

## LATE SHEET

### DEVELOPMENT MANAGEMENT COMMITTEE – 27 April 2011

#### SCHEDULE A

*Item 7 (Page 15-22) – CB/11/00823/FULL – Chiltern End Barn, Willow Farm, Barton Road, Harlington, Dunstable, LU5 6LJ*

#### Additional Consultation/Publicity Responses

None

#### Additional Comments

None

#### Additional/Amended Conditions

None

#### SCHEDULE B

*Item 9 (Page 49-60) – CB/10/04362/FULL – Land at Lower End, Knolls View, Totternhoe, Dunstable*

#### **Additional Consultation Response**

Sustainable Transport Officer (11/4/11) – Despite reduction in floorspace and limited size, recommends Travel Plan condition because of potential with cycling links and bus routes.

#### **Additional Comments**

We have negotiated with the applicant who was reluctant to accept the condition. We have not received his response to the latest explanation for the condition. Accordingly we propose an additional condition which is relevant in this case and would be an important and beneficial precedent should other applications be received for redevelopment.

#### **Additional/Amended Conditions**

New Condition:

Before occupation of the development hereby approved, details of a travel Plan shall be submitted to and approved in writing by the Local Planning Authority and the recommendations of the Travel Plan shall be implemented in full within 6 months of the development being occupied. In addition the travel Plan shall be monitored and the results reviewed on an annual basis, and further recommendations for improvements shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To reduce reliance on the private car by promoting sustainable modes of transport including walking, cycling and public transport.

Policy: T9 RSS.

***Item 11 (Page 87-100) – CB/11/00706/FULL – Land To The Rear Of 104, Flitwick Road, Ampthill***

**Additional Consultation/Publicity Responses**

None

**Additional Comments**

Comments have been received from the applicant who has read the report for the Development Management Committee over the Easter break and has the following comments to make.

**“Ampthill Town Council objections**

Access is opposite the entrance to Redborne Upper School. *This is not correct; the access is 50/60 metres away from the Redborne entrance. Access tapers to a pinch point. Now that the undergrowth has been cleared, the width, at the pinch point referred to, is 4.8 metres, which is more than adequate to allow for the 3metre surfaced access way required.* The wheelie bin storage area is on the line of the bridleway. *The width of the access, at the point where the bin store is to be sited, is 6.2 metres which is more than adequate to allow for the 3metre surfaced access way and the bin store.*

**Considerations**

**The impact on the character of the area.**

3<sup>rd</sup> paragraph, 4<sup>th</sup> line refers to a “two storey dwelling” although the description of the Proposal at the beginning of the report refers more accurately to “a single storey dwelling with accommodation in the roof line”.

**Other issues.**

There is only 1 tree actually on my property and that is the sweet chestnut referred to which was the subject of a condition of the existing consent which has been since discharged. I am happy to take such measures as are necessary to protect the roots of trees on adjoining land which penetrate into my property but it is not possible to comply with the detailed requirements of Recommendation 3. Can this Recommendation be amended to include only the first sentence.”

The applicant comments are noted. The proposed dwelling is considered to be two storey since it has a ground and first floor but could also be described as being single storey with accommodation in the roof space as the eaves level of the dwelling is at a conventional eaves level for a single storey building.

It is considered that the wording of Condition 3 can be amended.

**Additional/Amended Conditions**

No development shall take place until a scheme defining those trees, hedges, shrubs and other natural features to be retained during the course of the development, and setting out measures for their protection during construction work have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the existing trees on the site in the interests of visual amenity.

## **SCHEDULE C**

### ***Item 12 (Pages 101-112) – CB/10/04487/REG3 – Dovery Down Lower School, Heath Road, Leighton Buzzard, LU7 3AG***

#### **Additional Consultation/Publicity Responses**

1. Occupiers of 15 Poplar Close, Leighton Buzzard object to the application for the following reasons:
  - Justification statement. In total there are about 20 pre-school, nursery schools or playgroups in Leighton Buzzard. Queries whether the LEA has to provide further facilities considering restraints on the public purse. If so, this is not the right location given that nearly all the residential development is taking place on the southern outskirts of the town. If further provision is required, then it should be located at other schools.
  - The building and trees. There are semi-mature trees against the fence immediately to the east of the proposed building. The construction of footings for the proposed building are likely to result in damage to the roots of these trees and the construction of new buildings will damage the branches.
  - Access. The existing accesses to the school are wholly inadequate for the number of pupils and adding further will exacerbate an already intolerable situation for the local residents. Poplar Close is a cul-de-sac with a carriageway width of 4.9m, standard for a development in the 1950s. The school was erected later and the access into Poplar Close came about as an historical accident. As the school has developed and more parents drive their children to the school from all areas across Leighton Buzzard, so the traffic congestion in Polar Close has worsened. The congestion is so bad that on occasion the road is blocked completely. Despite complaints to the Police nothing is done. The Highways department do not regard it as a priority, despite the fact that in similar circumstances in Flitwick and Cartmel Drive, Dunstable there are parking restrictions. This need not be all day, just prohibiting access for all other than residents and their visitors for an hours in the morning and afternoon would suffice. Until the traffic problems are resolved there should be no further development at the school.
  - General. There is ill-feeling between the school and parents on the one hand and the residents on the other. The situation will deteriorate further until the Council takes action with the parking problems. If the application is granted we fear that some of the residents will feel justified in taking their own action.
  - Judicial Review. As both the LEA and the planning authority we do not need to remind the Council of its duty to consider this application objectively on its merits and taking full account of its drawbacks.
2. Tree and Landscape Officer – has confirmed verbally that he has no objections to the scheme.

### **Additional Comments**

The majority of the matters raised by the third parties have been covered in the report on the main agenda.

The Council's Tree and Landscape Officer has considered the application and advises that he has no objections. The building would be within the northern two thirds of the existing court. There are no significant trees to the east of the proposed building. It is a temporary structure so will be placed on the court without the need for the digging of any foundations.

Although the Council is both the Local Education Authority and the Local Planning Authority the application has been fully considered on its individual merits having regard to the provisions of the development, national guidance and policy and all other material considerations.

### ***Item 13 – Pages (113-120) - CB/11/00972/FULL – 165 Holme Court Avenue, Biggleswade***

#### **Additional Consultation/Publicity Responses**

Biggleswade TC – no objections

#### **Additional Comments**

None

#### **Additional/Amended Conditions**

None

### ***Item 14 (Page 121-128) – CB/11/00691/FULL – 29B Hitchin Rd, Upper Caldecote***

#### **Additional Consultation/Publicity Responses**

A desk-based Heritage Assessment was submitted and considered by the Archaeological Officer. Their previous objections have been withdrawn.

#### **Additional Comments**

#### **Additional/Amended Conditions**