

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 22 JUNE 2011

SCHEDULE A

Item 8 (Page 15-28) – CB/11/00235/FULL – The Grove, Barton Road, Pulloxhill, Bedford, MK45 5HR.

Additional Consultation/Publicity Responses

None received

Additional Comments

None required

Additional/Amended Conditions

None required

SCHEDULE B

Item 9 (Pages 29-46) CB/11/01301/FULL – Change of use of land to use as a small private gypsy site for 3 families comprising of 10 caravans and associated ancillary development at Plots 2, 2A and 3 Woodside Caravan Park, Hatch, Sandy

On page 35, paragraph 5, immediately following the title GYPSY & TRAVELLER SITE ALLOCATIONS DPD, it is stated that the “DPD has now been submitted to the Secretary of State”. This is incorrect; the DPD has not yet been submitted.

On page 35, final paragraph, it is stated that “the additional pitches will therefore need to be provided through planning applications”. In fact the DPD states that an additional site search will be conducted in advance of the Examination to make proposals for the accommodation of the remaining 4 pitches required to the end of 2015. This would not preclude the delivery of the pitches through windfall applications such as this one and if approved, the 3 pitches provided will contribute to the total level of need.

The appeal decision referred to in the Committee report at page 35 was omitted as an appendix to the report but is attached to this late sheet.

Additional Consultation/Publicity Responses

A further 2 letters of objection have been received since the report was written. No new issues were raised in these letters however the objectors concerns are set out below:

- the proposed development would be disproportionate in size when compared to the settled community

- there are already two permanent Gypsy and Traveller Sites available, both under 2 miles from Hatch: Magpie Farm, Upper Caldecote and Sandy
- the site has been judged unsuitable for the proposed development on 5 different occasions and by 5 different Inspectors.

A copy of a letter sent to Members was received on 20th June 2011 from Northill Parish Council expanding on the previous comments of the Parish Council.

A letter and report was received on 20th June from a planning agent who has been instructed on behalf of the Hatch Residents. The letter and report are appended.

Item 10 (Page 47-64) – CB/11/01305/FULL – 1 Lincoln Way, Harlington, Dunstable, LU5 6NB.

Additional Consultation/Publicity Responses

IDB

Building Control

Wildlife Trust

Ecology Officer:

Ecology Officer: There is an ornamental pond within the curtilage of the garden. Records exist for Great Crested Newts within 150m of the application site and County Wildlife Site, Harlington Village Pond lies within 80m of the site. The Council's Ecologist has confirmed that given the pond is ornamental with Koi Carp in the pond and subject to granting planning permission, the fish would be sold and the pond filled in, that in this case there would not be a need for a Great Crested Newt survey. Advise that although the Leylandii do not offer a great deal of biodiversity value they are used by birds for nest sites so trees should not be removed during the nesting season March - August inclusive. Once cut down the brash should be removed from the site as birds will still nest in leylandii when it's on the ground as it resembles good scrub cover in their eyes! Recommend replacement planting could be done or perhaps a commuted sum for planting off site or for some pond management works for the CWS.

Building Control: Concerns over the future performance of the culvert can be addressed via a drainage condition that contains the following points.

- A CCTV survey of the culvert is carried out from the manhole in front of the property through to its outfall behind the garage block off of Wingate Road and that all faults are remedied before construction works are started.
- New manholes are installed at the upstream and downstream ends of the application property curtilage to enable future maintenance.
- A "flood pathway" should be retained to allow overground flow to the outfall pond for when the culvert is overloaded in times of high rainfall.
- The construction design does not disturb the existing culvert in any way.

Harlington Parish Council are quite right that the local area is subject to the unexpected appearance of springs, often in association with ground disturbance, but their very nature is unpredictable and there is no certainty either way that works on the application site would give rise to a spring. Advise that an extra condition is

added that if any spring were to emerge as a direct result of the proposed works that it is captured and diverted back in to the culvert.

IDB and Wildlife Trust: No response received

Additional Comments

The Section 106 Agreement has not yet been signed and completed.

Additional/Amended Conditions

No work shall commence on site until details of surface water drainage for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include the installation of new manholes at the upstream and downstream ends of the application property curtilage to enable future maintenance of the culvert and a "flood pathway" to allow overground flow to the outfall pond for when the culvert is overloaded in times of high rainfall. The drainage works shall be constructed in accordance with the approved plans before any part of the development is brought into use and shall be retained.

Reason: To ensure that adequate surface water drainage is provided to prevent water pollution and flooding.

If any spring were to emerge as a direct result of the works hereby approved, it must be captured and diverted back in to the culvert to the satisfaction of the Local Planning Authority.

Reason: To ensure that adequate surface water drainage is provided to prevent water pollution and flooding.

Full details of a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. These details shall include planting plans, including schedule of size, species, positions, density and times of planting and cultivation details including operations required to establish new planting.

The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the site and the area generally.

Additional Note to Applicant

The granting of this planning permission does not absolve the applicants from complying with the relevant law protecting species, including obtaining and complying with the terms of conditions of any licences required, as described in Part IV B of *Circular 06/2005*.

The *Leylandii* trees should not be removed during the nesting season March - August inclusive. Once cut down the brush should be removed from the site as birds will still nest in *leylandii* when it's on the ground as it resembles good scrub cover in their eyes.

Prior to commencement of development, it is advised that a CCTV survey of the culvert is carried out from the manhole in front of the property through to its outfall

behind the garage block off of Wingate Road and that all faults are remedied before construction works are started.

Item 11 (Page 65-78) – CB/11/01562/FULL – Land to the rear of 20 Baldock Road, Stotfold, Hitchin, SG5 4PB.

On page 70, final paragraph, immediately under the title **The principle of development**, it is stated that “Clifton is classified . . .”. This paragraph should start Stotfold is classified as . . .”.

The Unilateral Undertaking required with this application has not yet been approved by the Legal Department. As such the Committee are recommended to grant delegated powers for the approval of the application subject to a satisfactory Unilateral Undertaking being in place.

Additional Consultation/Publicity Responses

Comments from Highways Development Control have been received and are set out below.

Please be aware that the front boundary hedge (as existing) is within the highway. It is believed this to be where the hedge was initially planted on the boundary and has over the years grown upwards and outwards, however it is an encroachment and should be removed which will also provide adequate driver/driver intervisibility from the access. This can be dealt with by a condition.

The parking bays are a little short, again this can be dealt with by a condition. The replacement parking provision for the existing house (no. 20) should be completed prior to the proposed new development, to provide adequate off street parking for the existing dwelling. This can be conditioned.

The access exceeds the reversing distance for service/delivery sized vehicles as set out in Manual for Streets and Section 7 of the Central Bedfordshire Design Guide. As such a turning area will be required within the curtilage of the site to accommodate this size of vehicle. The turning area indicated is not suitable but a turning area that can be achieved with a minor amendment to the submitted design. A condition for this can be added to any planning permission granted.

Subject to conditions as recommended by the Highways Development Control officer it is not considered that there are any access, parking or highway matters which would justify refusing planning permission.

A further response to consultation has been received from the occupier of the commercial units at 18 Baldock Road. The letter states that subject to noise level safeguards being put in place, as recommended by Central Bedfordshire Council, the occupier is not opposed to the proposal.

Two further letters of objection have been received. Neither letter raises new issues which have not been addressed in the report, the objectors concerns are however set out below:

- two additional dwellings would considerably increase the already high number of cars parked on the road causing more congestion
- the loss of garden space would have an adverse impact on wildlife

- the houses would overlook the garden of the objectors and will affect their privacy

Additional Conditions

- 12. Before development begins for the new dwellings and associated access, the replacement access/junction and surfacing and parking provision for no. 20 shall be constructed in accordance with the approved drawing no. 1608-002 Revision A and shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To provide adequate replacement on site parking for the existing dwelling.

- 13. Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period. (HC 38)**

Reason: To ensure adequate off street parking during construction in the interests of road safety.

- 14. Before the access is brought into use an area of land across the whole of the site frontage measuring at least 3.0m from and parallel to the nearside edge of the adjacent road carriageway shall be provided and thereafter be kept free of all obstruction to visibility. (HC 7)**

Reason: To provide adequate visibility between the existing highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them.

- 15. Before the new dwellings are occupied the on site vehicular areas shall be constructed and surfaced in a stable and durable manner (not loose aggregate) in accordance with details to be approved in writing by the Local Planning Authority for a distance of 5.0m into the site, measured from the highway boundary. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.**

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits .

- 16. Before the new premises are occupied all on site vehicular areas shall be surfaced in a stable and durable manner in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.**

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits

17. The access for the new dwellings shall have a minimum width of 4.8m for 5.0m into the site measured from the highway boundary. All parking bays shall measure a minimum of 2.4m x 4.8m each.

Reason: For the avoidance of doubt.

18. The development for the new dwellings shall not be brought into use until a turning space suitable for a delivery/service sized vehicle has been constructed within the curtilage of the site in a manner to be approved in writing by the Local Planning Authority and shall thereafter remain free of obstruction.

Reason: To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles on to the highway.

19. The refuse collection point shall be constructed in accordance with the approved drawing no. 1608-002 Revision A.

Reason: In the interest of amenity and in order to minimise danger, obstruction and inconvenience to users of the highway and the premises and for the avoidance of doubt.

Additional Informatives

- The applicant is advised that no works associated with the construction of the vehicular access for no. 20 and any widening of the existing access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BA quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular accesses affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
- The applicant is advised that, under the provisions of the Highways Act 1980, no part of the front boundary treatment, including foundations and planting shall be erected or installed in, under or overhanging the public highway and no gate shall be fixed so as to open outwards into the highway.

The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway. (HN iii)

- The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Technology House, 239 Amphill Road, Bedford MK42 9BD.
- The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect. (HN xi)

Item 12 (Page 79-90) – CB/11/00297/FULL – Land adjacent 84 Station Road, Ridgmont.

The planning application included in the Planning History relates to a proposal for the current application site.

The Planning History section does not include the details of the planning application for the recent change of use of the offices to residential which is referred to in paragraph 1 of “*Principle of Development*”. The details of this application are as follows:

CB/10/01579/FULL - Change of use from offices to 3 No. 1 bedroom flats at land between 80 – 82 Station Road, Ridgmont. Approved 29/6/10

Item 13 (Page 91-102) – CB/11/01470/REN – The Bakery, The Square, Aspley Heath, Milton Keynes, MK17 8SY.

Additional Consultation/Publicity Responses

None

Additional Comments

None

Additional/Amended Conditions

None

Item 14 (Page 103-116) – CB/10/04491/FULL – Land to the rear of 1 and 2 Church Walk, Marston Moretaine, Bedford, MK43 0PL.

Additional Consultation/Publicity Responses

One neighbour requesting that her original concerns are shown as part of the consultation at the meeting and would like to have had the opportunity to have attended the meeting if had been advised of this in time.

Additional Comments

The bungalows are two bed roomed and not three (as stated incorrectly on Page 108).

There is a gap of 12metres between the rear elevations of the new terraced houses and the closest side elevation of the proposed bungalows – not 8.5 metres as stated incorrectly in the report.

The drainage authorities have not raised any objections on drainage grounds. The ditch within the site was hand dug by the owner of the site to drain surface water. It is contained within the site and is not a ditch line and does not connect to any other waterway or have an outfall.

Additional/Amended Conditions

None

SCHEDULE C

Item 15 (Page 117-128) – CB/11/01430/FULL – The Paddocks, Springfield Road, Eaton Bray, Dunstable, LU6 2JT.

Additional Consultation/Publicity Responses

Highways Officer – No objection.

Additional Conditions

Before development begins, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.

Reason: To ensure a satisfactory standard of landscaping.
(Policy BE8, S.B.L.P.R).

Additional Information

Since the agenda was prepared, further supporting information was received from the applicant in response to some of the objections received and this is included as an appendix to this report.

Item 16 (Page 129-134) – CB/11/01147/FULL – 23 Eisenhower Road, Shefford, SG17 5UP.

Additional Consultation/Publicity Responses

None

Additional Comments

None

Additional/Amended Conditions

None