

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 30 MARCH 2011

10 AM

SCHEDULE A

Item 10 (Page 33-72) – CB/10/03034/FULL – Double Arches Quarry, Eastern Way, Heath and Reach, Leighton Buzzard.

Additional Consultation/Publicity Responses

Since the committee report was finalised the following comments and representations have been received.

Consultation responses

A further response has been received from MAS the consultants advising the Council's Public Protection department on the application. They are recommending approval with conditions. They have made the following comments:

1. Where dwellings fall outside of a 35dB contour at all wind speeds up to 10m/s ETSU-R-97 envisages a simplified noise limit of 35dB LA90. This is incorporated in Condition 1 for those properties falling outside that 35dB contour. This overcomes the serious concerns we have over the data presented for those dwellings and is compliant with the guidance.
2. For those properties where 35dB is predicted to be exceeded it is fortunate that the data obtained has reduced uncertainty in comparison with the other locations. Nevertheless, there is still some obvious anomalies and our research suggests an error range of 1-3dB in the background noise data. In our expert view the error range is nearer the bottom and a 1 decibel uncertainty adjustment has been applied. This still provides a margin over the predicted levels and we consider fairly represents the prevailing background noise environment in relation to the four properties protected by the limits set in the tables.
3. In summary there is a blanket level where 35dB is not exceeded and a limit relating to background noise plus 5dB and the 43dB night time threshold in cases where the noise level is predicted to exceed 35dB. This is consistent with ETSU-R-97.
4. The limits relate to 10m measured wind speeds consistent with ETSU-R-97 and in particular we reject the reliance on an artificial ("standardised") wind speed. This has led to a loss of correlation in the data preventing limits to be properly determined if it were to be applied and it would remove the critical protection ETSU-R-97 affords to residents of assessing compliance against the actual conditions which result in excess noise rather than comparing them against a hypothetical ("standardised") wind speed value. This is particularly relevant at this site due to the high wind shear conditions identified in the data.

5. The high wind shear at this site and the topography, in particular the dense wooded / forest areas and the changes in height significantly increase the risk of turbulent airflow and / or variations in wind speed such that the likelihood of excess amplitude modulation is high. As a consequence a condition to protect against this phenomenon is required.

It is not addressed by the standard noise level conditions as these exclude excess amplitude modulation and cannot identify it as they are based on the LA90 index. As a consequence the proposed condition is considered essential. There are cases where the Secretary of State has approved such conditions. The criteria set out within it follows that adopted by the Inspector in the Den Brook appeal which in turn was based on our own research. That condition was considered by the courts during a Judicial Review and no objection to the criteria within it was raised either by the Secretary of State or the developers. In effect the method of assessing excess amplitude modulation and the limits applied to it went unopposed. The court essentially were considering whether the enforcement element of the condition was appropriately constructed.

This is not an issue in this case and thus it is in line with the control principles applied and accepted elsewhere.

6. The wording and requirements of the noise conditions are complex. This is common with wind farm conditions and there are not any requirements that are not commonly applied and considered necessary in other cases.

Representations

Since the committee report was written a further 10 letters of support have been received and an additional letter of objection. Resulting in 15 letters of support and 20 letters of objection.

The letters of support were on the following grounds:

- We need to take steps to counter the threat of climate change;
- Noise pollution would be trivial compared with the sound of traffic both from within the village and the A5;
- A quarry complex is an ideal location for a wind turbine;
- It is a non polluting and environmentally friendly way of supplying energy.

The letter of objection was on the following grounds:

- It is excessively tall and overpowering;
- Totally out of character with anything else to be seen in Bedfordshire;
- Inefficiency and that many turbines including the one adjacent to the M25 are often stationary;
- Wind turbines are not financially viable in the long term and they do nothing to enhance the visual beauty of the countryside.

Members of the Development Management Committee have been sent two letters prior to the Committee meeting one from Hives Planning the agent for the application and one from South Bedfordshire Friends of the Earth.

Hives Planning

To summarise the letter asks members to consider the following points:

- Significant renewable energy generation – The proposed turbine would provide enough energy to power approximately 1319 homes. Central Bedfordshire Council presently has no adopted policy for renewable energy, and the submission Core Strategy does not propose or advocate any policy which would encourage renewable energy generation. The wider environmental benefits resulting from the turbine should be given considerable weight, and the efforts of the applicant to provide green energy encouraged, rather than discouraged, particularly in the absence of any local policy encouraging any other suitable schemes to come forward.
- Supposed significant harm from the Visibility of the Turbine – It is suggested in the Officers Report that there would be harm to heritage assets yet the proposal does not directly affect any heritage asset. It would only have an effect on their settings and principally only by the fact of being visible. Similarly, it is said a single turbine will have a detrimental effect on the whole of the Greensand Ridge. Again, this is essentially an issue of visibility of a single object. A consequence of declaring that a single turbine constitutes substantial harm to the landscape character and all the surrounding heritage assets is to say that a single turbine is one of the worst things that could happen to the area. It would be unreasonable as any effects would also be reversible – as the turbine would only have a lifespan of 25 years upon which it would be decommissioned.
- Public Support – The thrust of the Coalition Governments Manifesto is the Localism Agenda. In the case of Double Arches turbine, the scheme proposals were subject to extensive pre-application consultation and a public exhibition. The Officers report notes that none of the Parish or Town Councils have objected, none of the owners of the local heritage assets have objected and there has been very little public representation to the scheme. Given the public response to other renewable applications in the area, it is difficult to think of another location within Central Bedfordshire where a renewable energy development of this form, would receive such little public objection or interest.

South Bedfordshire Friends of the Earth

I have appended a copy of the letter to the late sheet.

To summarise the letter questions Central Bedfordshire Council's attitude to government guidance on Climate change, as there are currently no wind turbines within the area and only one turbine approved at the Marston Vale. In addition to this there are very few renewable energy projects in Central Bedfordshire that will allow the area to play its role in cutting CO2 emissions.

The letter also raises the following issues:

- The balance of the openness of the greenbelt verses the need for renewable energy as set out in PPS22; the wider environmental benefits of the scheme should be considered as very special circumstances.
- The value set on the green belt and the landscape officers report – Green Belt but industrial; the landscape is not a farmed landscape it is industrial. Regional guidance in terms of the placing of renewables states that the Greensand Ridge can accommodate 2-3 wind turbines.
- Consistency over protection of the Green Belt; the greenbelt has been abandoned in some areas for housing provision which will have an impact on the landscape. The Officers report refers to other potential sites for turbines

highlighted in the Parsons Brinckerhoff report, however, there is not a sequential test nor insist upon the examination of alternatives within PPS22.

- Openness of the Green Belt policy leads to contradiction of PPS22; most of south Bedfordshire unless in an urban area is within the greenbelt. By stating that the proposal will affect the openness of the greenbelt then Central Bedfordshire are severely limiting renewable energy schemes especially wind energy and this is contrary to PPS22.
- Attitudes towards wind energy and the questions of impartiality
- Wind energy effectiveness – the issue of effectiveness is not a planning consideration.
- Noise – The request by MAS for further information is typical of the style of MAS.
- Letters Missing – Friends of the Earth believe there to have been more letters of support submitted than acknowledged on the officers report.

Additional Comments

Following the comments received by MAS, it is considered that the issue of noise can be adequately dealt with by condition and is therefore not included as a reason for refusal.

In terms of the additional letters received many of these issues have already been addressed within the committee report. It has been acknowledged that the proposal would provide significant renewable energy, however, although this can be considered as a very special circumstance this has to be balanced with the impact on the greenbelt and the landscape character. It is also acknowledged that harm to the heritage assets will be on their setting and not a direct impact.

In terms of the letter submitted by Friends of the Earth, the committee report has dealt with many of the issue discussed in detail. The Councils responsibility to reduce CO2 emissions is acknowledged and given significant weight when determining the application.

Additional/Amended Conditions

None.

Item 11 (Page 73-92) – CB/10/02908/FULL – 192 High Street South, Dunstable.

Amended Site Location

There is an error in the first line. The site lies on the south western side of High Street South not the north western.

Additional representation from the applicant, Sainsbury's Supermarkets Ltd

Sainsbury's Supermarkets Ltd have circulated, by email, a letter to all Members of the Committee, requesting support for the proposals. A full copy is attached at Appendix 1.

Additional Consultation/Publicity Responses

1. Occupier of 194 High Street South – objects on the following grounds. A full copy of the letter is attached as Appendix 2.
 - Due to disability, chronic back pains and on-going medication spends a lot of time in the house and garden. Also retires to bed early;
 - Concerned about noise and disturbance arising from the use of the car park with doors banging, people shouting and the store becoming a congregating point for teenagers, drunks and the general public;
 - Concerned that all this activity late into the evening will disturb the household dog causing the dog to bark which will also add to the effects of noise and disturbance from vehicles and store customers and disrupt sleep patterns of all occupiers of the property;
 - Also concerned that shoppers will park indiscriminately in the two parking spaces that belong to No. 194 (accessed from Garden Road). One of these is for the private car but the other is used for a school mini-bus, which is a work vehicle for the husband. Access to these spaces is required at all times.

Additional Comments

Notwithstanding the contents of the letter from the applicant, it is not considered that this overcomes the concerns with the scheme.

The comments of the neighbouring occupier are noted. However, having regard to the comments of the Public Protection Officer regarding the regulation by condition of night-time deliveries, hours of opening and noise/vibration from external plant and machinery, we are satisfied that there would be no adverse impact upon the residential amenity of the adjoining occupiers by reason of noise and disturbance that would warrant a refusal of planning permission.

Additional/Amended Conditions

None.

SCHEDULE B

Item 12 (Page 93-130) – CB/10/03110/FULL – Land and commercial units between King Street, Queen Street, Cemetery Road and fronting High Street, Houghton Regis.

Additional Consultation/Publicity Responses

- Bedfordshire Police Architectural Liaison Officer – response received 7/10/10
The application has been the subject of extensive discussions and as a result of this it is anticipated that the scheme could receive Secured By Design and Safer Parking awards. Subject to there being no change in the proposals agreed no objection is raised to the proposal.

- The Co-operative Group – letter received 25/3/11 (copy attached)
The letter raises concern that the sequential assessment accompanying the application does not satisfy the requirements of PPS4 in respect of the Co-op site which lies within the town centre. The letter states that they have Counsel's opinion on the adequacy of the sequential assessment which concludes that the assessment is not adequate particularly in relation to the suitability of the Co-op site. The letter continues stating that a decision to grant planning permission would be vulnerable to challenge by way of a judicial review on the ground that the Council disregarded a sequentially preferable site.

The letter urges the Council to defer the determination of the application in order that the Co-op can prepare an application for the redevelopment of their site and the sequential assessment within this application can be judged against their proposal.

The letter also raises concern that the need or otherwise for a EIA has not been addressed in the officers report.

Officer's comment

Environmental Impact Assessment

A request for a Screening Opinion under Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (EIA Regulations) Regulation 5 was received by the Council on 15th December 2009. A letter was sent to the applicant's agent on 12 March 2010 stating that the proposals do not fall within Schedule 1 of the Regulations but constitute Schedule 2 development. For the purposes of the Regulations the site is not considered to be a particularly sensitive or vulnerable location and the proposal is not considered unusually complex or one which would have potentially hazardous environmental effects. The letter concluded that an Environmental Impact Assessment is therefore not required.

Sequential Assessment

PPS4, Planning for Sustainable Economic Growth, states in policy EC15 that a sequential assessment is required for planning applications for main town centre uses that are not in a centre and not in accordance with an up to date development plan. Policy EC15 sets out that in considering sequential assessments local planning authorities should;

a) ensure that sites are assessed for their availability, suitability and viability

There are only two potential sites within the town centre boundary which could be redeveloped for a superstore. Bedford Square is an existing retail area which is contains few, if any, empty units. Although the design of Bedford Square could be improved it is not considered that the loss of a number of small retail units and replacing them with a superstore would be acceptable.

The second site is the Co-op site. There is a small convenience store on the site and an existing car park. The site is designated in the Houghton Regis Town Centre Masterplan for a new Co-op and other active retail and leisure uses at ground floor with two floors of residential above. The applicants have stated that

the Co-op site is too small to accommodate a suitably sized store. A store of a similar size to that of the previous Co-op store could be accommodated. The proposed store would be relatively small in modern terms and much smaller than nearby superstores such as Tesco, Skimpot Road, Dunstable or Sainsbury, White Lion Retail Park, Dunstable. The store although limited in size would be sufficient to meet the food shopping requirements of the population of Houghton Regis. The retail review undertaken for the Council by Savills predicts that 61.5% of spending on food shopping could be retained within Houghton Regis if the application is approved compared to 13% at present. The construction of a smaller store on the Co-op site, around half the size of the proposed store, would mean the range of items for sale would be limited and the store would be unlikely to be able to compete with nearby superstores. A smaller store would result in a high proportion of food shopping continuing to be carried out outside of Houghton Regis town centre.

It is therefore considered that part (a) of the test has been met.

b) ensure that all in-centre options have been thoroughly assessed before less central sites are considered

It is considered that the two potential sites have been thoroughly assessed. It is therefore considered that the assessment meets part (b) of the test.

c) ensure that where it has been demonstrated that there are no town centre sites to accommodate a proposed development, preference is given to edge of centre locations which are well connection to the centre by means of easy pedestrian access

As there are no town centre sites to accommodate the proposed development, the application site chosen is an edge of centre location. The application site adjoins the town centre boundary and is within easy walking distance of the town centre. The proposed highway improvements which would be implemented as part of the proposal would improve pedestrian access from the store to the town centre and vice versa. It is therefore considered that the assessment meets the requirements of part (c) of the test.

d) ensure that in considering sites in or on the edge of existing centres, developers and operators have demonstrated flexibility in terms of:

- i. scale, reducing the floorspace of their development*
- ii. format, more innovative site layouts and store configurations such as multi storey developments with smaller footprints*
- iii. car parking provision; reduced or reconfigured car parking areas; and*
- iv. the scope for disaggregating specific parts of a retail or leisure development, including those which are part of a group of retail or leisure units, onto separate, sequentially preferable, sites. However, local planning authorities should not seek arbitrary sub-division of proposals.*

The applicants have considered the town centre sites and the possibility of reducing the floorspace of the development. The applicants have advised that size of the store that could be accommodated on the Co-op site would be too small to sell an adequate range of goods and would not fulfil the food shopping needs of the population of Houghton Regis. A multi storey store could be

designed for the Co-op site; however this would lead to the frontage to the High Street being a car park and would not provide any active frontage to the development. It is not considered that the level of car parking which could be provided on the Co-op site with a larger store would be acceptable in highway terms. In addition it is considered that there is insufficient parking within the town centre already. It would be unreasonable to request the disaggregation of the superstore onto different sites and would be arbitrary sub-division.

In considering whether flexibility has been demonstrated, under the above policy, local planning authorities should take into account any genuine difficulties which the applicant can demonstrate are likely to occur in operating the proposed business model from a sequentially preferable site, for example where a retailer would be limited to selling a significantly reduced range of products.

Overall it is considered that the sequential assessment has been adequately carried out and that it meets the tests of the policy set out in PPS4. The assessment concludes that there are no suitable sites within the town centre and that the application site is the next most sequentially acceptable site.

- Transport Planning Practice (TPP) – letter received 28/3/11 (copy attached) TPP have made comments on behalf of the Houghton Regis Development Consortium (HRDC) and state that they do not object in principle to the proposed foodstore.

The letter does raise concern that the proposed access is not the best solution and that a more suitable access would be gained off Cemetery Road. The letter also states that in TPPs opinion the applicants should be expected to contribute financially towards the Woodside link.

Officer's comment

An access to the site from Cemetery Road may be preferable in highway terms however the application to be determined shows the access off High Street. With regard to requesting a financial contribution to the Woodside Link the Highways Development Control Officer comments that food stores generate little additional traffic onto the highway network as a whole and the applicant has proven that with the improvements they are proposing that this would be mitigated on weekdays, however there will still be some congestion on Saturday. Whilst these improvements are proposed to mitigate against additional traffic generation it is considered that they also constitute a town centre improvement scheme.

Overall it is not considered that a contribution towards the Woodside Link would met the strict tests of s106 obligations and it is considered that the applicant has already contributed significantly to the improvement of the highway network.

- 4 additional letters of support reiterating the reasons set out in the report.

Additional Conditions

Condition to be inserted as number 12

Development shall not begin until the detailed plans and sections of the proposed highway improvements, including gradients, method of surface water disposal and

construction details have been approved by the Local Planning Authority. The development shall not be open to the public until those works have been constructed in accordance with the approved details.

Reason: To ensure that the proposed roadworks are constructed to an adequate standard.

Amended Conditions

Condition 9 to be amended to read -

Development shall not commence until a schedule detailing the implementation of the highway improvements shown on drawing 09/315/TR/021C is approved in writing by the Local Planning Authority and the schedule shall be adhered to unless agreed in writing by the Local Planning Authority. The development shall not be open to the public until those works have been substantially completed to the Local Planning Authority satisfaction.

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety

Condition 24 to be amended to read -

No more than 30% of the retail sales area shall be permitted to be used for the sale of comparison goods.

Reason: To ensure that the amount of comparison goods sold does not increase to a level which would adversely impact on existing retailers.

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 30 MARCH 2011

2 PM

REPORT

Item 7 (Page 15-24) – The direction by the Secretary of State for the Environment, Food and Rural Affairs for Central Bedfordshire Council to make a Definitive Map Modification Order to add three sections of footpath to the Definitive Map and Statement in Clophill.

See attachments from Mr Gibbs.

SCHEDULE A

Item 13 (Page 131-146) – CB/11/00087/OUT – Skylarks, Great North Road, Stotfold.

Additional Consultation/Publicity Responses

A further 14 letters of support have been received and 6 letters of objection. There is a total of 38 letters of support and 11 letters of objection.

One additional letter of support has been received from Alistair Burt MP, this acknowledges the national interest in the collection and that it would add to the tourist potential of the village. The development of tourism within the area is a positive aim of the authority, as something that contributes both to the economy and the promotion of jobs and employment.

Members have received a letter from DLP Planning the agent for the application. To summarise the letter refers to localism and that the scheme has support within the local community and from expert groups and societies that reflect the wide public interest in the collection. In addition to this it aims to address some of the issues raised in objection to the application.

There were also a number of pertinent issues concerning noise and pollution. The letter states that the issue was not raised by the Council in dealing with the 2004 application and that a noise report was submitted with that application which demonstrated that any noise issue could be dealt with by condition. It should also be noted that the application is in outline and detailed noise attenuation measures can be dealt with by condition.

The letter continues by outlining the benefits of the proposal and the chosen site. In addition to this it states that Policy CS11 seeks to support rural economy and promote rural tourism in settlements or in the countryside. In addition it is emphasised by the agent that the proposal will create a modest number of jobs.

Additional Comments

In terms of the letter received by DLP Planning, the issue of noise was raised in the previous application in 2004 by Public Protection and at this point a noise assessment was requested and submitted.

A noise assessment was not requested during the application process, as the decision to recommend refusal had been made on policy issues prior to receiving the comments from Public Protection. It was therefore not considered appropriate to require further information at this point. It is considered that a noise assessment is required as there are residential properties within the vicinity of the application site, the properties to the north and south are approximately 180 metres away, with the Skylarks dwelling being approximately 60 metres from the front elevation of the dwelling.

Additional/Amended Conditions

None.

SCHEDULE B

Item 14 (Page 147-192) – CB/10/04078/FULL – Former RKB Precision Products Ltd, New Road, Sandy.

Additional Consultation/Publicity Responses

A further consultation response has been received from Central Bedfordshire Highways confirming that they have taken account of the Report submitted by MVA Consultants in their consideration of the application and that the Stage 1 Road Safety Audit carried out by Transport Planning Associates were considered and properly addressed.

A further 40 letters of support have been received and a further petition of 888 signatures against the proposal has been received.

Additional Comments

An email has been received from a resident within Sandy regarding a report submitted by MVA Consultants on behalf of Budgens which commented on the Transport Assessment submitted with the application. The email requests confirmation that this report has been taken into account when determining the application by Central Bedfordshire Highways and the Highways Agency. Confirmation has been received from Central Bedfordshire Highways that the report was taken into account when advising on the application. The Highways Agency were sent a copy of the report prior to them providing advice to the authority on the application. The report is also acknowledged within the Officers Report. Therefore, it is considered that proper consideration was given to this report during the application process.

It is noted in the report that should the Council be minded to approve that the application would be sent to the Planning Casework Team within the Department for Communities and Local Government (DCLG) to establish whether they wished to call-in the application for determination. An official request in the form of a Direction has not been received by the Council, it is not considered to meet the call-in criteria and therefore it will not be referred to the DCLG in this instance.

The Section 106 has been drafted and agreed, therefore the recommendation is that the application be approved subject to a Section 106 agreement fulfilling the requirements set out in the Officers Report.

Additional/Amended Conditions

None.

Item 15 (Page 193-214) – CB/10/04356/OUT – Land to the west of Station Road, Sandy.

Additional Consultation/Publicity Responses

No additional consultation responses received.

A letter has been circulated to all Members of the committee from DLP Planning, the agent for the application. It states that they support the recommendation made by the Officers and would like to emphasise that although the site allocations DPD makes reference to a minimum of 50 dwellings, an application for 41 units was made to the Council last year and refused on numerous grounds, one of which was the high density of the scheme. The application now is of lower density and now satisfies officers in respect of its design and layout and offers a density more appropriate to that of Sandy.

Additional Comments

The Section 106 has been drafted and is in the process of being agreed. The recommendation is that the application be approved subject to the S106 fulfilling the requirements set out in the Officers Report.

Additional/Amended Conditions

None.

Item 16 (Page 215-224) – CB/10/04366/FULL – Heath and Reach Methodist Church, Heath Green, Heath and Reach.

Additional Consultation/Publicity Responses

Highway Officer

The Highway Officer maintains an objection because of the lack of adequate parking provision.

Heath and Reach Parish Council

The Parish Council neither support nor objects to the application. The Parish Council has stated that the occupancy of 5 double ensuite bedrooms without any car parking facility does seem disproportionate. This number of bedrooms is very high and could lead to there being up to 10 cars parked in the vicinity of the property. The Council recommends that the number of bedrooms be reduced to 3 or 4.

The Council strongly recommends the removal of the front wall to the road to permit 2 parking space. The wall is not original; is out of place and does not enhance the appearance of the building.

The Parish Council is not willing to consider altering or in any way modifying the existing car parking arrangements on Heath Green. This is a Village Green and as such prohibits the construction of a car parking area or spaces.

If approved two conditions should be added to restrict storage or offloading on the Green and that Lanes End and Heath Green must be kept clear at all time.

6 Lanes End

Provision of a single garage space for a 5 bedroom dwelling is inadequate. The accommodation of other residents vehicles will rely on the use of the use of the limited amount existing public parking in front of the chapel. This will have a knock-on-effect leading to increased road-side parking in front of the chapel. This will be a nuisance to local residents and a danger to pedestrians and other road-users.

3 Heath Green

Further to your second planning letter regarding the future of the building, as a very close neighbour I would be very interested in this Planning to go ahead just as soon as possible before the old church deteriorates further or is vandalised. I will be delighted for this to be made into one private dwelling, including demolition of the single storey rear building. I see the current application does not mention the previously proposed garage in the centre front of the building, and I personally think this is a pity as, with suitable doors it enhanced a heavy frontage. However, as stated I hope the conversion to a single dwelling is permitted as soon as possible.

4 Heath Green

We are writing to support in full the plans of Mrs Berchielli regarding the conversion of the Methodist Church. We are very concerned about the future of the church, as it forms a significant part of the village landscape and its loss would be a catastrophe. As the church's immediate neighbours, our interest in the building is all the greater. We felt that Mrs Berchielli's previous set of plans were an ingenious solution to the problem of parking, but are now even happier that this difficulty has been removed. We are now delighted that the new proposals will preserve the architectural integrity of the building in full. We urge you to approve these plans so that work may begin on the conversion without further delay.

Mansheve, Heath Green

We fully support the proposal for the conversion especially as it is to form a single dwelling and not for multiple use. The fact that there is no parking should not detract from the application being conceded particularly as people who live in nearby streets and come and park their cars in front of the church overnight. The occupier would therefore be no more different situation from that which currently exists. For that matter we have no problem with the original proposed for an integral garage within. We hope the proposal will be agreed so that the church can once again be part of the community.

Additional Comments

The Parish Council has stated that that a 3-4 bed dwelling would be more acceptable and that the front boundary wall, which is a later addition, could be removed to allow parking spaces to the front of the building and that condition to restrict loading/storage on Heath Green and Lane's End.

It is agreed that the front wall does not warrant retention. However, the space between the chapel and the highway is not sufficient to allow parking spaces. The space is approximately 1.4m in width therefore vehicles would partly be parked on the Highway.

Even if the proposed number of bedrooms were reduced to 3-4 bedroom dwelling the proposal would still require 2-3 parking spaces which cannot be provided.

Conditions to restrict loading/unloading and storage of goods on Heath Green and Lane's End would be an unreasonable condition outside the remit of the this application, related to other legislation i.e. Highway Act and Commons Act.

In terms of the issue raised concerned regarding the 'knock-on-effect' of parking, nuisance to local residents and a danger to pedestrians and other road-users, it is considered that the potential increase of three cars would not have an overly detrimental impact on the locality, especially when compared to the existing D1 use, which has substantial parking demands.

Following discussions with the applicant, amended plans have been submitted with the external flue removed with an internal flue added. The Conservation Officer has confirmed that this is acceptable. Although the barbecue has been retained, which the Conservation Officer has objected to, it is considered that refusal on these grounds would not sustainable and that, considering its modest size and location to the rear of the building, its retention is acceptable. The plans also indicate that the eastern windows will be obscured. For additional control a condition for a scheme of obscured glazing has been added below.

Additional/Amended Conditions

Prior to development commencing a scheme of obscure glazing and method of window opening shall be submitted to and agreed in writing with the Planning Authority. The approved scheme shall thereafter be carried out in full.

Reason: To protect the amenity of adjoining neighbours.

Before development/work begins and notwithstanding the details submitted with the application, detailed drawings of the proposed new external windows, roof lights and doors showing fenestration, sections, mouldings, the relationship with the external envelope of the building, and cill / head details shall be submitted to and approved in writing by the Local Planning Authority. The development/work shall be carried out only in accordance with the approved details.

Reason: To ensure that the development/work is in keeping with the existing building.

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1509-P1, 1509-P3B ,1509-P4 and 1509-P5D.

Reason: For the avoidance of doubt.

Delete condition 5 (removal of flue and barbecue).

SCHEDULE C

Item 17 (Page 225-232) – CB/11/00393/FULL – 9A Silsoe Road, Maulden.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 18 (Page 233-240) – CB/11/00691/FULL – 29B Hitchin Road, Upper Caldecote.

Additional Consultation/Publicity Responses

Newspaper Advert – 11.03.2011.

Additional Comments

Archaeology Team – The proposed development site lies within an archaeologically sensitive area and is within a locally identified heritage asset (HER 17129). It has the potential to produce archaeological remains of the Saxon, medieval and post-medieval periods. The development will have a negative and irreversible impact on

any surviving archaeological remains and on the significance of a locally identified heritage asset. The application should, therefore, include a heritage asset statement of significance and an impact assessment.

This application does not contain any information on the heritage asset affected by the development. Without the inclusion of a heritage asset statement of significance and an impact assessment this application does not conform to Policies HE6.1 and HE6.2 of PPS 5 and therefore it does not provide adequate information on the impact of the proposed development on the historic environment.

It is therefore recommended that the Committee defer the application to allow the applicant to submit the necessary heritage asset statement of significance and impact assessment.

Additional/Amended Conditions

None.