

Item No. 13**SCHEDULE B**

APPLICATION NUMBER	CB/09/06759/REN
LOCATION	Dukeminster Estate, Church Street, Dunstable, LU5 4HU
PROPOSAL	Residential development for up to a maximum of 458 dwellings (85 dwellings per hectare maximum) with associated parking and open space and up to a maximum of 300sq metres of class A1 floorspace and up to a maximum of 520sq metres of class D1 floorspace.
PARISH	Dunstable
WARD	Dunstable Downs
WARD COUNCILLORS	Cllrs Paul Freeman & Tony Green
CASE OFFICER	Mr C Murdoch
DATE REGISTERED	23 November 2009
EXPIRY DATE	22 February 2010
APPLICANT	Lionsgate Properties
AGENT	Planning Works Ltd
REASON FOR COMMITTEE TO DETERMINE	Objection from the Town Council
RECOMMENDED DECISION	Rep PP - New Time Limit - Granted

Delegated Application – DM/09/61

That the Director of Sustainable Communities be given delegated authority to refuse the application for the following reasons:-

1. Circumstances have materially changed since the original grant of planning permission at appeal and the application is not supported by sufficient, up to date, information to demonstrate that increase in traffic flow on Church Street and the provision of the Guided Busway across the site access frontage would not result in traffic from the development creating unacceptable congestion and detriment to the freeflow and safety of traffic in the locality.
2. Circumstances have materially changed since the original grant of planning permission at appeal in that Anglian Water advise that the foul sewerage system cannot accommodate flows from the proposed development and are not aware when capacity will become available, but confirm that this is unlikely to be within the standard timescales of a planning permission. If the development were to proceed before further capacity is provided, this may result in environmental and amenity problems downstream. The Environment Agency also confirm that the sewage treatment works is overloaded and that there is an existing problem with combined sewer overflows which this development would exacerbate in the absence of improvements to the sewer system and recommend that no development should commence until a scheme for the improvement and / or extension of the existing sewerage system has been approved. The Council do not consider that in these uncertain circumstances it would be reasonable to grant planning permission subject to a condition requiring the provision of an approved scheme for an adequate sewerage system before the commencement of development.

[Note:

- (1) In advance of the consideration of the application the Committee were advised of consultation received as set out in the Late sheet attached to these Minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.]