

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 12th December 2012

Item 6 (Page 11-24) - CB/12/03697 – Land Adj to No 2 Sandy Lane, Leighton Buzzard

Email from the agent Lee Butler
dated 29th November 2012

From: Lee Butler [mailto:lee@leondevelopments.co.uk]

Sent: 29 November 2012 13:03

To: Heidi Antrobus

Subject: No 2 Sandy Lane, Leighton Buzzard

Hi Heidi

Please see attached, can you add it to the original planning statement and ensure it goes as addendum to the planning committee.

Regards

Lee Butler

PROPOSED NEW 2 BED BUNGALOW ON LAND ADJACENT No 2 SANDY LANE, LEIGHTON BUZZARD - AN ADDITION TO THE EXISTING PLANNING STATEMENT

GENERAL SYNOPSIS

The site is situated in Sandy Lane which has over the years had several new properties built within the street scene and it comprises old terraced houses, new detached houses, chalet bungalows and bungalows.

I believe the last new dwelling to be built was a 3 bed bungalow at No 6 next to chalet bungalows with a garden area of 110m² approx which at the time was also met with a negative interpretation but now built blends in to the street scene and all the previous pre-conceived perceptions have been proven to be misconceived.

Whilst in my planning statement – D/A statement I describe the area around the garages to be unusable garden, with the proposal this becomes a very useful garden for the new dwelling therefore its relationship with its neighbours is greatly enhanced and if desired a planting scheme can be supplied as a condition to achieve greater privacy than is now apparent not only for the new bungalow but for No's 2 & 4 Sandy Lane and 299 Heath Rd.

Whilst I cannot dispute that the proposed garden is not particularly deep it is exceptionally wide and for a 2 bed bungalow some 85m² which relates well when compared to the 3 bed bungalow at No 6.

The new two bedroom bungalow would probably be ideal for a retired couple giving easy overall maintenance coupled with energy efficient modern living.

The built new bungalow could only improve the aesthetic appearance to the street scene compared to the flat roofed garages that now exist and from Sandy Lane the depth of the rear garden would be unknown, so as it is plenty big enough for a 2 bed bungalow I do not see that the depth is important.

I would also point out that the strip of land between No 4 and the erected timber fence is actually on the deed plan of No 2 although I believe they have no intention of taking it down as it is obviously beneficial to both No 4 and No 2.

Therefore the actual distance from No 4 to the new bungalow is 1.9m minimum.

I also understand that the tree officer may have objected to the surfacing of driveway being in block paving. The driveway can be formed using a non- dig method and resurfaced in shingle although as previously stated there is no evidence of any tree root problems at the front of the proposed bungalow.

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7/12/12

**Memo from John Lynch – Highways @ Central Bedfordshire Council
Additional Highways Response in relation to Drawing N0 51112**

The amended site layout plan which has been submitted as drawing number 51112, will not affect those comments I made on the original submission.

In terms of the location of the proposed access and its relative position to the main junction of Heath Road and Sandy Lane I would add the following comments. There is a Traffic Regulation Order currently along both sides of the entrance to Sandy Lane from Heath Road. It takes the form of a double yellow road marking and is a 'No waiting at any time' restriction. The order refers to the extent of the restriction as being "On both sides, from a point 18.5 meters east of the common boundary between property number 1 and 2 Sandy Lane Cottages, in an easterly direction to Heath Road.". I also understand that the order came in to operation on the 24th October 2011.

In terms of the enforcement of the restriction there are parking enforcement vehicles which monitor the restrictions, however if there is a particular problem here regarding persistent parking on the double yellow markings, then it should be reported to Bedfordshire Highways.

The presence of the new vehicle crossover will also help keep that section of Sandy Lane clear for users of the highway.

In terms of the location of the access to the main junction of Heath Road / Sandy Lane, Design Supplement 7 (6.07.3) reads, "Where a route serves no more than around 100 dwellings there should be no restrictions on junction spacing."

The proposed development will not be affected by or cause any adverse affect to traffic which is generated by the Oak Bank School. The access conforms to all visibility standards and parking standards and as mentioned before will help keep an additional section of Sandy Lane clear due to the presence of the new vehicle crossover.

The comments and advice in this response are based on the information supplied in the planning application and accompanying documents/plans and no liability is accepted for any inaccuracy.

Item 7 (Page 25-60) - CB/12/01496/OUT – Land at Warren Farm, Flitwick Road, Ampthill

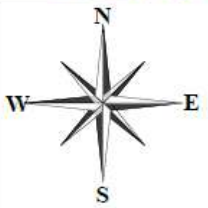
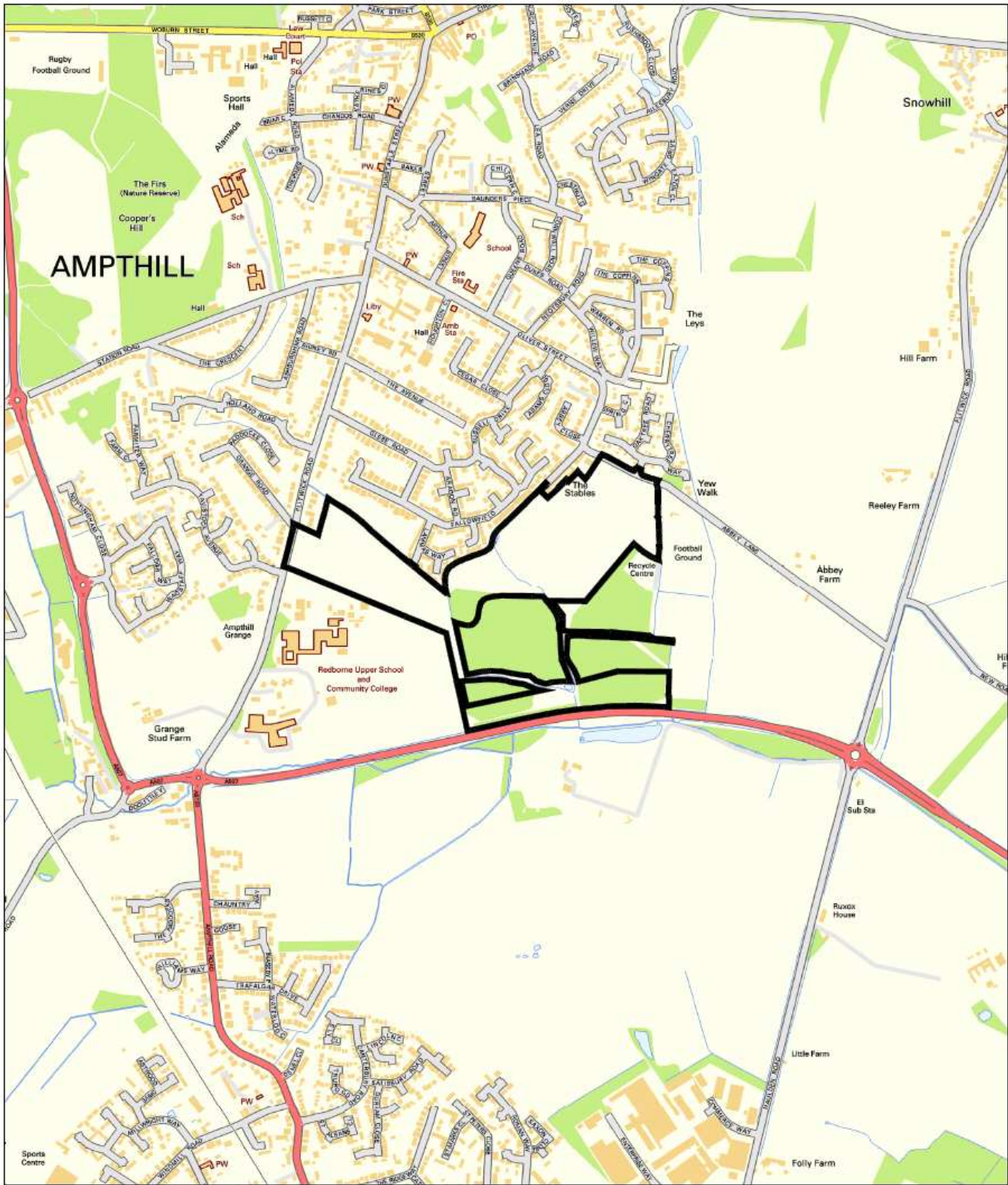
Corrections to Officers report:

- The site location plan attached to the front of the report does not show the correct application site boundary (shown by the bold black line). An amended site plan is therefore attached below.
- Page 51, third paragraph should refer to 35% affordable housing provision (**144** dwellings).
- Recommended Condition No.3 should refer to Red Line Plan 1239-O-11**20**.

E-mail from agent:

The applicant's agent has asked Officers to make the Committee aware of the condition that they propose in respect of noise mitigation which differs from the condition recommended by the Public Protection Officer. This is referenced at page 47 of the report. The agent adds that this is a widely recognised model condition which has been recommended to them by two separate acoustic consultants as being appropriate in the circumstances. The condition reads:

"Prior to commencement of any residential units where external noise levels are above 55 dB(A) during the day time or 45 dB(A) during the night, a scheme to provide details of the protection of the proposed residential units so that the internal noise levels as set out in BS8233 are achieved shall be submitted to and approved in writing by the Local Planning Authority. The residential units shall be constructed in accordance with the approved scheme"



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 Date: 29:November:2012
 Grid Reference: 503643, 236823

Application No:
 CB/12/01496/OUT

Scale: 1:12500

Land at Warren Farm, Flitwick Road, Ampthill

SCHEDULE B

Item 8 (Pages 61-76) CB/12/03535/FULL – Change of use of land to use as a residential caravan site for 4 additional gypsy families, with a total of 8 caravans including no more than 4 static caravans. Extension of hardstanding and erection of two amenity buildings and landscaping at land rear of 197 Hitchin Road, Arlesey.

Additional Consultation/Publicity Responses

2 further objections to the application have been received since completing the report. These objections do not however raise concerns which are not already included and addressed in the report.

Amended Condition 3

No more than 8 caravans (of which no more than 4 shall be static caravans) shall be stationed on the extension to the site hereby approved, as shown on plan CBC/002, and no more than 20 caravans (of which no more than 10 shall be static caravans) shall be stationed on the site as a whole.

Reason: To control the level of development in the interests of visual and residential amenity.

Amended Condition 4

Notwithstanding the details of the application all caravans together with all buildings, other structures, materials and equipment including fences, telegraph poles and lighting columns, septic tanks/cesspits and pipes, cables, meter boxes and other services brought on to the Site in connection with the development hereby approved shall be removed and all hardcore, tarmac and other hard surfacings on the above areas shall also be broken up and completely removed and the Site levelled, topsoiled and seeded with grass or turfed, within three months of the date of failure to meet any one of the requirements set out in (A) to (D) below:

(A) no development shall commence unless and until a scheme detailing:

1. the existing and proposed means of foul and surface water drainage of all parts of the Site;
2. the existing and proposed external lighting on the boundary of and within all parts of the Site including the location of all individual luminaires, their output (in lumens) and any shields, baffles or louvres together with the details of any existing or proposed lighting columns;
3. the existing walls, fencing, gates or other means of enclosure on the boundaries of and within all parts of the Site, together with any additional such walls, fencing, gates or other means of enclosure proposed;
4. a landscaping scheme, clearly identifying ground preparation works, details of all tree, hedge and shrub planting and where appropriate earth mounding

including details of species, plant sizes and proposed numbers and densities, together with the means of their protection;

5. the layout of the site and positions of all existing and proposed caravans, utility buildings and any other buildings or structures;

(hereafter referred to as the site development scheme) shall have been submitted for the written approval of the Local Planning Authority and the said scheme shall include a timetable for the implementation of the various components of the scheme;

- (B) within 11 months of the date of this decision the site development scheme shall have been approved by the Local Planning Authority or, if the Local Planning Authority refuse to approve the scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State;
- (C) if an appeal is made in pursuance of (B) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State; and
- (D) the approved scheme shall have been carried out and completed in accordance with the approved timetable, or in accordance with any amended details and/or revised timetables as might be agreed from time to time in writing by the Local Planning Authority and thereafter maintained in perpetuity.

Reason: In order to ensure that the development is satisfactory drained, that the lighting associated with the development does not have a detrimental impact upon the surrounding area, that the proposal takes account for the need of hard and soft landscaping and that the development has no adverse effect upon general or residential amenity in accordance with saved policy HO12 of the Mid Beds Local Plan, policy GT3 of the draft Gypsy and Traveller DPD and policies CS14 and DM3 of the Central Bedfordshire (north) Core Strategy.

Additional Informatives

1. The Council is concerned that Noise from the mainline railway may cause detriment to the residents of this development. Further information may be obtained from Public Protection on 0300 300 8000.
2. Any material used for earth bunding should be suitable for safe and secure occupancy which is the developer's responsibility to ensure.
3. All mobile home sites are required to obtain a Site Licence under the provisions of the Caravan Sites and Control of Development Act 1960. Further information may be obtained from the Private Sector Housing Team, Central Bedfordshire 0300 300 8000.
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.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. The Council acted pro-actively through engagement with the applicant following a previous refusal of planning permission which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Item 9 (page 79 - 90) CB/12/03433/FULL – 21 Potton Road, Everton, Sandy SG19 2LD

The following comments have been received on behalf of Alistair Burt MP by email, which he requests be highlighted to the Committee:

Thank you for your response regarding this planning application in Everton.

Alistair is very concerned about the contacts we have had from the residents of Everton. He has asked me to raise with you the possibility of delaying this application in the first instance, as he is concerned that this would seem to be quite an unhappy start and possibly a recipe for future trouble if the residents already feel that they have not been effectively consulted and their engagement assured.

We know that a letter has gone from a group of residents to members of the Development Management Committee setting out their concerns, for which Alistair has some considerable sympathy as the remoteness of the village would seem to be a rather unusual place to site a home for young people. The residents also raise the issue of impact on the children of 'failure' of a home of this nature if it does turn out to be inappropriately sited.

Alistair would be grateful if his concerns could be highlighted to the committee if this goes to them on 12th December.

Item 12 (113-120) CB/12/03455/FULL – Extend perimeter fence of MUGA (Multi Use Games Area) by 1m in height.

Members are advised that the application has been brought to Development Management Committee as there has been an objection to the proposal and the application site is on land with CBC ownership.

Item 13 (121-148)

Following publication of the Committee report, the applicant has submitted a written request for amendments to be made to some of the conditions recommended in the report.

These conditions are as follows;

Recommended condition 3 reads as follows in the published report:

No development shall commence unless and until a scheme for the erection of warning signs and the mirrors to be located by the access of the former Lime works has been submitted to and approved by the Local Planning Authority. Such as scheme shall include provision for:

- Sign(s) stating the speed of HGVs to be no more than 20mph*
- Sign(s) warning HGV drivers of pedestrians and horses;*
- Sign(s) warning pedestrians of HGVs.*

The scheme as may be approved shall be implemented prior to the importation of waste and thereafter maintained in accordance with the scheme at all time.

The applicant has requested a minor change to the wording of this condition on the basis that the required scheme may demonstrate that only one directional mirror is required. Officers are agreeable to changing the word 'mirrors' to 'mirror(s)' in the event that one mirror is shown to be adequate.

Recommended condition 3 - will therefore now read as follows:

No development shall commence unless and until a scheme for the erection of warning signs and the mirror(s) to be located by the access of the former Lime works has been submitted to and approved by the Local Planning Authority. Such as scheme shall include provision for:

- Sign(s) stating the speed of HGVs to be no more than 20mph*
- Sign(s) warning HGV drivers of pedestrians and horses;*
- Sign(s) warning pedestrians of HGVs.*

The scheme as may be approved shall be implemented prior to the importation of waste and thereafter maintained in accordance with the scheme at all times.

Reason: In the interest of Highways Safety (MWLP Policy GE23).

Recommended condition 4 reads as follows in the published report:

The access road from the public highway to the operational site shall be kept clear of mud and dust at all times.

Reason: To minimise any nuisance to nearby residents by reason of dust and to protect the surrounding SSSI (Policies GE18 and GE11 of the MWLP).

The applicant contends that this recommended condition is unenforceable as the access into the estate is shared by numerous businesses which are not associated with the proposed development or the application site. The applicant also points out that the land is already concreted and as such question whether the condition is needed. The suggestion put forward by the applicant is that the condition should be modified to refer specifically to vehicles associated with the site not to deposit mud etc. Officers have re-considered the wording of condition and deem that it would be reasonable to refer to a limited section of the access road between the highway and the operational site so that the requirement to keep the road clean affects only traffic associated with the development. An additional plan (number CB/12/00193/MW-2) has been drawn and referenced in the amended condition so that there is no doubt which area needs to be kept clear of mud and debris.

Condition 4 will therefore now read as follows -

That section of the access road between the shared section of access and the entrance point into the operational site, as shown hatched blue on plan number CB/12/00193/MW-2 attached to this permission, shall be kept clear of mud and dust at all times.

Reason: To minimise any nuisance to nearby residents by reason of mud and dust and to protect the surrounding SSSI (Policies GE18 and GE11 of the MWLP).

Recommended condition 5 reads as follows in the published report:

No operations authorised or required under this permission shall take place on site except between the hours of:

07:00 to 17:00 hours Mondays to Fridays

07:00 to 16:00 hours Saturdays

And no operations authorised or required under this permission shall take place on Sundays and Public / Bank Holidays.

Reason: To minimise any nuisance to nearby residents by reason of Noise (Policy GE18 of the MWLP).

The applicant has pointed out that a weekday finish time of 1800 hours was requested in the application yet the condition in the published report imposed a finish time of 1700 hours. However, the applicant would not object to site operations closing an hour earlier at 17:00 hours provided that there is an express saving for emergencies. Officers consider that there is no planning reason why the applicant's proposed finish time of 1800 hours should be resisted.

Recommended condition 5 will therefore now read as follows:

No operations authorised or required under this permission shall take place on site except between the hours of:

07:00 to 18:00 hours Mondays to Fridays

07:00 to 16:00 hours Saturdays

And no operations authorised or required under this permission shall take place on Sundays and Public / Bank Holidays.

Reason: To minimise any nuisance to nearby residents by reason of Noise (Policy GE18 of the MWLP).

Recommended condition 6 reads as follows in the published report:

A record of daily HGV movements generated by the operations hereby permitted shall be maintained at all times and submitted to the Local Planning Authority within 7 days of any written request covering the period specified in the request.

Reason: In the interest of highway safety and for monitoring compliance with other conditions of this permission (Policy GE23 of the MWLP).

The applicant has stated that vehicle movement information would not be held for more than 2 years and therefore the condition should be amended to reflect this. Officers accept that this suggested change is reasonable as it is not expected that the Local Planning Authority would need to request data that is more than 2 years old.

Recommended condition 6 will therefore now read as follows:

A record of daily HGV movements generated by the operations hereby permitted shall be maintained for a period of 2 years and submitted to the Local Planning Authority within 7 days of any written request covering the period specified in the request.

Reason: In the interest of highway safety and for monitoring compliance with other conditions of this permission (Policy GE23 of the MWLP).

Recommended condition 15 reads as follows in the published report;

Except for temporary operations, the free-field Equivalent Continuous Noise Level, LAeq,1hr, due to operations on the site, shall not exceed 50dB LAeq,1hr, when measured at the boundary of any residential dwelling. For temporary operations, such as site preparation, construction, soil and overburden stripping, the free-field noised level due to work at the nearest point to each dwelling shall not exceed 70dBb LAeq, 1hr, when measured at the boundary of any residential dwelling. Temporary operations shall not exceed a total of 8 weeks in any calendar year.

Reason: To minimise nuisance to nearby residents by reason of noise (Policy GE18 of the MWLP).

The applicant considers that the time limit of eight weeks in respect of the higher noise limit for temporary operations may not be sufficient for the initial construction phase of the development. The applicant points out that the possibility of construction works being prolonged by periods of inclement weather needs to be taken into account. It is therefore suggested by the applicant that a limit of 12 weeks could be imposed in relation to the noise limit for temporary operations. On reflection, officers consider that a time restriction on the noise limit for temporary operations is not warranted on amenity grounds.

Recommended condition 15 therefore now reads as follows:

Except for temporary operations, the free-field Equivalent Continuous Noise Level, LAeq,1hr, due to operations on the site, shall not exceed 50dB LAeq,1hr, when measured at the boundary of any residential dwelling. For temporary operations involving site construction, the free-field noise level due to work at the nearest point to each dwelling shall not exceed 70dBb LAeq, 1hr, when measured at the boundary of any residential dwelling. .

Reason: To minimise nuisance to nearby residents by reason of noise (Policy GE18 of the MWLP).

