning application.

We can confirm that there was no support for the proposed variation to the existing planning consent from the parishioners attending the meeting.

Based on the above feedback, Studham Parish Council considers that CBC's Planning Team should make an unannounced site visit to Valley View to assess what has happened to the site since the temporary planning consent was granted by the SoS as at 11 July 2016, and whether or not any planning conditions to that consent have been breached. The results of which, should be expressly included with the Planning Officer's report.

(D) Parish Council's Observations on the Planning Application Documents

We have reviewed all submitted papers for CB/18/03451/VOC and we have no material comments to make thereon.

(E) Conclusions Green Belt/ANOB

Studham Parish Council considers that the proposed development is inappropriate development in the Green Belt and Area of Outstanding Natural Beauty ("AONB"). Studham and the subject site fall within the Chilterns AONB and should be treated accordingly.

Very Special Circumstances

In accordance with the guidance contained within the revised NPPF document, the site is within the Green Belt, the only way that the proposed development can be given planning consent is if there are relevant and valid 'Very Special Circumstances' ("VSC") to justify the end development, which do not outweigh the harm and openness to the Green Belt. This statement and approach has been applied consistently by the Parish Council when considering planning applications within the village.

The location is simply inappropriate for such development and it should be refused.

We do not consider that there is any such argument to vary the existing planning consent. The Chilterns Conservation Board ("CCB")

Studham Parish Council fully endorses and agrees with the objection from the CCB dated 10 October 2018, a copy of which is attached in Appendix 2.

The application site falls within the AONB and the reference to the AONB Management Plan 20142019 is telling. L5 states that "Developments which detract from the Chilterns' special character should be resisted". As CCB state, "a relocation of this use would be a positive benefit to the landscape character of the Gade Valley".

Other comments made in respect of Section 85 (i) of the Countryside and Rights of Way (CROW) Act and Paragraph 172 of the National Planning Policy Framework (NPPF as revised in July 2018) are equally clear.

Summary

Taking into account all the relevant issues, Studham Parish Council hereby strongly object to the planning application request to vary the temporary consent to a permanent one.

It is clear that whilst the CBCLP approval process is ongoing, there is no need to vary the temporary consent to a permanent one.

However, if CBC Planning Team consider that that the applicant should withdraw this application and submit another for a "one off" extension of the temporary consent by say 12 to 24 months (maximum), Studham Parish Council would consider such an extension to be suitable; justified and appropriate in order for (1) CBC to crystallise their relevant five year supply numbers post the CBCLP being adopted and (2) to allow the applicant additional time to find an alternative site (pitch) in the CBC region or elsewhere.

It is also noted and welcomed that Ward Councillor Richard Stay has formally requested (on 16 October 2018) that the matter is referred to the Development Management Committee ("DMC") if CBC's Planning Team is minded to recommend for approval.

Appendix 2

Copy of Chilterns Conservation Board's Objection dated 10 October 2018

The **Chilterns** CONSERVATION BOARD

Valley View, Hemel Hempstead Road, Dagnall, Berkhamsted

Variation of Condition: Conditions 3 & 5 of planning permission CB/ I3/03219/FULL Consent to be changed from Temporary to Permanent.

C BC reference: CB/18/03451/VOC

CCB Comment / Part Objection (based on Sec of State Decision as planning history)

10th October 2018

Thank you for consulting the Chilterns Conservation Board (CCB). The application site falls within the AONB and the principal legal and policy duties will apply as:

- The **AONB Management Plan 2014-2019** at **L5** - '*Developments which detract from the Chilterns' special character should be resisted*' and **D 12** '*Developments should be sought that represent the highest environmental and design standards whilst complementing the character of the AONB*'

- **Section 85 (i) of the Countryside and Rights of Way (CROW) Act** - '*In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty*'
- **Paragraph 172 of the National Planning Policy Framework (NPPF)** (as revised July 2018) '*Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues*'

In this case a long planning history has culminated with the Secretary of State's decision in July 2016 to issue a 3 year temporary consent for the additional static and touring caravans. This is a clear and definitive material planning consideration and weight must be given. The rationale behind the temporary consent was to allow the Local Planning Authority the opportunity within the Local Plan process to deliver new sites after a 3 year period. Whilst the Secretary of State formed the view that there would be a limited visual impact (his paragraph 17), it was accepted that the proposal would have a small degree of harm on the character and appearance of the open countryside '*and will conserve the landscape and scenic beauty of the AONB*' (paragraph 25). Even accepting the Secretary of State's point that the AONB impacts were weighed as 'neutral' in the balance, it follows that to end the use at the expiry of the temporary period (thus reverting to an allocated location) would result in a positive improvement to the AONB. In fact the Inspector in her decision balanced a series of very special circumstances against the harm to the AONB and Area of Great Landscape Value (in her decision at paragraph 81). Again it follows that to relocate this use would be a positive benefit to the landscape character of the Gade Valley and would deliver on the planning logic as laid out by the Secretary of State. To grant a permanent permission would extinguish any possibility that this could happen. Further with the current progress on the new Local Plan, such matters are contained in chapter 10 of the regulation 19 submission to the Secretary of State and will be considered in the forthcoming findings of the Inspector following the examination-in-public.

CCB is grateful for the opportunity to submit these comments. We would raise objection to a permanent consent because an opportunity is lost to enhance the AONB and accommodate longer term needs via the Local Plan process, for the benefit of all parties. Section 85 of the CROW Act 2000 sets out a duty of regard to deliver the conserving *and* enhancing the natural beauty of the area of outstanding natural beauty (our emphasis).

The Chilterns Conservation Board

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Additional Comments

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16 February 2019
L1-50-09/2019

Mrs J Martin
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford SG17 5TQ

By email judy.martin@centralbedfordshire.gov.uk

Dear Mrs Martin
Re: Valley View Dagnall
Mrs J Golby Webb
LPA ref: CB/18/03451/VOC

I have been asked by Mr C Webb on behalf of his wife and applicant, Mrs J Golby Webb, to write this letter in connection with the above application. I represented Mrs Webb with her previous appeal. I understand that as previously the recommendation of the Council will be to grant permission on a permanent basis. However I am told that the local MP, a Mr Selous, has announced his intention to apply to the SOS to call this application in if the Council are minded to grant permission.

In December 2013 the former SOS CLG Mr E Pickles called this application in. It led to a very expensive Inquiry at which the Council, represented by Ms S Sheikh QC, supported the case for the Appellant. The recommendation of the Inspector to grant permission on a permanent basis or, in the alternative for a 4 year temporary permission. The Inspector found that there was only a small degree of harm to the AONB and material considerations sufficient to clearly outweigh the significant harm to the Green Belt. The Inspector's recommendation was however overruled on the question of the balancing exercise, and permission was granted for a temporary period of just 3 years.

Since that decision NPPF has been revised. Para 172 is now accepting of limited development within AsONB. This adds yet further support for this application.

It is also my understanding that the Council is still unable to offer the family any suitable alternative accommodation where they could live in their caravan in accordance with their Gypsy way of life.

In the circumstances I consider the Council can and should rely on the recommendations of Inspector Fabian and the closing submissions of M Sheikh QC. Nothing of any substance has changed since the Inquiry in 2014 that I am aware of.

In practice, very few applications are called-in every year. They normally relate to planning applications which raise issues of national significance. Most of my work is with Gypsy Traveller related matters. I have represented Gypsy Travellers at Planning Inquiries for almost 20 years. I can think of no other Gypsy- Traveller application that has been called in since the last appeal decision for this site in July 2016. I am however aware that many other Gypsy Traveller applications have been approved in the Green Belt, AsONB and National Parks. If it would assist you I could provide details but I am attaching a recent decision for a site in the South Downs National Park where, on two previous occasions, the Mr Eric Pickles recovered applications for a small Gypsy sites and twice overruled his Planning Inspectors who recommended that permission be granted. At the third time of

asking, with Mr Pickles no longer in post, the appeal was not recovered or called in, and permission was granted.

I know of no Gypsy Traveller case that could be considered exceptional. Most Gypsy Traveller appeals are capable of being considered at hearings. Other than the case in the South Downs NP I know of no other authority where an MP has felt it necessary to intervene and have a case recovered/ called in. More to the point, I know of no current Gypsy Traveller case that could be considered of national significance. Most applications are, as in this case, for small private family sites to meet a local need that can not be met elsewhere.

This case concerns an existing authorised caravan site. It represents infilling of a lawful, previously developed site. The neighbouring residential properties could all station a caravan/ mobile home in their domestic curtilage for uses ancillary to the dwelling without the requirement for planning permission. It is far from clear why infilling a residential site, with further residential development, between other residential properties, is of such concern to justify the application being called in.

Those seeking to call in applications should give clear reasons why they think that the application should be called-in, including why it is of more than local importance. I understand that to date Mr Selous has failed to provide this justification. We do not know what his reasons are and whether any merit can be attached to them. But Mr Selous failed to attend the Inquiry in 2014 and my clients are not aware of any concerns reported to him since the last Inquiry some 4.5 years ago. From studying your website, there would appear to be no objections from any local residents either to this application. I am further led to understand that one of the main objectors to this proposal at the 2014 Inquiry and occupier of the adjoining house has since sold her property. It is apparent the presence of this caravan site has not deterred others from moving to this locality.

The power to call-in planning applications under section 77 of the Town & Country Planning Act 1990 is very general in scope but is generally considered to concern cases where development

- may conflict with national policies on important matters;
- may have significant long-term impact on economic growth and meeting housing needs across a wider area than a single local authority;
- could have significant effects beyond their immediate locality;
- give rise to substantial cross-boundary or national controversy;
- raise significant architectural and urban design issues; or
- may involve the interests of national security or of foreign Governments.

In my view none of the above would apply to this case.

As you will recall in a 31 August 2015 letter to Chief Planning Officers in England, the Government set out how the Planning Inspectorate would monitor appeals involving unauthorised development in the green belt. It also said that the Secretary of State would recover a "proportion of relevant appeals in the green belt. The previous coalition Government had a policy to recover appeals relating to traveller sites in the green belt. Following a high court challenge in the case of Moore and Coates v SSCLG [2015] EWHC 44 (Admin) certain aspects of this policy were found to be contrary to provisions in the Equality Act 2010 and the European Convention of Human Rights. The then Government decided to "de-recover" a number of these outstanding appeals. The courts are still considering the legality of the unlawful decisions taken by the former SoSCLG Mr Pickles.

I fail to see how the actions of Mr Selous stand any chance of succeeding. It is very important the Planning system is seen to act fairly and proportionately. Given the considerable cut backs in funding to local authorities it is also of great importance that public money is not squandered pursuing Planning Inquiries that are unnecessary.

The Department for Communities and Local Government's website publishes all of the recent call-in and recovered appeal cases determined by the Secretary of State. Just 12 cases were called in during 2018. None concerned a Gypsy Traveller site. Most if not all were for large new housing developments outside settlements. Furthermore, I know of no Gypsy Traveller case recovered following the 2015 ruling into the unlawful actions of the former SoSCLG.

The current SoS Mr J Brokenshire has recently declared that his priority is to help build 'thriving, liveable and resilient places-where people get along'. He has declared that 'communities are at their best as part of a tolerant society, where we live, work and socialise together;' The current government has frequently referred to the need for fair play and equality and how this must underpin our society. It has also recognises the need to support the travelling community to improve their life chances.

Until and unless Mr Selous MP is willing and prepared to justify why he is of the opinion this application should be called in and why he considers it meets the tests listed above, I trust Central Bedfordshire Council will seek to determine this application through the proper procedures and, if it is concluded the proposal is compliant with policy and any harm is clearly outweighed by other material circumstances, recommend approval with appropriate conditions. Maybe then Mr Selous will reflect on his 'threat', have regard to the wise words of Mr Brokenshire and rethink the justification to request that this application be called in. But if he does not, it will then be for the SoSCLG to defend any decision to call this application in at a Public Inquiry. Having failed to persuade an experienced Planning Inspectors of the merits of their case in 2014, and, given the damning criticisms of the actions of Mr Eric Pickles, former SoSCLG, in 2015 I am rather inclined to think the current SoSCLG will think twice before calling in an application a second time without very good justification for fear of acting contrary to his self declared priorities to 'diffuse, resolve and heal divisions in places we call home'.

As you are aware, this proposal would help assist the Council meet the need for sites in this district at no expense to the public purse.

If I can be of further assistance, please do not hesitate to contact me.

Yours Sincerely

Mrs Alison Heine

A letter from the applicant (dated the 18th February) was received which detailed in depth the personal circumstance of their family including the medical history of family relatives. The letter also refers to the importance of the daughter attending the local school; the importance of her education and the need to provide support for the family relative living on site. The applicant also refers to the planning history of other developments around the site

Item 12 – CB/18/04368/VOC – Maple House, Nicholls Close, Barton-le-Clay, Bedford, MK45 4LL

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 13 – CB/17/02694/OUT – Land opposite (south) of Ivy House, Lodge Road, Cranfield, Bedford, MK43 0BQ

Additional Consultation/Publicity Responses

An additional objection has been received from a Neighbour as well as an additional petition signed by 37 residents dated 12th December 2018.

Additional Comments

The additional objection and petition do not raise any further issues than those summarised in the “Other Representations” section of the report and as such the issues raised have been formally considered through the existing report.

Additional/Amended Conditions

None.

Item 14 – CB/16/05438/OUT – Land at Former Readshill Quarry, Back Street, Clophill

Additional Consultation/Publicity Responses

Nothing to add.

Additional Comments

Nothing to add.

Additional/Amended Reasons

Nothing to add

Item 15 – CB/18/04625/FULL – Glebe House, 4 Station Road, Blunham, Bedford, MK44 3NQ

Additional Consultation/Publicity Responses

Nothing to add.

Additional Comments

Nothing to add.

Additional/Amended Reasons

Nothing to add.

Item 16 – CB/18/04013/OUT – Land between 21 to 39 Thorncote Road, Northill, Biggleswade

Additional Consultation Responses

Consultation response received from Landscape Officer stating:

“CB/18/04013 - Thorncote Road, Northill - Landscape and Visual: there would not be an objection on landscape grounds, subject to a satisfactory layout at the RM stage which allows for a more effective landscape scheme.

The site lies within the *Mid -Greensand Ridge* landscape character area, where the landscape strategy is to "*conserve and enhance* " traditional features. The strong sense of enclosure provided by the eastern boundary hedge and trees is a very important characteristic feature of the area.

A concern with this proposal is the substantial removal of the Thorncote Road hedge and verge as a requirement for sight lines and access and in order to install a footway. The layout indicates that new roadways and on street parking could be very close to the hedge and within the canopy of the existing trees. The indicative layout would lead to some sections of the existing boundary hedgerows becoming part of the residential gardens and not retained and managed within the public realm, as recommended in the Design Guide.

The green square of amenity space which allows scope to establish some larger tree species is welcomed.

Suds - there is no indication of a surface feature - an ecologically rich design for drainage would help to meet the nett gain required within the NIA.

The detailed design will need to secure a replacement native frontage hedge and provide for an element of verge in order to maintain the rural character of the road. Sufficient space must be allocated to enable the hedge to grow to maturity and blend with the retained sections. The use of mature hedgerow stock and hedgerow trees would help to provide enclosure at an early stage, although such planting will require a higher level of maintenance. The sensitivity of this gateway site within the Northill requires the highest level of mitigation. It may be possible for visitor parking bays to be surfaced with a strengthened grass or bound gravel surface, rather than a hard surface, to help safeguard root areas and be sympathetic to the greensand character.

A detailed Landscape Specification and Landscape and Ecology Management Plan will be required by Condition. This would need to address the management and infill of the roadside hedge. Management of the existing hedges will be critical to ensure its long-term screening and ecological value.

Locally native trees and shrubs, raised from Bedfordshire stock, can be sourced from Oakover Nurseries in Kent.

nb. Northill is within the " Greensand Country " Landscape Partnership project area - a HLF funded initiative to conserve and enhance the greensand landscape with the aim of reversing the decline in landscape character experienced over many years. Housing design creating a sense of place, well integrated and sympathetic to the village setting would be welcomed as an exemplar of good design".

Consultation response received from the Council's Community Infrastructure Officer seeking:

The Council's Community Infrastructure Officer has requested the following financial contributions:

- £20,000 towards the complete refurbishment of Northill Village Hall Kitchen.
- £2,880 towards the repair of stonework at Upper Caldecote Methodist Church Hall.

Consultation response received from Bedfordshire Clinical Commissioning Group stating:

"Consideration of the potential consequences of this development and the health infrastructure implications has been undertaken on behalf of NHS England and Bedfordshire Clinical Commissioning Group.

This application will generate circa 55 additional patient registrations. The closest GP surgery is Sandy Health Centre with the current premises deemed constrained. A premises constraint affects a surgery's ability to take on new patients and even new GP's and allied clinical staff, especially with the requirement to offer a wider range of patient services from GP Practices, including mental health and community services and some outreach specialist services from local hospitals, delivering care locally and reducing referrals into secondary care.

The requested contribution is calculated only on the number of additional new registrations this development will generate and therefore will contribute in proportion towards the costs of re-configuration or extension of the premises. The s106 request for this development has been calculated for the primary care element only - General Medical Services (GMS); please note that due to the size of this application the health Commissioners are not requesting an additional contribution towards community, mental health or acute services.

Until 1 April 2019 Primary Care is currently commissioned by NHS England which has a co-commissioning relationship with Bedfordshire Clinical Commissioning Group (CCG). From 1 April 2019 Bedfordshire CCG will take on responsibility for commissioning Primary Care as well as the Acute, Community and Mental Health services it already commissions.

The primary care calculation is based on a formula adopted across the NHS England Midlands and East (Central Midlands) team to provide consistency for all the 25 local

authorities it works with and as part of the single operating model of best practice it has developed. Bedfordshire CCG will continue to use this calculation post April 2019”.

A contribution of £815 per dwelling is sought towards the costs of re-configuration or extension of the GP premises at Sandy Health Centre.

Additional Consultation response received from Northill Parish Council stating:

Northill Parish Council submitted a Rural Match Funding scheme on the 31st January 2019 for traffic calming/speed restrictions along Bedford Road, Northill close to and outside Northill Lower School. I was, therefore, surprised to read in the report that no infrastructure project has been identified.

If the development at Thorncote Road, Northill is approved it will generate an increase in the volume of traffic using Bedford Road and also the number of children attending Northill Lower School. Therefore, why is the RMF scheme put forward by Northill Parish Council not being considered for S106/CIL monies?

CBC Strategic Transport Team response received in relation to Northill Parish Council additional consultation response:

Northill Parish Council have supplied data from 2017 in relation to traffic on Bedford Road, Northill and CBC also have data from the VAS unit. The two sets of data are conflicting, so CBC will be taking more data before a decision is made on what to do with the application for Rural Match Funding (RMF) and determining the form of improvements required.

For the reasons outlined above there is no costed scheme of mitigation for Bedford Road in relation to Traffic Calming.

Additional Comments

Landscaping:

The committee are advised that the concerns of the landscape officer are addressed through conditions on the recommendation:

- Condition 5 of the recommendation seeks for a landscaping and maintenance scheme to be submitted as part of any reserved matters application. This condition seeks to retain the trees and hedgerows upon the frontage where possible and the replacement of any lost trees or hedgerows.
- Condition 6 of the recommendation seeks to ensure a soft landscaping buffer to be provided on the site frontage and eastern boundary.
- Condition 13 of the recommendation allows flexibility for the routing of the footpath through the site, to allow for the retention of the frontage hedgerow.

- Condition 8 requires a surface water drainage scheme to be submitted, to be based on the agreed drainage strategy and DEFRA's Non-statutory technical standards for sustainable urban drainage systems.
- Condition 20 requires the submission of an ecological enhancement strategy to ensure a net gain in biodiversity is achieved.

S106 requests and amended Recommendation

It is considered that the requests for Community Infrastructure and Healthcare Infrastructure projects would meet the tests under the CIL regulations.

The Officers Recommendation is amended to seek contribution for those infrastructure projects.

However; it is not considered that Traffic Calming on Bedford Road, would be necessary to make development at this site acceptable and no costed scheme is available for Bedford Road at this time. Traffic Calming on Thorncote Road have been secured by Condition 15 of the recommendation.

Additional/Amended Conditions

Amendment to condition 1 to remove access from reserved matters. Condition 1 to state:

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.

Item 17 – CB/18/02240/OUT – The Limes, 85 High Street, Henlow, SG16 6AB

Additional Consultation Responses

Cllr David Shelvey has issued the following comments:

The above application was called in when it was for more houses. It has subsequently been modified in a number of areas and is now only 3 houses which is reasonable for the area.

I have been discussing this with my fellow ward councillor Richard Wenham having read your report and we are happy to withdraw the call in if it is not too late. If it is, we will not be speaking against it.

We do have one small issue which we would like clarified. The property is called the Limes and has 6 lime trees along the front. Two or three will be lost due to the new access, the report states that trees will be planted to replace those lost we feel that some substantial trees should be replanted to avoid effecting the street scene in the Henlow Conservation area. What would be acceptable to fulfil this condition?

Additional Comments

Notwithstanding the Ward Members withdrawal of their call-in request. Due to the date of the request and the date of publication of the agenda, unfortunately the request was to late to remove this item from the Committee Agenda.

Condition 5 of the recommendation seeks for replacement tree and hedgerow planting. It is considered that this would include the loss of any frontage trees.

Additional/Amended Conditions

Amendment to condition 1 to remove access from reserved matters. Condition 1 to state:

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.

Item 18 – CB/19/00182/REG3 – Central Bedfordshire Council Car Park, Station Approach, Steppingley Road, Flitwick, MK45 1AJ

Additional Consultation/Publicity Responses

One additional neighbour comment received, relating to extra lighting, parking coming closer to residential properties, and matters previously considered within the main report. The concerns relate to the plans not being clear. It is restated that this application is to renew the existing temporary planning permission, and no physical changes to the existing car park are being considered.

Additional Comments

Nothing to add

Additional/Amended Conditions

Nothing to add

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