

## **LATE SHEET**

### **DEVELOPMENT MANAGEMENT COMMITTEE**

***Item 7 (Pages 17-43) CB/12/01255/FULL – Demolition of existing house, outbuildings and boundary wall and redevelopment of site with 12 houses and 1 flat and all ancillary works and reconstruction of boundary wall to No.51 North Street, on land rear of Almshouses, 53 North Street, Leighton Buzzard.***

**Amended paragraph 4 on page 18 under heading “The Application”**

This application seeks to overcome the reasons for refusal by reducing the number of dwellings on the site which in turn provides additional space to increase the level of parking and rear amenity space. The application is accompanied by a legal agreement offering a financial contribution towards education.

#### **7. Section 106 Requirements – pages 32 & 33**

Information has been submitted to the Council’s Housing Strategy Team seeking to demonstrate that the development would be unviable if the full contribution of £136,085.52 is sought. The figures have been accepted and the recommendation is that the scheme remains unviable with any level of contribution. The applicant is however offering a contribution of £40,315 towards Council services.

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

None to report

#### **Additional Conditions**

None

#### **Additional Informatives**

None

***Item 10 (Page65-81) – CB/11/03933/FULL – Land at Vimy Road, Linslade, Leighton Buzzard, LU7 1ER***

**Additional Consultation/Publicity Responses**

One local resident queried why the issue of the substandard access should be dealt with in a section 106 Agreement and not in a planning condition. Concerns have therefore been raised regarding the conflict that would likely arise in sharing the access between local residents and construction vehicles.

A response was given pointing out that the Section 106 route is far preferable and stronger to deal with any problems regarding provision of the adequate access and has been recommended by our Solicitor and also accepted in principle by the developers. Thus, the access will have to be done before the developer starts building the new flats.

Furthermore, Conditions 17,18 and 19 specifically address this matter .

***Item 11 (Page 85-107) – CB/12/01650 – Former Dunstable Fire Station, Brewers Hill Road, Dunstable, LU6 1AA***

**Additional Consultation/Publicity Responses**

1. Dunstable Town Council – No objection

**Additional Comments**

Highways Officer

With regards financial contributions towards sustainable transport measures, the amount could range between £50 and £200 per square metre (approximately £10k to £102k) and works could include the re-construction of the entire footway/cycleway (3m wide).

**Additional Conditions**

- Before the first occupation of the buildings hereby approved, details of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall thereafter be implemented and retained as such unless amendments are agreed in writing by the Local Planning Authority.  
Reason : In the interest of visual amenity  
(Policy BE8, S.B.L.P.R)

***Item 12 – CB/12/01299/ALT – Victoria Allotments, West Street, Dunstable, Beds***

**Additional Consultation Response**

Leisure Services – Recreation Open Space (11/6/12)

The South Bedfordshire Local Plan Review identifies that there is a shortfall in the number and total amount of all urban open space in Dunstable at the time of writing. Open space is both Formal i.e. playing pitches and Informal i.e. amenity type space. It does not however, specifically mention allotments as part of open space, but it indicates the need for the creation and improvement of spaces to address the shortfall.

With regard to the safeguarding of open space against development for non open recreational purposes, Policy R12 specifically included allotment gardens.

We have no current data on allotment provision or requirements although the Leisure Strategy scope includes allotments, but in general terms policy indicates that allotments should not be lost to non-open recreational development.

To translate this into the site's use for cemetery land, it would be difficult to say if this could be deemed as 'open-recreational use'.

Town Council (21/6/12)

No objection.

***Item 13 (Page 119 - 140) – CB/12/00718/VOC – The Marston Vale Millennium Country Park, Station Road, Marston Moretaine***

**Additional Consultation/Publicity Responses**

None

**Additional Comments**

Additional comments have been received from the Noise Consultant on behalf of the applicant.

**Additional/Amended Reasons**

None

***Item 14 (Page 141-169) – CB/12/01125/FULL – Bridge Farm, Ivel Road, Shefford***

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

A petition has been received signed by over 200 residents stating:

*Having viewed the proposals and plans for the above application we are opposed to the following aspects of the development:*

1. *Shefford's infrastructure will not support a new community of this size*
2. *Public safety concerns*
3. *Environmental issues*
4. *Access to new development*
5. *Commercial area*

Four further letters of objection received raising the following points:

- After heavy rain the road floods
- Sky larks are nesting in the field and will be disturbed by the works
- 122 Ivel Road is dominated by plot 7, which is 1.27 metres higher
- 132 Ivel Road is dominated by plot 11, which is 1.43 metres higher
- Queries whether enough room for hedgerow to remain in place
- Asks for extra wide pavements on Ivel Road and houses to be built below the level of the road
- Concerns regarding the privacy and overshadowing of houses on Ivel Road
- Plots 25,26 and 27 directly back onto Queen Elizabeth Close, why put such high density running in parallel
- A claim will not now be made for a footpath at Bridge Farm

Two letters received from agents acting on behalf of adjacent landowners are attached.

Anglian Water – Wastewater treatment - foul drainage for this development is in the catchment of Clifton STW that at present has capacity for these flows. The sewerage system also has capacity for the development. The preferred method of surface water disposal would be to a sustainable drainage system.

Bedfordshire Rural Communities Charity – Requests contributions towards policy CS17 of CBC's Core Strategy, Green Infrastructure through the Planning Obligations Strategy, and towards BRCC towards the Aims and Objectives of the Ivel and Ouse Countryside Project. Welcomes the acknowledgement of the potential for good cycling and walking links in the vicinity of the development. Encourages the developer to seek a net gain for biodiversity through:

- The appropriate management of the existing trees and hedges
- The use of native flower, tree and shrub planting in landscaping, particularly along the boundaries with open fields and in the attenuation areas
- Fulfilling the intention to erect bird and bat boxes both in existing trees and on new buildings

### **Additional Comments**

None

## **Amended Conditions**

There is a need to delete condition 27 as it repeats the requirements of condition 25.

In order to control the levels of the development, a new condition 27 will be required as follows:

No development shall commence until details of the final ground and slab levels of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas.

## ***Item 15 (Page 171-191) – CB/12/01123/OUT – Bridge Farm, Ivel Road, Shefford***

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

Two further letters of objection received raising the following points:

- Roads already too busy at peak times, and pavements too narrow putting safety of pedestrians at risk
- Water and sewerage are already at capacity and sewage is regularly pumped into tankers at the bottom of Ivel Road.
- Road already floods when it rains hard
- Noise and pollution will increase
- Changes to the roundabout should be put in place first

One letter received from an agent acting on behalf of an adjacent landowner is attached and also relates to item 14.

IDB – No further comments

Anglian Water – Wastewater treatment - foul drainage for this development is in the catchment of Clifton STW that at present has capacity for these flows. The sewerage system also has capacity for the development. The preferred method of surface water disposal would be to a sustainable drainage system. Recommends notes sent to the applicant in terms of trade effluent.

### **Additional Comments**

None

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

None

## ***Item 16 (Page 193-199) – CB/12/00938/FULL –Shefford Lower School, Bloomfield Drive, Shefford***

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

Two letters received from nearby residents objecting to the proposal on the following grounds:

- Concerned that the development will lead to an increase of vehicle traffic in surrounding streets by a similar percentage to the increase in places i.e. 50% more cars attempting to park nearby
- Increased parking in Ampthill Road leading to highway safety dangers
- Suggests modifications and a number of options come to mind, drop off zone in School Lane, widening of Bloomfield Drive, widening of Campton road with safe turning area, new zebra crossing on Ampthill Road adjacent to School Lane, and a new access road to the school.
- Hope the Highways Department has a safety policy/traffic plan in place regarding the increase in traffic on School Lane
- Extra traffic and parking has not been considered, safety of children is of paramount importance
- Traffic and parking is chaotic at present, visitors often park all day in School Lane
- Statement regarding spare capacity is misleading as existing spaces are always full
- Should be alternative access
- Would like to see residents parking only and permits in place for School Lane

### **Additional Comments**

None

### **Additional Conditions**

Before the extensions are first occupied, an update to the School Travel Plan (to include Acorn Pre-School and Children's Centre) to take into account the impact of the development hereby approved, shall be submitted to and approved by the Local Planning Authority. The plan shall contain details of:

- Plans for the establishment of a working group involving the school, the pre-school, and Children's Centre, parents and representatives of the local community
- Pupil travel patterns and barriers to sustainable travel
- Measure to reduce car use
- A car park management policy
- An action plan detailing targets and a timetable for implementing appropriate measures and plans for annual monitoring and review for 5 years

The travel plan shall be implemented as approved, and there shall be an annual review of the Travel Plan (for a period of five years from the date of approval of the plan) to monitor progress in meeting the targets for reducing car journeys generated by the proposal.

Reason: In the interests of highway safety, to reduce congestion and to promote the use of sustainable modes of transport.

No development shall commence until details of the provision of additional cycle parking at the site has been submitted to and approved by the local planning authority. The cycle parking shall be provided as approved prior to the occupation of the buildings hereby permitted.

Reason: To reduce congestion and to promote the use of sustainable modes of transport.

Note to applicant: The applicant is advised that further information regarding the updating of the School Travel Plan is available from the Sustainable Transport Team, Central Bedfordshire Council, Technology House, Bedford MK42 9BD.

None

### ***Item 17 (Page 193-199) – CB/12/00938/FULL –Shefford Lower School, Bloomfield Drive, Shefford***

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

Two letters received from nearby residents objecting to the proposal on the following grounds:

- Concerned that the development will lead to an increase of vehicle traffic in surrounding streets by a similar percentage to the increase in places i.e. 50% more cars attempting to park nearby
- Increased parking in Ampthill Road leading to highway safety dangers
- Suggests modifications and a number of options come to mind, drop off zone in School Lane, widening of Bloomfield Drive, widening of Campton road with safe turning area, new zebra crossing on Ampthill Road adjacent to School Lane, and a new access road to the school.
- Hope the Highways Department has a safety policy/traffic plan in place regarding the increase in traffic on School Lane
- Extra traffic and parking has not been considered, safety of children is of paramount importance
- Traffic and parking is chaotic at present, visitors often park all day in School Lane
- Statement regarding spare capacity is misleading as existing spaces are always full
- Should be alternative access

- Would like to see residents parking only and permits in place for School Lane

**Additional Comments**

None

**Additional Conditions**

Before the extensions are first occupied, an update to the School Travel Plan (to include Acorn Pre-School and Children's Centre) to take into account the impact of the development hereby approved, shall be submitted to and approved by the Local Planning Authority. The plan shall contain details of:

- Plans for the establishment of a working group involving the school, the pre-school, and Children's Centre, parents and representatives of the local community
- Pupil travel patterns and barriers to sustainable travel
- Measure to reduce car use
- A car park management policy
- An action plan detailing targets and a timetable for implementing appropriate measures and plans for annual monitoring and review for 5 years

The travel plan shall be implemented as approved, and there shall be an annual review of the Travel Plan (for a period of five years from the date of approval of the plan) to monitor progress in meeting the targets for reducing car journeys generated by the proposal.

Reason: In the interests of highway safety, to reduce congestion and to promote the use of sustainable modes of transport.

No development shall commence until details of the provision of additional cycle parking at the site has been submitted to and approved by the local planning authority. The cycle parking shall be provided as approved prior to the occupation of the buildings hereby permitted.

Reason: To reduce congestion and to promote the use of sustainable modes of transport.

Note to applicant: The applicant is advised that further information regarding the updating of the School Travel Plan is available from the Sustainable Transport Team, Central Bedfordshire Council, Technology House, Bedford MK42 9BD.

None



**Item 18 (Pages 219-224) – CB/12/00925/LB – 10 Market Square, Potton**

**Additional Representations:**

Two letters have been received from the occupiers of neighbouring properties since the Officer's report was completed. One letter of objection has been received from No. 2 Orchard Close on the following grounds:

- The sign is not inkeeping with the character and appearance of the surrounding area, entrance into Orchard Close or conservation area
- The residents of Orchard Close have been restricted from having a street sign at this location which would be helpful for directional purposes
- Orchard Close is a private road and all access is through the arch, which means passing the sign at every entrance and exit

The author of this letter wishes to declare that they are a local Councillor and Chairman of the Potton Town Plan.

One letter has been received from No. 1 Orchard Close which states that there is no objection to the proposal, commenting specifically:

- The archway has previously had advertisement signs erected within it
- It seems only fair and appropriate that the small business premises of Amethyst, which is someone's livelihood, should be allowed some kind of indication as to where it is situated
- The sign is not obtrusive, it is small and tastefully designed
- Concentration should solely be given over to watching for pedestrians and manoeuvring around parked vehicles in order to get onto the road, rather than looking at the sign during each entrance and exit through the courtyard

One email has been received and it is stated that this is on behalf of the residents of Orchard Close, objecting to the proposal on the following grounds:

- The sign has been erected without any consent
- The sign is not inkeeping with the conservation area
- The residents of Orchard Close have been restricted from having a street sign at this location which would be helpful for directional purposes
- Orchard Close is a private road and all access is through the arch, which means passing the sign at every entrance and exit

Potton Town Council have confirmed the reason for objecting to the proposal:

- The sign is in a conservation area and on a listed building, and is not inkeeping with the area.

There are no further updates.

***Item 19 (Pages 225-230) – CB/12/00356/ADV – 10 Market Square, Potton***

**Additional Representations:**

Two letters have been received from the occupiers of neighbouring properties since the Officer's report was completed. One letter of objection has been received from No. 2 Orchard Close on the following grounds:

- The sign is not inkeeping with the character and appearance of the surrounding area, entrance into Orchard Close or conservation area
- The residents of Orchard Close have been restricted from having a street sign at this location which would be helpful for directional purposes
- Orchard Close is a private road and all access is through the arch, which means passing the sign at every entrance and exit

The author of this letter wishes to declare that they are a local Councillor and Chairman of the Potton Town Plan.

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- The sign is not obtrusive, it is small and tastefully designed
- Concentration should solely be given over to watching for pedestrians and manoeuvring around parked vehicles in order to get onto the road, rather than looking at the sign during each entrance and exit through the courtyard

One email has been received and it is stated that this is on behalf of the residents of Orchard Close, objecting to the proposal on the following grounds:

- The sign has been erected without any consent
- The sign is not inkeeping with the conservation area
- The residents of Orchard Close have been restricted from having a street sign at this location which would be helpful for directional purposes
- Orchard Close is a private road and all access is through the arch, which means passing the sign at every entrance and exit

Potton Town Council have confirmed the reason for objecting to the proposal:

- The sign is in a conservation area and on a listed building, and is not inkeeping with the area.

There are no further updates.

### ***Item 23 – CB/12/01329/RM – Land at Chapel Close, Clifton***

Additional responses have been received from occupiers at 49 Pedley Lane and 7 Spring Road that reinforce objections to the development outlined in the committee report.

In addition, the following response has been received:

- |                |   |
|----------------|---|
| 45 Pedley Lane | <ul style="list-style-type: none"><li>• A rear facing dormer window at Plot 3 will reduce privacy for neighbours.</li><li>• It is acknowledged that site levels will be assessed via a condition attached to the outline consent at the site.</li></ul> |
|----------------|---|

### ***Item 24 – CB/12/01510/FULL – 2-6 High Street, Biggleswade***

A representation has been received in support of the application containing the signatures of 589 people.

The following comments have been received from St Andrew's Church:

- Pedestrians using the north access door would disrupt church activities
- There could be safety problems because cars associated with the church turn in the area to the north of the building
- The two parking spaces in front of the church would not be available for customers at the site
- Noise from the yoga and exercise rooms could disturb people using the church grounds
- There would be a lack of privacy for people using the church grounds
- There could be problems with smells and steam
- Consideration needs to be given the wildlife and trees within the church grounds
- No agreement has been reached with the church in respect of site levels
- Construction would be difficult because of the confined site

An additional letter has been circulated to Members that reinforces the church's objection to the development.

In response to some of the church's concerns relating to noise and disturbance, additional planning conditions are recommended. As a result, the recommended planning conditions for this application are now:

- 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 No extraction vents shall be installed in to any external wall unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To protect the appearance of the site and to control noise and odours.

- 3 The bin storage area shown on drawing number 12-752-P-05 shall be provided before the commencement of the A3 use at the site and shall be permanently retained thereafter.

Reason: To ensure that waste and recycling is properly stored and collected.

- 4 The uses hereby approved shall not operate except between the hours of 0730 to 2100 on Mondays to Saturdays and 0830 to 1800 on Sundays and Bank Holidays.

Reason: To safeguard the amenities of neighbouring buildings and uses.

- 5 **No development shall take place until the applicant or developer has secured the implementation of a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in accordance with the scheme thereby approved.**

**Reason: To record and advance understanding of the significance of the heritage assets with archaeological interest in accordance with Policy 141 of the *National Planning Policy Framework*.**

- 6 **A scheme for sound insulation shall be submitted to and approved by the Local Planning Authority to ensure that noise & vibration from the hereby permitted commercial uses is not to the detriment of future occupiers of the residential units in the building. The scheme approved by the Local Planning Authority in writing shall be fully implemented in accordance with the approved details before the uses, the subject of this consent, commence. The works and scheme shall thereafter be maintained in accordance with the approved details.**

**Reason: To protect the amenity of future occupiers of the development.**

- 7 Noise resulting from the use of the plant, machinery or equipment shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured or calculated according to BS4142:1997, at a point one metre external to the nearest noise sensitive building.

Reason: To protect neighbouring amenity.

- 8 **Equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation, and the equipment shall be effectively operated for so long as the commercial food use continues. Full details of the method of odour abatement and all odour abatement equipment to be used, including predicted noise levels of the equipment in operation, shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment. The approved equipment shall be installed as approved prior to the use hereby permitted commencing.**

**Reason: In order to prevent the adverse impact of odours arising from cooking activities on the amenity of residents.**

- 9 **The kitchen ventilation system approved in accordance with condition 8 above, shall be so enclosed, operated and/or attenuated that noise arising from such plant shall not exceed a level of 5dBA below the existing background level (or 10dBA below if it has distinguishable characteristics or there is a tonal quality) when measured or calculated according to BS4142:1997, at the boundary of any neighbouring residential dwelling.**

**Reason: To protect residents from any adverse impact from noise arising from the kitchen extract ventilation system.**

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [12-752-P-01, 02, 03, 04, 15, 06, 07 and 12-752-BR-10].

Reason: For the avoidance of doubt.

A ward Councillor has requested that limit on sound levels created by the proposed uses is controlled because of the sensitive nature of the church grounds to the west and a condition has been recommended to that effect. It has also been requested that a condition be added managing a parking agreement between the church and the site. Because the parking spaces to the north are outside of the applicant's control, any such condition would not meet the tests of Circular 11/95 and would not be appropriate. Notwithstanding that, public parking would be available for future users off site in this town centre location.

***Item 26 – CB/12/01007/FULL – Land at 3 Olivers Lane, Stotfold.***

*Attached copy of Appeal Decision as mentioned in Committee Report.*