

**Item No. 11a****SCHEDULE B**

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| <b>APPLICATION NUMBER</b>                        | <b>CB/11/04291/FULL</b>  |
| <b>LOCATION</b>                                  | <b>177 Cemetery Road, Houghton Regis, Dunstable,<br/>LU5 5DF</b>   |
| <b>PROPOSAL</b>                                  | <b>Resubmission of CB/11/03337/FULL - Proposed<br/>boundary fencing repositioning</b>  |
| <b>PARISH</b>                                    | <b>Houghton Regis</b>  |
| <b>WARD</b>                                      | <b>Houghton Hall</b>   |
| <b>WARD COUNCILLORS</b>                          | <b>Cllrs Mrs Goodchild &amp; Jones</b>   |
| <b>CASE OFFICER</b>                              | <b>Donna Lavender</b>  |
| <b>DATE REGISTERED</b>                           | <b>02 December 2011</b>  |
| <b>EXPIRY DATE</b>                               | <b>27 January 2012</b>   |
| <b>APPLICANT</b>                                 | <b>Mr &amp; Mrs Alexander</b>  |
| <b>AGENT</b>                                     | <b>J M Bygate Designs Ltd</b>  |
| <b>REASON FOR<br/>COMMITTEE TO<br/>DETERMINE</b> | <b>Deferred application via previous Committee held<br/>on 14th March 2012, for the investigation of a Legal<br/>Agreement</b> |
| <b>RECOMMENDED<br/>DECISION</b>                  | <b>Full Application - Granted</b>  |

**Recommendation**

That Planning Permission be GRANTED subject to the following:

- 1 The development shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Consent is only being granted in recognition that the Rowan tree, as marked for retention on the "Proposed Floor Plan, Elevation and Site Plans" (Drawing 203-PL-010 Rev.C), shall be successfully retained without incurring any damage due to abrasion, cutting, scraping, nailing or excavation of the trunk or buttress roots during the course of construction and installation of the fence and fence posts. Any pruning of the branches of this tree shall only be undertaken with the written approval of the Local Planning Authority, both during the course of development and for a period of 5 years after completion of development.

Reason: To ensure the successful retention of the Rowan tree, which was planted as part of the original landscape scheme provided for the benefit of the whole estate, in order to mitigate against the loss of open-plan landscaping caused by this development, by maintaining the health, stability, natural appearance and visual amenity of this tree, still being retained in the remaining area of open -plan landscaping.

- 3 The planting and landscaping scheme shown on approved Drawing No. 203-PL-010 Rev C shall be implemented by the end of the full planting season

immediately following the completion and first use of the development (a full planting season shall mean 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)

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/001, CBC/002, 203-SU-001 & 203-PL-010 Rev C.

Reason: For the avoidance of doubt.

### **Reasons for Granting**

The enclosure of part of the amenity land would not have a detrimental impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, is in conformity with Policies R12 & BE8 of the South Bedfordshire Local Plan Review 2004 and Policy ENV7 in the East of England Plan (May 2008) and Planning Policy Statement 1 (2005). It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010.

### **Notes to Applicant**

Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.

The application form for approval of details reserved by a condition, guidance notes and fees (i.e. £25.00 for householder applications and £85.00 for all other applications, per submission) can be found on our website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk) or alternatively call Customer Services on 0300 300 8000 for hard copy forms.

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

**East of England Plan (May 2008)**  
ENV7 (Quality of the Built Environment)  
SS1 (Achieving Sustainable Development)

## **South Bedfordshire Local Plan Review**

BE8 (Design Considerations)

R12 (Recreation Open Space)

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk).