LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 21 JULY 2010

Revocation of Regional Strategies

Please note that following the immediate revocation of all Regional Strategies announced by the Secretary of State on Tuesday 6th July, (after the completion of application reports for this Agenda), any reference within reports to Regional Spatial Strategy - East of England Plan and Milton Keynes and South Midlands Sub-Regional Strategy, should no longer be considered as part of the Development Plan policy considerations in determining applications. The revocation of the Regional Strategy may in itself be a material consideration in determining an application and evidence that has informed the preparation of the revoked strategies may also be a material consideration. Neither of these situations is likely to be afforded the weight of the previous policies as material considerations in determining applications.

SCHEDULE A

Item 8 (Page 15-52) – CB/10/00518/OUT – Land East of Saxon Drive and north of Stratton Park, Saxon Drive, Biggleswade.

Additional Consultation/Publicity Responses

Rights of Way – I am satisfied that the developer is aware of the status and line of Biggleswade footpath 24/30 and will ensure that the correct line and width is maintained or if any minor deviation is required, apply for diversion (by means of the TCPA 1990) as soon as practicable.

Additional Comments

The residential and commercial properties located at Stratton Park will directly overlook the proposed Travelling Show People's Site, in particular, as they use the access to Stratton Park. The commercial properties will have a direct view over the proposed site although it is acknowledged that the existing residential properties will not directly overlook due to existing mature landscaping.

In addition the mobile homes located at Park Lane Farm will be able to view both the Travelling Show People's site and the proposed Children's play area.

It is considered that the current proposal would result in a detrimental impact upon the properties mentioned above. As such, it is acknowledged that the proposal would have a detrimental impact upon neighbouring amenity but in this instance it is not considered that this would be sufficient to warrant refusal of the planning application.

25 further letters of support have been received in relation to the proposed pitches and sporting elements of the planning application. These letters of support are from members of Biggleswade United FC and are specifically in relation to the need for a publicly owned floodlit training facility.

Even though the submitted plans indicate a park and ride, the agent has confirmed in writing that, the planning application should not include a scheme for a park and ride. As such the reasons for refusal have been amended to reflect this.

Finally, please note that there is an amended site plan to reflect the red line boundary shown on the submitted planning application.

Amended Reason for Refusal

1. The proposed Health Centre, by virtue of its scale and location outside the defined Settlement Envelope where insufficient justification has been provided for the development, would have an unacceptable impact on the character and appearance of this rural area where restrictive planning policies apply; as such the proposal is contrary to PPS7 and Policies DM3, DM4 & CS14 of the Core Strategy and Development Management Policies (2009).

Item 9 (Page 53-66) – CB/10/00938/FULL – Land next to River Hiz adjacent to west platform of Arlesey Train Station, Arlesey Road, Henlow.

Additional Consultation/Publicity Responses

N/A.

Additional Comments

The applicant has confirmed, following the site visit conducted by the Council on Monday 19th July 2010, that the proposed car park would provide free parking on weekends. The applicant also confirmed that he could also offer as a proposed condition that the scheme, if granted, would be implemented in stages, approximately 200 spaces would be constructed in the first stage and the remainder to be constructed at a later date.

It is advised that if Members are minded to approve this application, the Council would require Section 106 Legal Agreement to enforce the free parking on weekends and Bank Holidays together with the phasing of the development.

Additional/Amended Conditions

N/A.

Item 10 (Page 67-74) – CB/10/01700/FULL – Conway, Oldhill Wood, Studham, Dunstable.

Additional Consultation/Publicity Responses

Whipsnade Parish Council Objection (19/07/10):

The Parish Council would like it to be noted that their position remains unaltered from their comments made in March 2009 with regard to the original similar application SB/TP/09/0077 and object for the following reason:

- the retention of the present building is not in accordance with the approved planning application and the Parish Council object strongly to this application to regularise the situation.

Additional Comments

N/A.

Additional/Amended Conditions

N/A.

SCHEDULE B

Item 11 (Page 75-90) – CB/09/06175/FULL – Land at 100 & 102 Bedford Road, Marston Moretaine.

Additional Consultation/Publicity Responses

Further letter received from neighbour – scheme is harmful to outlook from properties in Watson Way; construction phase will be inconvenient with noise, dust and road traffic combined with construction of 480 houses off Bedford Road; there is a risk of the village becoming overdeveloped; inappropriate to demolish 2 social housing properties in favour of 11 private dwellings; negative impact by loss of vegetation, trees and open land; there is no local need for this housing; the density is out of keeping; the scheme does not meet local residents expectations for the site. He urges a site visit is undertaken.

Additional Comments

1. PPS3 was amended on the 9 June 2010 and it should be noted that the national indicative minimum density of 30 dwellings per hectare is deleted from paragraph 47. This change emphasises that it is for local authorities and communities to take the decisions that are best for them, and decide for themselves the best locations and types of development in their areas. The report sets out in Section 1 Principle of Development why it is considered that a density of 36 dwellings per hectare is considered acceptable in this location.

2. Monitoring fee now received.

3. The applicants have written to say that in light of recent grant changes, they are no longer able to sign up to the reduced financial contribution figure which has previously been agreed as this figure was based upon securing grant funding at levels that are no longer likely to be achievable. It has been requested that the Draft Unilateral be amended to allow for the option to review the scheme costs once grant has been achieved and to then confirm the level of S106 contributions. Amended instructions have been sent to the Legal Department so that a revised Draft can be prepared. The recommendation remains subject to the completion of a satisfactory 106 legal agreement.

4. The additional neighbour comments refer to two social houses being lost to a development of 11 private dwellings. This is incorrect. The scheme is proposing that all 11 dwellings be used for social housing through the applicants, Grand Union Housing Group.

Additional/Amended Conditions

N/A.

Item 12 (Page 91-108) – CB/10/01409/FULL – Land between Faynes Court & High Street, Sandy.

Additional Consultation/Publicity Responses

N/A.

Additional Comments

N/A.

Additional/Amended Conditions

N/A.

Item 13 (Page 109-118) – CB/10/01873/FULL – Land adjacent to 1 Prince Charles Avenue, Stotfold.

Additional Consultation/Publicity Responses

N/A.

Additional Comments

N/A.

Additional/Amended Conditions

N/A.

Item 14 (Page 119-132) – CB/10/01776/FULL – 21-23 Queens Road, Ampthill.

Additional Consultation/Publicity Responses

N/A.

Additional Comments

1. Tree Report received 15.7.10. Confirms loss of Eucalyptus tree. The Tree and Landscape Officer has reconfirmed no objection.

2. Revised elevational and sectional plans (P16B and P17C) showing 1.8m high brick wall on northern boundary around bin store in accordance with condition 4.

3. Legal Department have confirmed the Draft unilateral is acceptable. However, still awaiting submission of signed copy and monitoring fee.

4. EHO has confirmed that a condition is required for sound insulation to the flats to provide noise protection from the commercial use. As such a new condition 19 should be attached.

Additional Condition

19. Prior to the commencement of the development hereby permitted, the applicant shall submit in writing for the approval of the local planning authority a scheme of noise attenuation measures which will ensure that internal noise levels from noise sources shall not exceed 35dB LAeq, 07:00-23:00 in any habitable room, or 30dB LAeq, 23:00-07:00 and 45dB LAmax, 23:00-07:00 inside any bedroom. Any works which form part of the scheme approved by the local authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring with the results reported to the Local Planning Authority in writing, before any permitted dwelling is occupied, unless an alternative period is approved in writing by the authority.

    Reason: To protect neighbouring residents from any adverse impact from noise arising from the commercial use.

Item 15 (Page 132-142) – CB/10/01474/FULL;
Item 16 (Page 143-148) – CB/10/01479/CA
Item 17 (Page 149-162) – CB/10/01467/FULL – The Five Bells, 2 Market Square, Eaton Bray, Dunstable.

Additional Consultation/Publicity Responses

29 The Comp; 44 The Orchards; 28 and 38 The Pastures, Edlesbrough – Object for the following reasons:-
- gross overdevelopment of a restricted site;
- detrimental to the Conservation Area, dramatically changing the character, appearance and environment of the heart of the village and destroying the villages identity;
- increased volume of traffic and potential hazard from on-road parking especially at peak times;
- safety issue relating to bus stops particularly for school buses and children;
- too close to already busy junction resulting in additional hazard to residents of The Comp when exiting the junction;
- local surface water and foul drainage unable to cope;
- the pub was immediately closed as a business as soon as the current owners took possession with no consultation with the villagers; and
- loss of a valuable public amenity that provided community based facilities such as darts, dominoes, quiz nights, encouraging social interaction. The White Horse does not provide these.

15 Greenways – Objection on the grounds of flooding, access, parking, privacy, change of use, and conservation. The letter is attached as an appendix.

Eaton Bray Parish Council – Comments that the front porch of the existing building is the property of the Parish Council and that the access to this is across common land, the lease of this agreed access being originally granted at the time the Five Bells was considered to be a village amenity.

CB/10/01474/FULL

Amended Condition

9. This permission relates only to the details shown on the Site Location Plan and Drawing Nos. 09-21-APP2-000, 09-21-APP2-007, 09-21-APP2-008 and 09-21-APP2-009 received 26/04/10 and Drawing No. 09-21-APP2-002A received 14/07/10 or to any subsequent appropriately endorsed revised plan.
   REASON: To identify the approved plans and to avoid doubt.

CB/10/01467/FULL

Amended Condition

20. This permission relates only to the details shown on the Site Location Plan and Drawing Nos. 09-21-APP2-000, 09-21-APP2-007, 09-21-APP2-008 and 09-21-APP2-009 received 26/04/10 and Drawing No. 09-21-APP2-002A received 14/07/10 or to any subsequent appropriately endorsed revised plan.
REASON: To identify the approved plans and to avoid doubt.

SCHEDULE C

Item 18 (Page 163-172) – CB/10/01310/FULL – Silsoe Lower School, High Street, Silsoe.

Additional Consultation/Publicity Responses

None

Additional Comments

The report as presented in the main agenda indicates that there is already a shortfall of parking for staff within the site. Although the proposal has included an additional parking space for the one member of staff, any visiting staff would have to park on the highway. Highways have commented that it would be beneficial if another parking space could be provided for an additional member of staff/visitor space.

The applicant was requested to look at the provision of an additional parking space on the site. They have undertaken to investigate the possibility of this within the school.

In the meantime the recommendation remains one of approval since the highways officer's comments expressed a preference and did not indicate that in the absence of additional provision the application ought to be refused.

Additional/Amended Conditions

N/A.

Item 19 (Page 173-178) – CB/10/01984/FULL – 121 Biggleswade Road, Upper Caldecote.

Additional Consultation/Publicity Responses

Biggleswade Town Council raise no objection to this application.

Additional Comments

N/A.

Additional/Amended Conditions

N/A.