

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 13 OCTOBER 2010

SCHEDULE A

Item 7 (Page 15-26) – CB/10/02629/FULL – Land at No. 1 and The Chestnuts, Friars Walk, Dunstable, LU6 3JA.

Amendments to the Application

A further minor modification has been made to the Location Plan and the Site Layout to take into account the comments of the Highway Engineer. These changes comprise:

- The addition of a 1.0m x 2.2m vision splay to the end of the parking bay adjacent to Plot 2;
- An increase to the width of the driveway entry to Plot 4 from 1.3m to 2.0m.

Additional Consultation/Publicity Responses

Following re-notification on the first set of revised plans, the following additional representations have been received from the occupiers of Conifers and No. 7 Friars Walk and 11a Bull Pond Lane. Objections were raised on some or of the following grounds:

- Despite earlier representations none of the issues in the first letters of objection have been addressed;
- Proposal still constitutes overdevelopment. The same number of units is still proposed. Five houses are too many for such a small site;
- The revisions that have been made since the scheme was originally submitted: additional parking to Plots 3 and 4; improved dimensions to parking spaces and internal dimensions to garages; internal changes to the dwelling on Plot 4 to have only obscure glazed windows at first floor in order to overcome potential overlooking of No.7 in addition to the existing boundary of No. 1 being brought closer to Conifers clearly suggests that this is a definite case of overdevelopment.
- Proposal is out of keeping with the Area of Special Character designation;
- There has been no attempt to reconfigure the house on Plot 5. It still overlooks garden land in the ownership of No. 9;
- The dwelling on Plot 3 has first floor windows that overlook the entire rear of Conifers: lounge, dining room, kitchen and garden;
- The occupier of Conifers would suffer a further loss of privacy from the boundary of the garden of No. 1 being brought closer. The patio and back garden of No. 1 would be directly to the rear of Conifers, on the other side of the fence and closer to the back door;
- The trees have still not been shown to their true size and the root systems are still underestimated. If the trees were plotted accurately the footings of Plot 4 and 5 would damage their extensive root systems, possibly permanently;
- The revised proposals do not include any provision for fencing on the common boundary with No. 7. The conifer screen currently in situ falls within the boundary of No. 7. The occupier of No. 7 could remove the screen and open up views between the two sites;

- There is no indication of any agreement/restriction to prevent the prospective occupier of Plot 4 from trimming their side of the conifer hedge to prevent overlooking from the garden or ground floor windows;
- There would still be overlooking from the ground floor windows of the dwelling on Plot 4;
- The dwelling on Plot 4 is constrained on three sides by overlooking issues with the southern elevation being constrained by a Tree Preservation Order. This leads to the conclusion that it does not suit or fit this size of development in an area of Special Interest;
- The vehicular access would result in health and safety concerns. Friars Walk cannot sustain a side road with at least 10 vehicles per day plus service vehicles coming and going onto a dangerous corner. The potential danger of the new road will affect existing residents of Friars Walk, prospective occupiers and those who use the road as a rat run.
- Inaccuracies in the application submissions: The application form states that there are no hazardous substances on the site. Yet the agents now confirm that The Chestnuts contains asbestos, although sometimes referred to as fibreglass. This is a material error rather than a slight one. Neighbouring residents need to know what kind of hazardous substance is present here.
- Also of concern is that one of the parties involved with the application is a local Councillor. Applaud the decision that an individual officer will not settle the residents' concerns.

Additional Comments

Further re-notification of neighbours has not been carried out following the receipt of the revised Location and Site Plans as the changes are minor in nature and are situated in the interior of the site.

The comments made in terms of overdevelopment, overlooking and loss of privacy, effect on trees and highway safety concerns are addressed in the report on the main agenda.

With regard to boundary treatments, particularly in the vicinity of No. 7, were the application otherwise acceptable, this could be regulated by condition. The standard condition requiring boundary treatment details to be submitted to and agreed by the Local Planning Authority and the scheme to be completed and retained in accordance with the approved details would be sufficient.

The concerns in relation to the presence of asbestos in The Chestnuts are noted. However, the demolition of this property and the removal of potentially hazardous substances are regulated by other legislation. The Control of Asbestos Regulations 2006 prohibit the importation, supply and use of all forms of asbestos. The control and management of asbestos is the responsibility of the Health and Safety Executive rather than a matter for planning control. If the application were otherwise acceptable, an informative could be attached to any grant of planning permission advising the applicant/developer of their responsibilities in this regard and directing them to the Health and Safety Executive.

SCHEDULE B

Item 8 (Page 27-40) – CB/10/01470/FULL – The Five Bells, 2 Market Square, Eaton Bray, Dunstable, LU6 2DG.

Additional Consultation/Publicity Responses

As a result of reconsultations carried out in respect of the amended proposal, representations have been received from 2 & 15 Greenways, Orchard Cottage, Totternhoe Road and Lol Cottage, Green Lane, objecting for the following reasons:-

- gross overdevelopment for the size of the site;
- detrimental to the conservation area;
- access is onto a busy road, close to a sharp bend, existing road junctions and bus stops used by school children;
- due to insufficient car parking/turning provision, reversing onto the road would be hazardous and there will be a temptation for cars to park on the roadside causing visibility issues and risks for highway users;
- proposal does not meet the requirements of local housing needs;
- overlooking resulting in loss of privacy to adjoining houses in Greenways and loss of light; and
- bats roosting/nesting in the barn being proposed for development.

Additional Comments

The objections raised in the additional representations are largely the same as those originally received and are addressed in the report on the main Agenda.

Although further representations have been received from the adjoining property in Greenways on the grounds of overlooking and loss of privacy, the resolution of this issue was one of the main reasons for amending the proposal, the amended scheme involving a reduction in the bulk of the plot 5 dwelling and the removal of first floor windows within the rear facing elevation. The concern in relation to bats roosting in the barn (former functions room) to be converted as part of the plot 3 dwelling, has not been raised previously and it is accordingly proposed to impose a condition requiring the carrying out of a bat survey prior to the commencement of the development.

Additional Condition

Prior to the commencement of the development hereby permitted, a survey of the site shall be undertaken in order to ascertain whether there are any bats roosting on the site, and the results of the survey submitted to the Local Planning Authority. Any habitat protection measures recommended in the survey report shall be implemented in accordance with a timetable to be agreed in writing by the Local Planning Authority.

REASON: To enable proper consideration to be given to the impact of the development on nature conservation interests.

Item 9 (Page 41-50) – CB/10/02958/FULL – 4 Coopers Close, Sandy, SG19 1NQ.

Additional Consultation/Publicity Responses

Bedfordshire and River Ivel Internal Drainage Board – It is not clear from the application which method of storm water disposal is to be employed. If the method of storm water disposal is to be by way of soakaways then it is essential that the ground conditions be investigated and if found satisfactory the soakaways are constructed in accordance with the latest Building Research Establishment Digest 365.

Additional Comments

None.

Additional Informatives

1. The Bedfordshire and River Ivel Internal Drainage Board advise that if storm water disposal is to be by way of soakaways it is essential that ground conditions be investigated and if found satisfactory, the soakaways are constructed in accordance with the latest Building Research Establishment Digest 365.

Item 10 (Page 51-60) – CB/10/02672/FULL – 5 New Road, Clifton, Shefford, SG17 5JH.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

SCHEDULE C

Item 11 (Page 61-66) – CB/10/02620/NMA – 22 The Chilterns, Leighton Buzzard, LU7 4QD.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 12 (Page 67-74) – CB/10/03063/FULL – 312 Manor Road, Woodside, Luton, LU1 4DN.

Additional Consultation/Publicity Responses

Find attached letter from the applicant in response to a neighbour's objection.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 13 (Page 75-82) – CB/10/03324/FULL – Gravenhurst Lower School, High Street, Gravenhurst, Bedford, MK45 4HY.

Additional Consultation/Publicity Responses

Highways officer: No comments.

Environmental health officer: No objection.

Additional Comments

Neighbours:

1. The schools justification statement is a wonderful piece of fiction. The planning documents should be changed from a 'pergola' to 'outside stage' as this is at best misleading. Is an outside area an appropriate setting for listening skills? The new area will be visible from High Street and The Close. There are not trees or bushes as shown on the plan. It should be installed at the end of the lower play ground as this is the furthest point from homes - not close to homes which are already suffering an increase in noise. The word 'envisage' means that they may well install lighting and sound at a later date.

If it is built it must have sufficient sound proofing fencing around the complete area and the wooden floor to be built with deadening panels and installed at ground level.

Some people in High Street already hear what they think is drumming and this is in fact the children running about in the hutted classroom.

Some parents have started levelling the ground where the stage is to go.

1. Objects: Noise pollution. Already experiencing unacceptable noise pollution from the activities of the Pre School. Horses nest door are frightened. Can not have a normal conversation in our garden. This will be another source of noise leading to loss of amenity. Trees alongside the conifer hedge have been removed. They were supposed to remain on the boundary. This has removed a sound and security barrier. The trees have not been replaced. Is there any enforcement action being pursued regarding this? The erection of the pergola will increase the outside use and the decking will mean children jumping up and down leading to more noise. Speaking and listening skills do to require outdoor facility. Concerns about lighting and amplification. The application is unnecessary. They could used sleepers to delineate boundaries of the use.

Additional/Amended Conditions

None.