

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 3 April 2019

PRESENT

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

Cllrs M C Blair
Mrs S Clark
K M Collins
I Dalgarno
F Firth

Cllrs E Ghent
C C Gomm
K Janes
T Nicols
J N Young

Apologies for Absence: Cllrs T Swain

Members in Attendance: Cllrs S Dixon
B J Spurr

Officers in Attendance: Ms P Bramwell Planning and Highways Solicitor,
LGSS Law
Mr S Kemp Planning Officer
Mr A Maciejewski Senior Definitive Map Officer
Mr L Manning Committee Services Officer
Mr T Mead Planning Officer
Mr R Page Principal Highways Officer
Mr M Plummer Planning Manager North
Ms S Sherwood Committee Services Officer

DM/18/161. **Chairman's Announcements and Communications**

The Chairman informed the meeting that the order of business would be as follows:

Items 5, 7 and 6.

DM/18/162. **Minutes**

RESOLVED

that the minutes of the meeting of the Development Management Committee held on 6 February 2019 be confirmed and signed by the Chairman as a correct record.

DM/18/163. **Members' Interests**

(a) Personal Interests:- Member	Item	Nature of Interest	Present or Absent during discussion
Cllr S Clark	5	Was not present at Hulcote & Salford PC when the application was discussed but was present when the removal of the poplar trees was discussed.	Present
Cllr I Dalgarno	8	Is the relevant Portfolio Holder/Executive Member. Supported its submission to DMC but retains an open mind.	Present
(b) Personal and Prejudicial Interests:- Member	Item	Nature of Interest	Present or Absent during discussion
Cllr K Matthews	5	Called in the application and has expressed his opposition. Will vacate the Chair, speak on the application and then leave the Chamber.	Absent
Cllr N Young	6	All members of the Cabinet are dependent on the Leader (the	Absent

applicant) for their positions. They will therefore leave the Chamber when the item is being discussed.

(c) Member	Item	Parish/Town Council	Vote Cast
Cllr M Blair	6	Maulden	No

DM/18/164. Planning Application No. CB/18/01653/OUT (Cranfield & Marston Moretaine)

Having declared an interest in this Item and having called-in the Item for determination by the Committee, the Chairman, Councillor K Matthews, (who was also a ward Member) vacated the Chair and sat behind the Committee tables.

Councillor R Berry in the Chair

The Committee had before it a report regarding Planning Application No. CB/18/01653/OUT, an outline application with all matters reserved for the demolition of the existing garage building, the construction of a workshop building with office and the siting of a storage container as well as part retrospective change of use of the planning unit to a mixed use of dwelling house and vehicle repair with MOT testing.

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.

In advance of consideration of the application the Committee received a representation from Councillor Robert Harrison of Hulcote and Salford Parish Council which opposed the application, Kevin Nesbit, an objector to the application and James Martin, the applicant. All parties responded to Members' requests for clarification.

The planning officer responded as follows to Members request for clarification:

- The scale and impact of the workshop building – the application was in outline form so the final scale, design and physical location would be

dealt with at the reserved matters stage. The outline application sought confirmation in principle of the development.

- The move toward B2 use in the village – a detailed planning history of the site was included in the officer report which showed a history of commercial use. The site was regarded as previously developed land.
- The use of a neighbouring site to the north as a precedent for development – a large agricultural building was present on the northern site which was subject to a separate application for commercial use. Because of its scale, the agricultural building had been referred to in relation to the proposed development before Members.
- The use of statistics in support of the application – the number of representations was correct. However a significant majority of those in support originated from outside the village and parish. The number of those who had commented was not a material planning consideration.
- Neighbour's loss of light – the indicative plan showed the proposed building to be 25 meters from the boundary to the neighbour to the east at The Old Chapel House which was a significant distance. Further, the location would be addressed at the reserved matters stage.
- The possible raising of the height of the site and thus the impact of the proposed building by filling in the existing hollow – the final land level would be a matter for the final design application through reserved matters. However, he understood the building would be constructed on the existing land levels. The nearby fence line with meter high haunching was not on the applicant's land.
- The partial presence of the site in Flood Zone 3, the need for culverting and the cost – there were various proposed conditions relating to drainage including the need for a suitable drainage scheme to be submitted.

(Note: The ward Member (Councillor Matthews) moved to the public speaker's point in order to address the Committee)

The ward Member referred to his objections being set out within the officer report. He added that he fully supported the Parish Council's objections and those of the objector due to the detrimental impact of the application on the privacy and amenity of the latter. In particular he referred to the submitted plans and that, whilst only indicative, the proposed building was shown as approximately 7 meters high and would invade the neighbour's privacy. The ward Member commented that the number of representations of support could not have originated solely from within the Parish. He also referred to the issue of adequate mitigation through the imposition of conditions. Nonetheless, the ward Member continued to express his opposition to the application for the reasons outlined.

At this point in the proceedings the ward Member left the Council Chamber and took no further part in the debate on this item or the vote thereon.

A second ward Member expressed her concern regarding the following issues relating to the application:

- The removal of a row of mature trees which had been within the curtilage of the site and how, whilst permitted, had changed the character of the area. The erection of industrial style fencing within in the neighbouring site to the north, which was the subject of a separate planning application and enforcement notice, had contributed to this change as had the use of fencing to replace hedge on the roadside. A strong condition regarding landscape treatment was therefore required should the Committee decide to approve the application.
- The scale of the proposed building as well as the scale, nature and quantum of business, given the site was, in essence, a rear garden. Further, the investment appeared excessive for the level of business that it was claimed would be undertaken.
- Whether the Committee had been provided with sufficient information to make a decision as to whether the scale of the proposed building was appropriate for the proposed location. She also commented on the possible future development of the business and the lack of sufficient conditions to maintain the amenity of the neighbour to the east. The ward Member felt that the application should have been a full application, rather than outline, as in its current state it lacked clarity, allowed too much latitude and could establish the principle of allowing a very large building to replace that currently on site.
- The activities that might take place, the noise which could be generated and the impact of the scale of the building on the character of the area.
- The footpaths and open fields to the rear of the site and the detrimental visual impact on the amenity of those persons using them by the development. She then stated that, of the 136 neighbour representations in support of the application, 134 had originated from outside the village and as far away as Kent and Surrey.
- That whilst the officer report referred to various noisy activities which were carried out with regard to MOT testing there appeared to be no comment from the proper officer in the report and the only proposed noise management would be through a general noise control condition. Due to a lack of information she was unable to understand the noise levels that could be generated or their impact.
- The proposed vehicle wash down area and the noise levels that could be generated based on the example which existed in Cranfield. She queried whether the possible noise levels, frequency of use or disposal of water run off had been considered. She expressed concern the run off could find its way into the nearby brook and requested a suitable condition be imposed if the Committee were minded to approve the application.
- There was a likely increase in the number of vehicle movements but no figure had been given. Further, a recommended condition referred to vehicle transporters and she queried where they would unload.

- The proposed operating hours on Saturdays finished at 5.00 p.m. She asked that this be amended to lunchtime.

In conclusion the ward Member stated that the proposed building was too large in scale in relation to the site, that the building height needed to be reduced, there was insufficient information on how the proposed building might affect the use of the site and what impact it would have on neighbours, that the application should have been full rather than outline and that the conditions needed to be more specific.

The planning officer responded to the points raised as follows:

- The application was in outline form and the detailed assessment of the impact would take place at the reserved matters stage.
- The correct number of public representations had been reported and he had stated that a significant number had not been from within the village or parish.
- The pollution officer had commented within the officer report on noise issues and no objection had been raised subject to the inclusion of the recommended condition. A further noise assessment would take place when the final design and location of the proposed building was submitted at reserved matters stage.
- There were recommended conditions which applied to drainage and which required further details to be submitted on this matter and the impact on the site. Any issues would be considered further under reserved matters.

The highways officer responded to the points raised as follows:

- If the applicant was restricted to testing no larger than class 7 vehicles then there would be no need for HGV's to access the site. The only exception would be if a small flat-bed HGV was required to take a broken down vehicle to be repaired. The HGV would then leave.
- He was not aware of a need for large HGV transporters carrying multiple vehicles.
- The size of the site meant it did not require a transport assessment to be carried out.
- Given that there would be four bays and an MOT would take approximately 50-60 minutes per vehicle, the total number of vehicles per day would be approximately 20 giving rise to 40 movements in total. This was not excessive and the local highway network could accommodate these vehicle movements.
- The immediate road network was not subject to weight restrictions except at the junction of Broughton Road and Hulcote.

The second ward Member was concerned that if the outline application proposal for a building of 7.1 meters high was approved then a reserved

matters application with a building of that height would be considered acceptable because the principle had already been established.

A second planning officer explained that the plans before Members were indicative of what might or might not be submitted at reserved matters. If Members felt strongly about the scale of the proposed building they could set out what they felt was acceptable and include conditions relating to that. However, the building needed to be of a particular height to allow the repair of class 4 vehicles.

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

- The proposal was not for a discrete, small scale increase but full a full industrial operation.
- Whilst such sites brought employment to the rural economy once full consent was granted, and given the scale and size of the building, the numbers of employees on-site could expand and the Council would have no way of preventing a full scale business development.
- The possible levelling up of the land by a meter and the resulting increase in the impact of the height of the new building.
- The change in aspect for the neighbour and the village as a whole as the site became more industrialised.
- The site to the north was also industrial in appearance.
- The majority of representatives in support of the application were not local.
- The wash down area would be noisy.
- That if the existing residential element of the site were to relocate there would be no need to maintain a good relationship with the neighbour.
- To refuse the application would, in effect, shut the business down.
- The relevance of Policies DM3, DM4 and CS1 to the application.
- The letter circulated by the objector to Members containing his proposed conditions for adoption should the Committee be mindful to approve the application.

The second planning officer responded to the possibility of restricting the types of vehicle repaired and the building height and scale and the imposition of landscaping conditions. Members noted the degree of risk and uncertainty involved.

It was moved and seconded that the application be refused. It was stressed that the intent was not to remove someone's employment but to make a balanced judgement regarding the amenity of the village. In response to the legal officer's request for clarification on reasons for the refusal a Member commented that although an outline application the plans were detailed and specific showing a building 7.1 meters high. In addition there was evidence that the ground level would be raised by approximately 1 meter thereby increasing the overall height to 8.1 meters to the detriment of local amenity.

On being put to the vote 7 Members voted to refuse the application 2 voted against refusal and 2 abstained.

RESOLVED

that Planning Application No. CB/18/01653/OUT relating to Waterhall Cottage, Wavenden Road, Salford, Milton Keynes, MK17 8AZ be refused as set out in the Schedule attached to these minutes.

THE COMMITTEE ADJOURNED AT 11.43 A.M. AND RECONVENED AT 11.51 A.M.

COUNCILLOR K MATTHEWS RE-ENTERED THE CHAMBER. COUNCILLOR MATTHEWS IN THE CHAIR

DM/18/165. **The Creation, Extinguishment and Diversion of Public Rights of Way as Part of the Dualling of the A421 Between Milton Keynes and Junction 13 of the M1 Motorway (Cranfield & Marston Moretaine, Aspley & Woburn)**

The Committee had before it a report regarding the need for path orders to be made under the Highways Act 1980 to create, stop up and divert a number of public rights of way affected by the dualling of the A421 between Junction 13 of the M1 motorway and the Eagle Farm roundabout in Milton Keynes.

There were no representations under the public participation scheme.

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

- The proposed new cycleway stopped at point Z on Appendix 4 and continued as Aspley Guise Footpath No. 34. The Definitive Map Officer explained that a further continuation to the cycleway had been identified which would carry along eastwards around Junction 13 to eventually connect up at the Amazon site on Prologis Park, Marston Gate. However, this continuation route was purely aspirational and would require Council funding.
- A Member stressed the need to provide such a link for cyclists given the barrier which Junction 13 currently imposed and referred to the enhancements to the footpath provided as part of the recently approved Prologis Park planning application. The Definitive map Officer explained that the provision of a link had been raised with the Transport Strategy Team.
- Members concurred with the suggestion that an 'informative' be added regarding the provision of a link at Junction 13. It was also stressed that those Members who cycled should be consulted on any proposal and that the adoption of a policy could be used to attract S106 monies.

- The Definitive Map Officer explained that there was no continuation of the proposed new cycleway to the west of Cranfield Road at point T on Appendix 2 but, again, it was hoped that this could be forthcoming in the future.
- Non-use of a footpath had not been sufficient to justify extinguishing it in the past. The Definitive Map Officer stated that should someone object to the proposed stopping up of a path because they believed it would be used in the future then the Council would have to have regard to that as would the Secretary of State. Planning inspectors appointed by the Secretary of State had certainly decided in the past that a footpath could be used in the future and should therefore be retained.
- Should the proposal to stop up certain routes be rejected by an inspector then a budget was available to retrofit gaps in barriers to allow those persons who wished to do so to cross the A421.
- The A421 was a barrier and the existing crossings were not practical and very dangerous. The footpaths which approached the road were unused for this reason. Installing a new footbridge at point C was therefore of benefit.
- The provision of a fence on the road side of the proposed new footpath/cycleway running to the south of the A421 to provide a protective barrier. The Definitive Map Officer explained that the path was set back approximately 16 meters from the edge of the road. He understood there would be a continuous highway safety barrier but did not know if there would be an additional fence to prevent people from straying off the path and on to the highway verge before reaching the dual carriageway. A ward Member asked for the inclusion of such safety fencing in some form be included as an 'informative'.
- A comment on the value of stopping up the footpath between points J to K on Appendix 4 as, although the path lead nowhere, it could be used for dog walking.
- A Member raised the possibility of an underpass under the A421 at points J-K on Appendix 4 rather than breaks in the barriers to allow pedestrians to cross. The Definitive Map Officer stated that providing a bridge would probably have been cheaper but, due to cost, it had been proposed to stop up J-K.
- There was no legal obligation on the Council to provide a bridge or underpass to enable a crossing where a footpath met a highway.
- The nature of the Highways England objection was discussed.

On being put to the vote Members voted unanimously for approval.

RESOLVED

- 1. that the making of a public path order under Section 26 of the Highways Act 1980 to create a public footpath and cycleway (Aspley Guise Footpath No. 35) between the Cranfield Road overbridge (point T on the plan attached at Appendix 1) along the**

edge of the extended highway land purchased for the dualling works via points B-U-V-W-X to its end at point Y close to Junction 13 of the M1 motorway be approved.

- 2. that the making of a public path order under Section 118 of the Highways Act 1980 to stop up parts of Aspley Guise Footpaths Nos. 1 and 2 between points A-B and C-G on the plan attached at Appendices 2 and 3 respectively and Hulcote and Salford Footpath No. 10 and Aspley Guise Footpath No. 32 (between points J-K and K-L respectively) as shown on the plan attached at Appendix 4 be approved.**
- 3. that the making of a public path order under Section 119 of the Highways Act 1980 to divert part of Aspley Guise Footpath No. 2 from the line H-I to the line X-I and to divert part of Aspley Guise Bridleway No. 25 from the line C-D-E-F to the line C-V-F via a new bridleway bridge as shown on the plan attached at Appendix 3 be approved.**
- 4. that the Committee's strong support for the provision of a cycling link at Junction 13 and the installation of safety fencing to form a protective barrier for the proposed new footpath/cycleway running to the south of the A421 be made known to the relevant parties.**

BEFORE THE START OF ITEM 6 BELOW COUNCILLORS S CLARK, K COLLINS AND N YOUNG, BEING MEMBERS OF THE CABINET, LEFT THE CHAMBER

DM/18/166. Planning Application No. CB/18/04467/RM (Amphill)

The Committee had before it a report regarding Planning Application No. CB/18/04467/RM, a reserved matters application (regarding Application CB/16/05823/OUT dated 1 March 2017) for the appearance, landscaping, access, layout and scale at 9A Silsoe Road, Maulden, Bedford, MK45 2AX. It was noted that the outline application was varied in January 2018 to remove the single store height restriction.

In advance of consideration of the application the Committee's attention was drawn to the deletion of proposed condition 9 and the related amendment of condition 1 as set out in the Late Sheet.

There were no representations from public speakers.

A ward Member referred to the removal of condition 9, which related to the provision of a turning space and a visitor's parking space, and asked how this would impact on condition 6 which sought the provision of suitable signage advising HGVs not to use the proposed access way to reach no. 9A Silsoe Road. He added that he had not seen this requirement previously and queried

what would happen regarding construction traffic. The Chairman suggested that the signs would follow the construction period.

The ward Member stated he was pleased to see that the ridge heights had been reduced. He added that he was surprised at Maulden Parish Council's comments as they were more suitable for an outline application.

The planning officer responded that the purpose of condition 9 was to secure on-site car parking and turning and this had now been satisfied. It was not related to the proposed HGV signage.

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

- The proposed advisory signage was not official and was therefore unenforceable. The Chairman acknowledged this but stated that it did not negate the need. The planning officer explained its erection was precautionary in purpose to help prevent the use of the access route by a HGV.
- The proposed signage would not be harmful.
- The property concerned was not no. 9A, which was the house number of the existing property fronting Silsoe Road. The application was for a new dwelling to the rear of no. 9A.
- The related impact on access to the proposed neighbouring development and the availability of that information in the public domain.

On being put to the vote 6 Members voted for approval, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/18/04467/RM relating to 9A Silsoe Road, Maulden, Bedford, MK45 2AX be approved as set out in the Schedule attached to these minutes.

DM/18/167. 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/18/168. **Site Inspection Appointment(s)**

NOTED

that the next meeting of the Development Management Committee will be held on 24 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 10.00 a.m. and concluded at 12.35 p.m.)

Chairman

Dated

APPLICATION NUMBER CB/18/01653/OUT
LOCATION Waterhall Cottage, Wavendon Road,
Salford, Milton Keynes, MK17 8AZ
PROPOSAL Outline planning permission with all matters reserved for the demolition of the existing garage building, the construction of a Workshop building with office and the siting of a storage container. As well as part retrospective change of use of the planning unit to a Mixed use of Dwellinghouse and Vehicle Repair with MOT Testing.

PARISH Hulcote/Salford
WARD Cranfield & Marston Moretaine
WARD COUNCILLORS Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER Benjamin Tracy
DATE REGISTERED 18 June 2018
EXPIRY DATE 13 August 2018
APPLICANT Mr James Martin
AGENT Ms S Wells
REASON FOR COMMITTEE TO DETERMINE Call-in by Cllr Matthews for the following reasons:

- **Contrary to Policy - Contrary to Policies DM3, DM4 and CS1 - B2 use inappropriate;**
- **loss of amenity - adverse effect and loss of privacy to neighbouring dwelling;**
- **highway safety - application would necessarily attract HGVs and tow trucks; access on bend potentially dangerous; and**

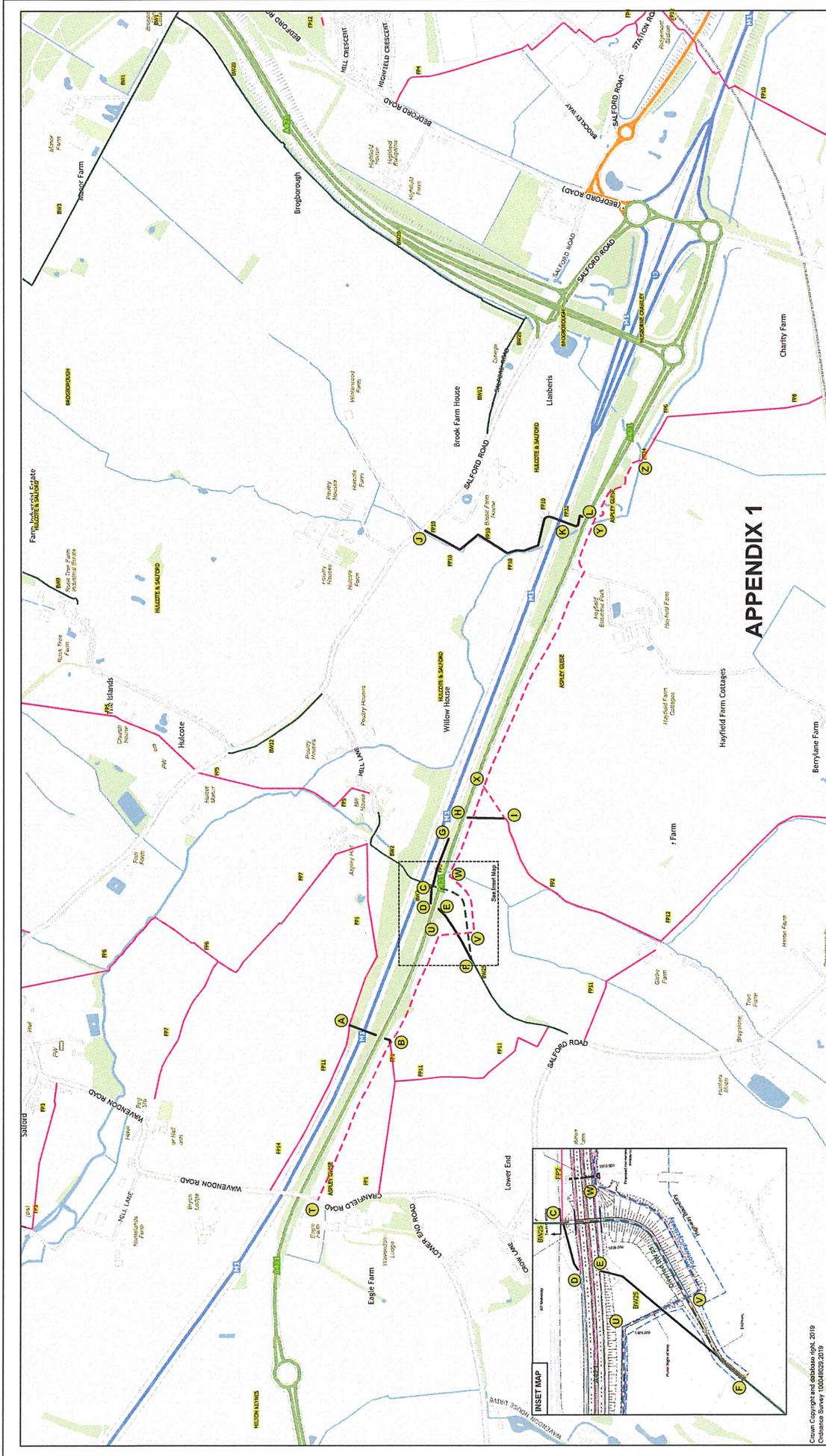
Other - noise from application site detrimental to residential neighbour.

RECOMMENDED

That planning permission be refused for the following reason:

- 1 Whilst in outline form, it is considered that a commercial unit on this application site of the scale indicated, would represent a harmful intrusion into the countryside location and would result in harm to visual amenity. Poor amenity would also be created for neighbouring residents by virtue of the indicated scale and relationship of the proposed commercial use/building with neighbouring residential properties. The development would result in harm to visual amenity, the amenity of neighbours and to the rural character and appearance of the area and does not represent a sustainable form of

development having regard to the environmental objective. The proposal is therefore in conflict with policy DM3 of the North Core Strategy and Development Management Policies and section 12 of the National Planning Policy Framework.



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HIGHWAYS ACT

A421 Dualling: Proposed Extinguishment, Creation and Diversion of Public Rights of Way in Aspley Guise and Hulcote and Salford

Paths to be Extinguished
 Aspley Guise FP 1
 Aspley Guise FP 2
 Hulcote & Salford FP 10
 Aspley Guise FP 32

Paths to be Diverted
 Aspley Guise BW 26
 Aspley Guise FP 2

Footpaths to be Created
 Aspley Guise FP 35
 T-B-U-L-W-N-X-Y

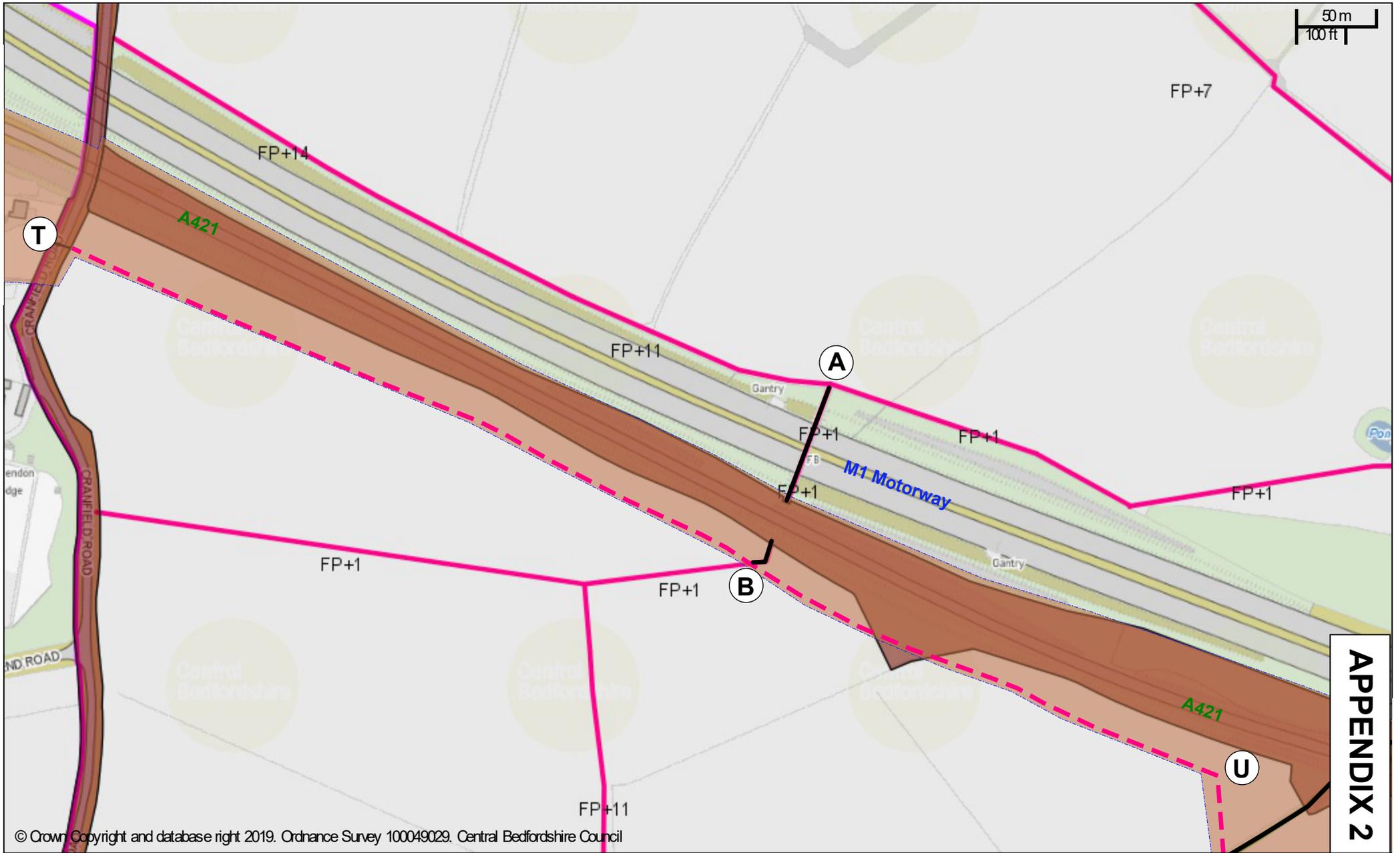
Unaffected Footpaths and Bridleways
 FP
 BW



Scale: 1:6,000
 Date: 14.01.2019
 By: A421/2018
 Plan No: 2.1



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Proposed stopping up of parts of Aspley Guise Footpath No. 1

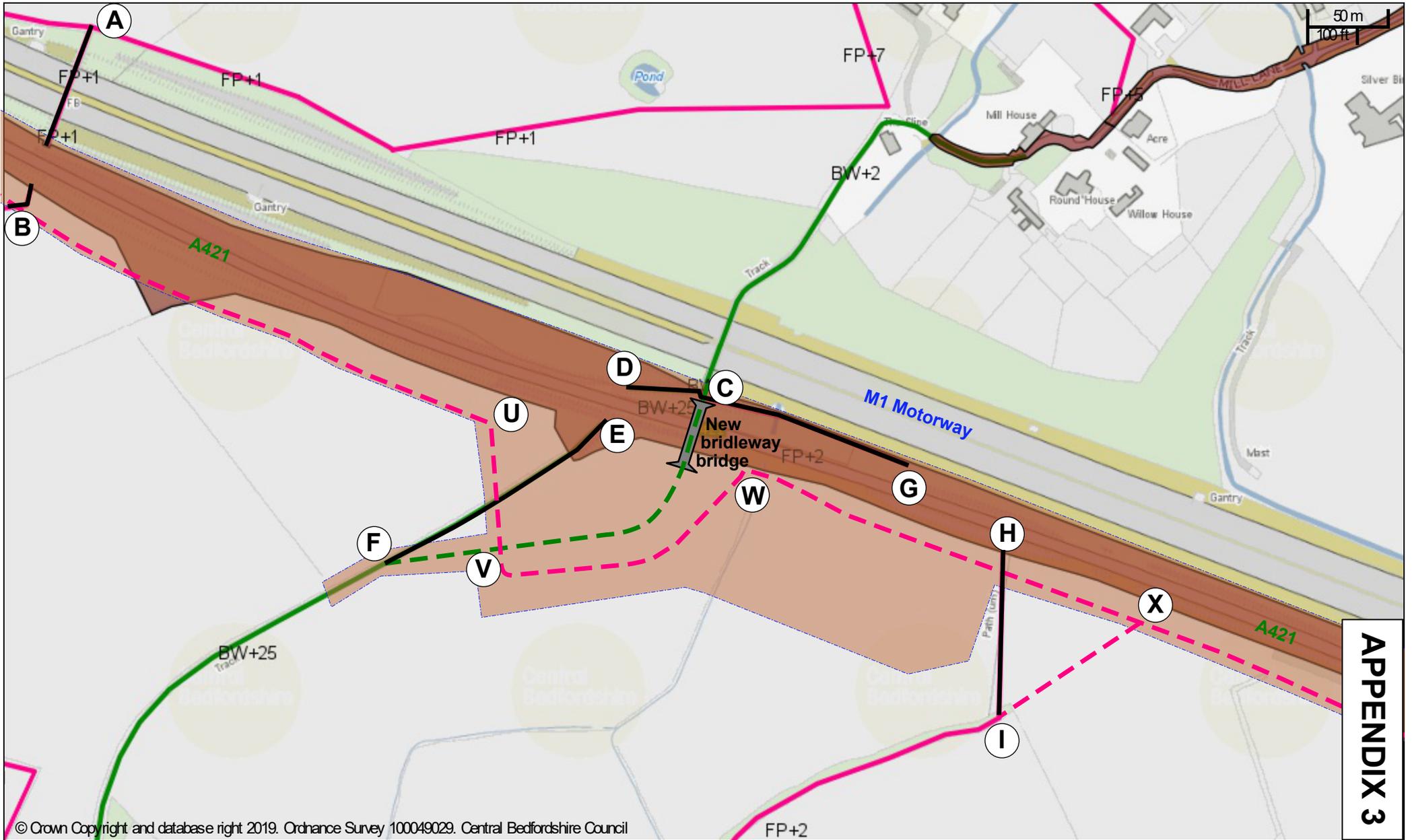
- | | | | | | | | |
|--|---------------------------------|---|--|---|---|--|---|
|  | Footpath to be stopped up |  | A-B Unaffected footpath and bridleway |  |  | Existing and proposed highway boundary |  |
| | Footpath/cycleway to be created |  | T-B-U | | | | |

Scale: 1:3,250@A4
 Drafted: 27-2-2019
 By: AJHM@CBC

APPENDIX 2



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Proposed stopping up of parts of Aspley Guise Footpath No. 2 and the diversion of parts of Aspley Guise Footpath No. 2 and Bridleway No. 25

	Footpath/bridleway to be stopped up H-I C-D-E-F	Footpath to be created X-I	Existing and proposed highway boundary
	Footpath/cycleway to be created B-U-V-W-X	Bridleway to be created C-V-F	

Unaffected footpath and bridleway

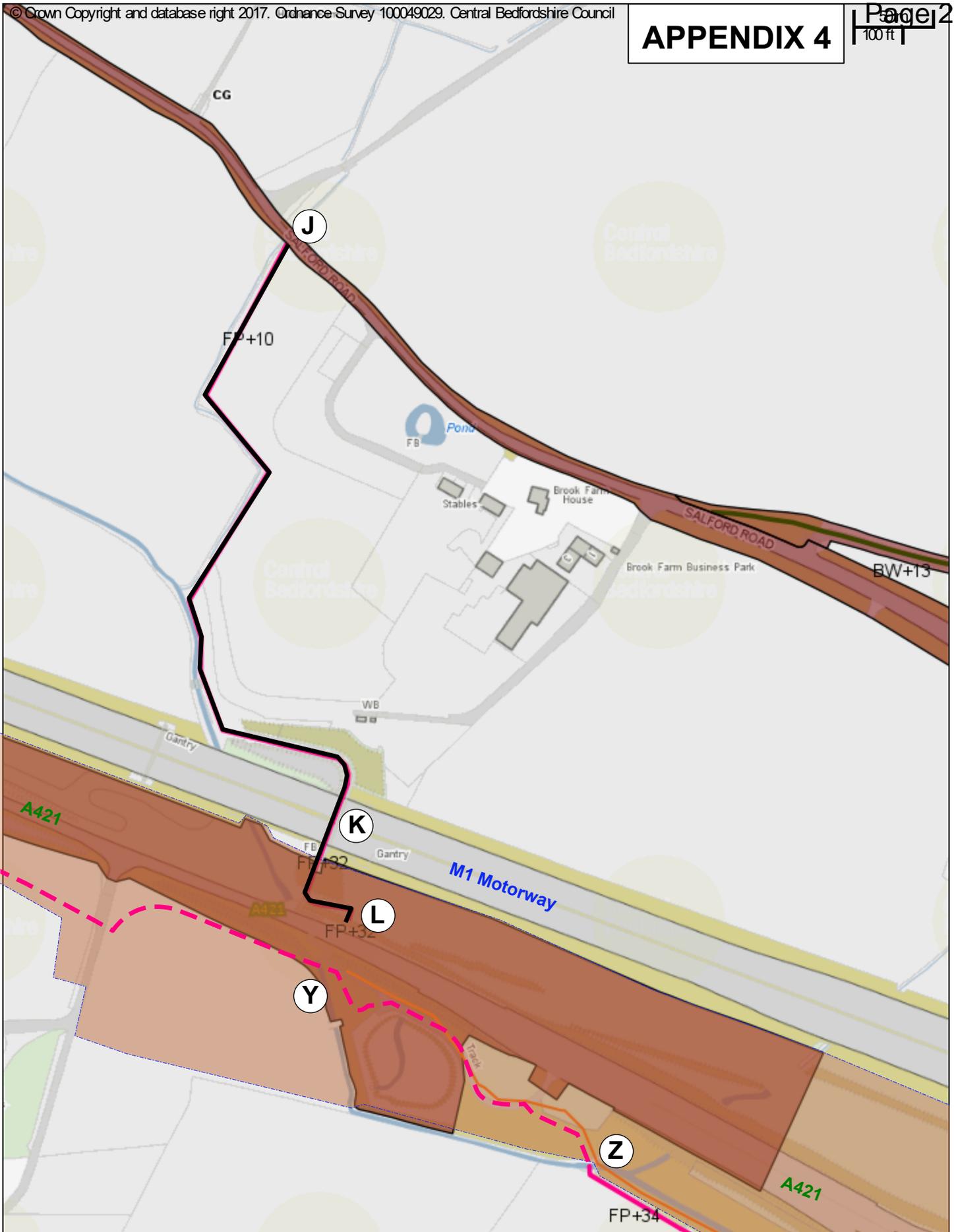
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 By: AJHM@CBC

APPENDIX 3

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APPENDIX 4

100 ft



Proposed stopping up of Hulcote & Salford Footpath No. 10 and Aspley Guise Footpath No. 32



Footpaths to be stopped up
 Footpath/cycleway to be created
 Unaffected footpath and bridleway

— J-K K-L
 - - - B-U-V-W-X
 — Y — Z

Existing and proposed highway boundary



Scale: 1:3,250@A4
 Drafted: 27-2-2019
 By: AJHM@CBC



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APPLICATION NUMBER CB/18/04467/RM
LOCATION 9A Silsoe Road, Maulden, Bedford, MK45 2AX
PROPOSAL Reserved Matters: Application
CB/16/05823/OUT dated 01/03/2017.
Appearance, Landscaping, Access,
Layout and Scale
PARISH Maulden
WARD Ampthill
WARD COUNCILLORS Cllrs Duckett, Blair &
Downing
CASE OFFICER Michael Allen
DATE REGISTERED 29 November 2018
EXPIRY DATE 24 January 2019
APPLICANT Mr Jamieson
AGENT Wastell & Porter Architect's Ltd
REASON FOR COMMITTEE TO DETERMINE The applicant is an elected member of the council
RECOMMENDED DECISION Reserved Matters – Recommended for Approval

Recommendation:

That Reserved Matters 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 PL01B, PL01 Rev C, PL02A, PL03A, PL04A, PL05A, PL06A, PL07A and 02B.

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

- 2 The planting, landscaping scheme shown on approved Drawing No. PL01B dated 12/03/19 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 for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season with others of a similar size and species.

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

- 3 The boundary treatment scheme shown in drawing number PL01B shall be constructed in the positions, design, materials and type

shown prior to the building being occupied. The boundary treatment shall then be retained thereafter.

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

- 4 No above ground development shall take place, 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)

- 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 Details of signage advising heavy goods vehicles not to access No.9A, located at the point of access with the public highway, shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the signage has been implemented in accordance with the approved details. The approved signage shall remain thereafter.

Reason: To avoid heavy goods vehicles access to no. 9A in the interest of highway safety.
(Section 9, NPPF)

- 7 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.
(Section 9, NPPF)

- 8 Before the premises are occupied all on site vehicular areas shall be surfaced in a stable and durable materials 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.

(Section 9, NPPF)

INFORMATIVE NOTES TO APPLICANT

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

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

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

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LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 03 APRIL 2019

Item 5 – CB/18/01653/OUT – Waterhall Cottage, Wavendon Road, Salford, Milton Keynes, MK17 8AZ

Additional Consultation/Publicity Responses

A further consultation response has been received from a neighbour confirming their support for the application.

The applicant has submitted a further statement in response to the Parish Council objection which, in summary, states the following:

There have been a number of commercial and changes of use of Water Hall Cottage over the past thirty years and none of these appear to be the allotments.

The commercial and change of use history of Water Hall Cottage as far as we can trace is as follows:

1. Major house extension ref 13-05-1991 25/MB/91/172
2. Van courier business 10-3-1994 ref 94/00310
3. Restaurant A3 & parking bays for 25 cars 30-11-95 ref 95/1291
4. Offices B1 23-10-1997 ref MB97/01508

The above uses were all businesses that had associated in- and outgoing traffic to the cottage, including the Offices B1 which were developed and used by the previous owner. This business was large enough for a number of staff and clients to use the car park – it was not a homeworking situation.

The allotments that the Parish Council letter refer to were not featured in any images shown for the above businesses so, as far as I am aware, could not have been featured at the cottage for more than thirty years.

In addition, the Central Bedfordshire Council website states the following reason for there not being any allotments in Salford village:

Lack of provision means that there are gaps in access to existing facilities and quantitative deficiencies. No unmet demand identified.

Auto Tech Studio has been located at Water Hall Cottage since September 2007. There has been a daily average of 3-8 customer vehicles being driven in and out of the property without a single complaint being raised by residents, or the Parish Council.

The applicant has provided a list of re-assurances addressed to both CBC and Hulcote & Salford Parish Council in regard to deliveries to and from the site,

highways access, light pollution, on site parking, deliveries, surrounding commercial uses and qualifications of the operator. The applicants original agent had presented the plans to the parish council previously and understood that this was well received in principle.

Proposed building would be two storey and has been measured so that it won't be visible within the streetscene apart from a small part of the apex roof. Commercial building on the adjacent site is much larger and more dominant. Design of the building is modern and sympathetic to the landscape. In addition, the building has been moved out of the flood zone.

The combined population for Hulcote and Salford is around 190 people. This development has had the support of 135 neighbours who are in favour, only 4 have objected.

Roadside hedge was removed as many areas were either dead or diseased and were falling into the site and on to the road, the boundary fence was erected in 2016 and it is understood the adverts to the site did not require planning consent. No more than 5 personal vehicles have been sold from the site over the last 11 years.

Trees along the northern boundary were damaged in a storm and were not protected by a TPO as such they were removed, it is the plan to replant these along with other trees within the grounds of the property once the work to construct the new workshop has been completed.

The applicant does not believe that they have flouted any planning regulations to date and has not had any enforcement cases raised for this site by the council.

Item 6 – CB/18/04467/RM – 9A Silsoe Road, Maulden, Bedford, MK45 2AX

Additional/Amended Conditions

Condition 9 to be removed following the late submission of a parking and turning plan which Highways are satisfied with.

Condition 1 to be altered to include parking and turning plan ref: PL01 Rev C.