

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 19/06/2012

Item 6 (Pages 15 - 62) CB/13/00985/FULL – Change of use for the stationing of one residential static caravan and two touring caravans, and parking for two associated vehicles at Paradise Farm, The Causeway, Clophill, MK45 4BA.

Additional Consultation/Publicity Responses

Anglian Water has confirmed that a foul sewer crosses the site and that they would not permit any building within a 6 metre easement (3m either side of the centre line of the sewer). A plan has been provided by Anglian Water showing the location of the sewer.

Comments on the Consultation Response

The plan provided by Anglian Water does not represent the location of the sewer pipe on the ground as it is visible where it crosses the watercourse which does not concur with the plan provided.

It is considered that the sewer is most likely to run from the manhole cover in the access road across the site to where the pipes are visibly crossing the watercourse.

The applicant's agent has been made aware of this issue and has revised the plan to avoid the easement.

Other Comments

In response to concerns regarding the accuracy of the plans the case officer visited the site and measured it. Following this visit the measurements were provided to the applicant's agent and the plan has been amended accordingly.

The front part of the site on which the residential accommodation would be located measures 38.5m in length and 16.8m wide at its widest point and 15.2m at its narrowest point.

The rear part of the site on which the garden would be located measures 25m in length and 15.8m wide.

The static caravan currently on site is 10.3m by 3.6m, with the touring caravan measuring 6m by 2.3m.

It is considered that condition 5 part vii should be revised to specifically require the size of caravans to be shown on the site layout plan.

Although the revised site layout would result in the static caravan being located forward of the existing building line on The Causeway, it is not considered that this would have a significant adverse impact on visual amenity due to the heavy

landscaping along The Causeway which prevents long range views of the site against the housing development. The roof and top part of the static caravan would be visible above the existing boundary fencing however it is not considered that this would have an impact so adverse on the character and appearance of the area, immediately adjacent to the edge of the village, to warrant a refusal of planning permission.

The applicant's agent has advised that the part of the site on which the caravans would be located would be gravelled rather than hard surfaced. The agent also confirmed that the family would use the amenity facilities within the static caravan as they do now.

The panels of the boundary fencing adjacent to the watercourse can be removed to provide access for the IDB by unscrewing the panels.

In order to prevent any potential overlooking with 17 The Causeway adjacent to the site any windows located on the rear of the static caravan facing number 17 will be required by condition to be obscure glazed.

Amended Condition 5

5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) to (vi) below:

- i. within 3 months of the date of this decision a scheme for the means of surface water drainage of the site shall be submitted to and approved by the Local Planning Authority, the approved scheme shall be implemented with 3 months of the date of approval;
- ii. within 3 months of the date of this decision the proposed vehicular access shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 10m 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.
- iii. within 3 months of the date of this decision a scheme for the storage and collection of waste from the site shall be submitted to and approved in writing by the Local Planning Authority, the approved scheme shall be implemented within 3 months of the date of approval;
- iv. within 3 months of the date of this decision a scheme for external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority, the approved scheme shall be implemented within 3 months of the date of approval;
- v. within 3 months of the new access being brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in accordance with a scheme submitted to and approved by the Local Planning Authority, the scheme shall include the details of the closure of the access, boundary treatment and landscaping.

- vi. within 3 months of the date of this decision a landscaping scheme to screen the site, 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 shall be submitted to and approved by the Local Planning Authority, the approved scheme shall be implemented during the first full planting season following the completion of the development. 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.
- vii. within 3 months of the date of this decision a plan showing the layout of the site including the position and size of the caravans shall be submitted to and approved in writing by the Local Planning Authority, the approved scheme shall be implemented within 3 months of the date of approval.

Reason: To ensure an appropriate standard of development.
(CS policy DM3 and DSCB policy 43).

Amended Condition 7

7. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers SLO6, 2013, Draft VIJ & LOC-04.

Reason: For the avoidance of doubt.

Additional Condition

8. Any windows in the static caravan facing 17 The Causeway shall be fitted with obscured glass of a type to substantially restrict vision through it at all times, details of which shall have been previously submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of adjoining properties.
(CS policy DM3 and DSCB policy 43).

Item 7 (Pages 61-74) – CB/13/01378/VOC – Plot 1, Magpie Farm, Hill Lane, Upper Caldecote, Biggleswade, SG18 9DP

Corrections:

'Determining Issue' No. 2 (page 66) should be amended to read Impact on the visual amenities of the area and No. 3 should be deleted.

The Planning History section of the report should be amended to read:

Planning History - relevant

MB/05/01478/FULL Full: Change of use of land for siting of 2 caravans

Refused: 15/02/2006

Appeal allowed: 23/04/2007

MB/09/00027/FULL Wooden building for use as a dayroom

Refused: 05/05/2009

Appeal allowed: 11/06/2010

Informatives:

The following informative would be added to any approval:

The applicant is advised that if it is proposed to retain the existing day room at the site, the scheme for the layout of the site required by condition 4(d) should show it. The layout submitted in response to that condition should not conflict with the siting of the day room, if its retention is proposed.

Item 8 (Pages 77 - 98) CB/13/01223/VOC – Variation of Conditions: 2 & 5 of planning permission CB/10/03217/FULL - Retention of Gypsy caravan site for 7 families with a total of two static caravans and six touring caravans including hardstanding and landscaping. Additional names to be added to Condition 2 and Condition 5 to say 'No more than twelve caravans shall be stationed on the Site at any time, of which ten caravans shall be residential static caravans' at Site A, The Stables, Stanbridge Road, Great Billington, Leighton Buzzard.

The site address should have been recorded as Site A, The Stables. Attached is an amended plan which identifies Site A only rather than the whole of The Stables site.

Additional Consultation/Publicity Responses

Private Sector Housing

It is recommended that the application is refused on the following grounds as the following proposed arrangements will not meet the licensing conditions.

The following proposed static caravans do not appear to be connected any sewage provision, Static 2, Static 4, Static 5, Static 6, Static 7, Static 8, Static 9 and Static 10.

If it is proposed that the new static caravans will be connected to the existing cesspit the service will require sufficient evidence to demonstrate that the cesspit has sufficient capacity.

The following static caravans do not have the minimum requirement of a 6 metre separation distance between them, 5 and 6 and 8 and 9.

The site will also need to comply with the other licensing requirements and one of these requirements is to have a safe electrical wiring installation that this has been installed by a competent person and certificated, as well. At present the current wiring installation has no certificate issued and I have concerns over the safety of the installation.

Comments on the Consultation Response

The applicant's agent has provided an amended site layout which demonstrates that spacing between the caravans can be achieved and that all static caravans would be connected to the sewage system. This plan has been reviewed by the Private Sector Housing Officer who is satisfied with the spacing and sewage connections.

Details of the existing cess pit have also been provided and proposals for future improvements to the foul sewage system submitted as follows.

The existing cess pit has a capacity of 90,000 litres and is emptied under contract every 3 months. The existing tank has been sufficient to date but it is proposed that a similar sized "overflow" tank is installed in August in order to deal with the increased demand from the additional occupants. The existing 3 month emptying contract will be reviewed periodically.

Condition 8 requires the details of the drainage as shown on the plan submitted in connection with the 2010 application. It is recommended that the condition be amended to include reference to the sewerage statement submitted on 13 June 2013.

The site layout plan submitted is considered appropriate for the purposes of determining this application and as to whether the proposal would meet licensing requirements; it is therefore considered that condition 12 should be amended to require the layout to be set out as shown on the approved plan.

Amended Condition 8

8. Within three months of the date of this consent the applicant shall submit for the consideration of, and written approval by, the Local Planning Authority a timetable for the completion of all the details identified in plan reference RM08/034.1J submitted to the Local Planning Authority on 3 September 2010 and the sewage statement submitted on 13 June 2013 including, but not exclusively relating to, means of enclosure, surfacing, amenity facilities and drainage of the site. The said works shall be completed in accordance with the timetable agreed 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, and an appeal is made to, and accepted as validly made by the Secretary of State, the works shall be completed within such timetable as may be approved by the Secretary of State.

Reason: In order to ensure that 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 Policy BE8 of the South Bedfordshire Local Plan Review and policy 43 of the Development Strategy in Central Bedfordshire and having particular regard to the location of the site in the Green Belt and the

provisions of the National Planning Policy Framework and Planning Policy for Traveller Sites.

Amended Condition 12

12. The site shall be laid out in accordance with the site plan reference RM 08/034.10A received on 10th June 2013.

Reason: In order to ensure that the development does not have a detrimental impact upon the surrounding area and that the development has no adverse effect upon general or residential amenity in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and policy 43 of the Development Strategy in Central Bedfordshire and having particular regard to the location of the site in the Green Belt and the provisions of the National Planning Policy Framework and Planning Policy for Traveller Sites.

Item 10 (Page 111-120) – CB/13/1040/FULL – Barretts Yard, Crawley Road, Cranfield

Additional Consultation/Publicity Responses

Petition with 16 signatures from resident's raising the following issues:

- noise nuisance as the building is made from corrugated metal and not insulated and from assembling the motorcycles/mopeds limited access/increased traffic;
- Opening hours 7 days a week and bank holidays;
- No servicing to be carried out on site yet the applicant is providing a service area.

Following their recent meeting the Parish Council has resubmitted their objection but omitted no.3 objection - hours of use (following clarification on the restriction to the hours of operation):

'Comments already submitted: This council objects to the application on the following grounds: 1] The building is a bare metal frame without insulation - this will cause a noise nuisance. 2] There are concerns about the validity of the transport statement. 3] It is a proposed 7 day operation, including bank hols. 4] The building is in the midst of residential housing, therefore unsuitable for the proposed use. If officers are minded to approve, this Council requests that a site visit is made, and that the application is brought before the Development Control Committee. Further, the usage should be defined - there are many contradictory statements within the application. It is noted that the operating hours have now been changed, therefore, the objection numbered 3 above is withdrawn'.

Comments

The petition and comments from the Parish Council raise no new issues.

The proposed B1(c) use is one which by definition is acceptable in residential areas and the concerns regarding the insulation of the building and the uses suitability close to residential areas is not therefore a relevant issue.

The business would only operate Monday to Friday 8:00 to 18:00 hours and at no other time.

There is a strong case to be made that the proposed B8 & B1(c) use is the lawful use of the site. The concerns regarding the validity of the Transport Statement are not therefore relevant.

The conditions to restrict the hours of use, the noise condition and personal permission to Grafton Motorcycles have all been offered by the applicant. Given that the proposed use is likely to be the lawful use it would be unreasonable for the Council to impose these conditions on the applicant if they were not willing to accept them.

Item 11 (Pages 121-138) – CB/13/01208/FULL – Land at New Road, Clifton, Shefford

Additional Comments:

Clifton parish Council has requested that its consultation response be presented in full and it has been sent to Members of the Committee in advance of the Committee meeting.

The planning agent acting on behalf of No 28 and 28a New Road has written, commenting as follows:

There are six Lombardy Poplar Trees located on the boundary between the site and No 28 New Road that are not shown on the submitted plans.

These trees pose a constraint to the development.

Plot 1 is a particular concern and there should be at least 10m between it and the trees.

The trees should be considered with reference to their impact on the health and safety of future occupiers.

Revisions are required to Plots 1-3.

The design is poor and planning permission should be refused.

The Council's Tree and Landscape Officer has made the following comments in response:

It would appear that the root protection areas of some of these offsite Lombardy Poplars are likely to be within the footprint of parts of Plots 1 and 2 and that for whatever reason they were not indicated on the tree survey supplied.

Looking at the plans for the site and taking measurements of the one Poplar indicated and its proximity to plot 1 it would appear that the south side of the house will be within approx 6 metres of the tree NT5. This is not an ideal situation and it is

possible that issues regarding this tree may occur in the future between owners of Plot 1 and owners of the tree. Issues may include leaf fall, light issues, root encroachment into gardens resulting in high uptake of water and associated inability to promote new planting (shrubs flowers etc) and the imposing feel of large trees close to properties. Nonetheless the trees are not protected by Preservation Order and any problems regarding maintenance issues would be between the two parties.

The land to be developed would appear to have a history of use as agricultural land and as such is likely to have had regular disturbance with annual ploughing to a depth of up to approx 50cm. this would mean that on an annual basis all roots within this depth would be severed or damaged and as such it is possible that root distribution and structure may well be different within the agricultural land as opposed to the undisturbed garden land. What form it would take is not obvious without further investigation but could have resulted in more extensive fibrous root growth as opposed to extensive surface rooting and further root development within the boundary of the field and garden plot of 28.

As mentioned earlier having these trees as close to the buildings as indicated is far from ideal but does not make it unfeasible to construct foundations and carry out construction works theoretically without causing damage to the trees. There are many buildings constructed close to trees throughout the country on a regular basis.

I would suggest a condition requiring :

(a) An updated tree survey plan accurately showing the Lombardy Poplars along the north boundary of 28 New Road Clifton, their accurate distance from adjacent proposed buildings and root protection distances.

(b) An arboricultural impact assessment regarding the potential effect of the proposed development on these trees.

(c) An arboricultural method statement detailing how this development can be carried out without causing either short term or long term damage to the trees. This will include full details ground protection and tree protection fencing.

(d) Details of proposed foundations that will be used where the building footprint encroaches into the root protection areas of the trees identified.

One additional consultation response has been received, that raised the following points:

- There is a need for new housing.
- Access to the site from New Road would cause frustration.
- The design of the development would be poor.
- Not enough consultation was carried out with local people.
- More Lifetime Homes should be provided and affordable housing should meet the needs of local elderly and young people.

Corrections:

The 'Relevant Policies' section of the report should read:

National Policy

National Planning Policy Framework (2012)

Local Policy

Central Bedfordshire Core Strategy and Development Management Policies (2009)

CS2	Developer Contributions
CS3	Healthy and Sustainable Communities
CS4	Linking Communities – Accessibility and Transport
CS5	Providing Homes
CS7	Affordable Housing
CS9	Providing Jobs
CS13	Climate Change
CS14	High Quality Development
CS17	Green Infrastructure
DM1	Renewable Energy
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM9	Providing a Range of Transport
DM10	Housing Mix
DM14	Landscape and Woodland
DM15	Biodiversity
DM17	Accessible Green spaces

Site Allocations (North) Development Plan Document (2011)

Planning Obligations Supplementary Planning Document (2009)

Design in Central Bedfordshire (a guide for development) (2010)

Appendix F (Parking Strategy) Central Bedfordshire Transport Plan (2012)

Additional conditions:

15/ Notwithstanding the submitted plans and drawings, no development shall commence at the site before the following have been submitted to and approved in writing by the Local Planning Authority:

an updated Tree Survey accurately displaying trees near to the boundaries of the site (including the Lombardy Poplars along the boundary between the site and No 28 New Road), their accurate distance from proposed buildings and root protection distances.

An Arboricultural Impact Assessment setting out the effect of the development on the trees near to the boundary with the site.

An arboricultural Method Statement detailing proposed measures to prevent short or long term damage to the trees near to the boundary with the site. These will include full details ground protection and tree protection fencing.

Details of the foundations that would be used where a building footprint encroaches in to a root protection area of an identified tree.

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

Reason: To ensure that trees near to the site are not harmed by the development.

16/ Notwithstanding the details shown for indicative purposes on the plans submitted in support of the application, no development shall commence at the site before a scheme indicating the following measures has been submitted to and approved by the Local Planning Authority.

- Speed reduction measures along New Road
- Measures to control on-street parking along New Road and surrounding junctions.
- Provision of parking bays within the New Road frontage of the site but clear of the existing carriageway.
- Provision of a varying width footway along the west side of New Road to form a continuous pedestrian link from the site to the junction of New Road with Shefford Road.

No dwelling shall be occupied until such time as the approved works have been implemented unless otherwise agreed by the Local Planning Authority.

Reason: To safeguard against any detrimental impact the development may have on existing vehicle movement and parking along New Road and to provide a safe route for pedestrians.

17/ Notwithstanding the details shown on the submitted plan Harbrook Lane shall be improved to provide a safe and convenient link for pedestrians and cyclists between the site and Shefford Road. Details of surfacing, drainage and lighting shall be submitted to and approved by the Local Planning Authority prior to commencement of development and no dwelling shall be occupied until such time as the approved works have been implemented or unless otherwise agreed by the Local Planning Authority.

Before first occupation of the approved development, all access and junction arrangement serving the development shall be completed in accordance with the approved in principle plans and constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction.

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

18/ No part of the development shall begin until visibility splays have been provided on both sides of the access between a point 2.4metres along the centre line of the access measured from the edge of carriageway and a point 43.0metres along the edge of carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

19/ Development shall not begin until the detailed plans and sections of the proposed roads, including gradients and method of surface water disposal have been approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.

Reason: To ensure that the proposed roadworks are constructed to an adequate standard.

20/ Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

21/ No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadwork's necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

22/ Before development begins, a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and * short stay spaces per unit, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

23/ Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.

24/ Development shall not commence until a scheme detailing provision for on site parking for construction workers and deliveries 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.

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

25/ Notwithstanding the submitted details, no development shall commence at the site before a revised parking schedule is submitted to and approved in writing by the

Local Planning Authority that shows the removal of the visitor parking space adjacent to No 39a Shefford Road.

Reason: To ensure that the development does not cause disruption to occupiers at that house.

26/ Notwithstanding the submitted plans and drawings, no development shall commence at the site before revised floor plans and elevations for Plot 9a (House Type ABE1) that show no dormer windows in the rear facing roof slope 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 protect living conditions at No 28a New Road.

The following notes to applicant would be added to any planning permission:

1/ The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements and any Traffic regulation Orders. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

2/ All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide to Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.

3/ The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

4/ The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

5/ The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

6/ 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 Ampthill Road, Bedford MK42 9BD.

Drawing numbers:

Drawing numbers should be amended to read: 01 (Site Location Plan), 1 of 1 (Topographical Survey), JBA 13-53-02 rev A, JBA 13/53-01 rev B, JBA 13/53-03 rev A, 479/03 C, 479/04 B, HT-01 - 00, HT-02 – 01, HT-03-00, HT-04 – 01, HT-06 – 00, HT-07 – 01, HT-07/A – 00, HT-07/B – 00, HT-07/C – 00, HT-08 – 00, HT-09 – 01, HT-10 – 00, HT-11 – 00, HT-12 – 01, HT-13 – 01, HT-14 – 00, HT-15 – 01, HT-16 – 01, HT-17 – 01, HT-18 – 00, HT-19 - 00, HT-20 - 00, HT-21 – 00, HT-22 – 01, HT-23 – 00, HT-24 – 01, HT-25 – 00, HT-26 – 00, Foul and Surface Water Strategy, Tree Survey, Arboricultural Implications Assessment Report and Arboricultural Method Statement, Flood Risk Assessment, Phase II Geo-Environmental Assessment Report, Archaeological Geophysical Survey of Land at Harbrook Lane, Clifton, Bedfordshire, Archaeological Desk Based Assessment, Archaeological Field Evaluation, Draft Heads of Terms, Energy Statement, Planning Statement (including Affordable Housing Statement), Preliminary Contamination Assessment Report, Statement of Community Involvement, Energy and Sustainability Report, Design and Access Statement, Measured Works Schedule Softworks only, Residential Travel Plan, Transport Assessment and Ecological Survey.

Item 12 (Pages 139-162) – CB/13/00921/OUT – Land on the East side of Biggleswade Road, Potton

Conditions:

The following additional condition would be added to any planning permission:

34/ No development shall take place on a phase that includes residential units before a timetable for the provision of amenity space (including play space) at the site has been submitted and approved in writing by the Local Planning Authority. The space shall be made available for use in accordance with the approved timetable.

Reason: To ensure that provision is made for future occupiers of the site.

Condition 15 would be amended to read

15/ No development shall commence at the site before a full & detailed scheme for the provision and implementation of foul drainage and pollution control has been submitted and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans in order to ensure a satisfactory method of foul drainage and pollution control.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these. To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and the Potton Brook) in line with National Planning Policy Framework (NPPF; paragraphs 109, 121), EU Water Framework Directive, Anglian River Basin

Management Plan and Environment Agency Groundwater Protection (GP3:2012) position statements G1 to G13, N7 and N10. The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration Sustainable Drainage Systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins.

Condition 20 would be amended to read:

20/ No residential development shall take place where the provision of a residential unit or its curtilage (including the garden) is situated within the 1.5 ouEe/m³ contour plot as indicated on Drawing Number 11.7082SK10 dated February 2013 unless otherwise agreed beforehand in writing by the Local Planning Authority.

Reason: To protect living conditions for future occupiers.

Additional representations:

The Potton Hall for All Committee has submitted to following information for consideration:

Land East of Biggleswade Road, Potton: Potton Hall For All

Central Bedfordshire Council's Site Allocations Policy for this development land includes a requirement for a Community Hall, which correspondingly appears in the draft Development Brief dated June 2012. This is likely to represent the only opportunity to build a new Community Hall in Potton for many years.

Feasibility Study

For at least 10 years there has been an aspiration in Potton for a new multi purpose Community Hall . Land availability prevented it being realised until the opportunity arose within the development land east of Biggleswade Road.

The Potton Hall for All Committee commissioned a feasibility study which was carried out by Bedfordshire Rural Communities Charity. In summary the study concluded that the hall can be built if funding is forthcoming that in time such a Hall could be operationally self funding

Overview and Scrutiny Committee

At their meeting on 26 September 2012 the Minutes record 'That the Development Brief be adopted as technical guidance for development management purposes subject to the following:- that Executive be aware of the level of support for delivering a new community hall as part of the development brief that is fit for purpose and meets modern day requirements for a range of different uses. The Executive should consider the benefit this facility could provide to the community and make every effort to support its delivery within this plan period.'

Executive Committee

At their meeting on 2 October 2012, the Executive resolved to adopt the Development Brief and resolved 'That the development brief for land at Biggleswade Road, Potton be adopted as technical guidance for development management purposes.'

Potton Town Council

Potton Town Council have written to express their support and asked for the Hall to be prioritised within the allocation of S106 funding.

CBC Leisure Strategy Objectives

The Council's Leisure Strategy identifies a significant demand for gym facilities to compliment existing over-subscribed provision at Saxon Centre, Biggleswade and Sandy Upper School. The Hall has the potential to accommodate other indoor sports where local under-provision has been identified in the Leisure Strategy

The public open space (accessed from network of public paths) will provide the only informal open space in Potton, comprising (subject to further consultation) a picnic area, wildlife / nature reserve for learning and play.

Funding and S106 contribution

The Steering Group and Hall committee recognise that the developers will expect to make a contribution in the order of £800,000 through their S106 agreements. However, without a significant contribution in cash terms, in the order of £700k in total, the Hall may not be achievable. The expectation is that S106 contributions for a range of non essential services could be pooled to support the Hall for All facility.

The Hall committee have begun work on a funding plan and have the resources and experience to attract funding across the spectrum, in addition to the S106. The committee and user groups have begun actively fundraising locally.

However, in the current economic climate, with limited match funding a substantial contribution from S106 is needed, to be able to draw down other funds. Our architect has revised his floor plans to take onboard feedback from user groups enabling us to be confident about the operating costs. These, along with the results of market research and study visits to other halls, has informed the fundraising plan and business plan.

Finances – Initial headline projection

	Expenditure	Income
Cost of building	1500k	
S106 from site 1		£700k
S106 from site 2 (delayed)		£200k
S106 from other sites completed but unspent		£50k
S106 from future sites (over 5 years)		£50k
Contribution from major donors / corporate		£50k
Major grant award schemes eg Lottery funding		£100k
Charitable trusts and foundations		£200k
Local community fundraising and sponsorship		£100k
In-kind funding (services or goods)		£50k
Total	£1500k	£1500k

Evidence of Local Need and Mandate

The specific nature of this site is defined by the community requirement for a large hall. That need is demonstrated by:

- The combined developments will increase the population of Potton by 10%, compounding the existing need for a large hall in Potton
- The site specific issue for this development is the existing under-provision of community facilities

- Potton Town Plan consultation which evidenced community support and market viability, with very high participation (50% households)
- Ongoing public consultation with user groups suggests a high demand for a large purpose built facility. In spring 2012, residents responded to a household survey 6:1 in support. Awareness has grown through promotion at 6 public events and the ratio is now 10:1 in support
- CBC's Local Development Framework which identified this site for development because of its ability (with the adjacent smaller site) to bring forward a Hall
- The developer's 'Development Brief' for the site incorporates a Hall which accords with the aspirations of the Steering Group
- Strategic Planners indicated to the Steering Group that (in addition to the site) a 106 allocation in the region of £700k for this site and £200k for the smaller site which is likely to be developed at a later phase would be realistic
- The detailed business case for the Hall is underway that incorporates and benefits from the findings of CBC's Leisure Strategy
- The Hall committee have appointed and are paying Civic architects to lead on the design of the building (Civic recently won the Environmental Excellence Award at the Architect of the Year 2012 for the nearby Gamlingay Eco Hub community building)

Item 13 (Pages 163-180) – CB/12/01722/RM – Land at 59 and 69 The Green, Stotfold

Drawing numbers:

Drawing numbers should read: P860.120; P860/123 C; P860.110 A; P860.105; P860.108; P860.122; P860.112 A; P860.119; P860.118; P860.113; P860.117; P860.111; P860.101; P860.109; P860.104; P860.115; P860.107; P860.114; P860.116; P860.121; P860.103 A; P860.102 A; P860.106; 0110 A; P860/100 K; JBA 11/273 402 C; JBA 11/273-403 G; Measured Works Schedule, Detailed Soft Layout Proposals, James Blake Associates; Arboricultural Implications Assessment and Arboricultural Method Statement Combined, January 2012.

Corrections:

The first line of page 175 should read '...approval that the width of the garages must comply with the Council's standards.'

Item 14 (Page 181-188) – CB/13/03287/FULL – 6 Shaftesbury Drive, Stotfold, Hitchin

The relevant Parish Council is now Fairfield.

Additional Consultation/Publicity Responses

Objection received from Fairfield Parish Council:

- "The retrospective application is considered overdevelopment of the site, it would set a precedent for neighbouring properties, and is against the design aspiration of the Fairfield site. The garage must remain as an annexe to the main building, and being a retrospective application, if the current occupier of the garage building is a non family member it should be returned to its original purpose".

Officer Comments

The matters raised by the Parish Council raise the same issues as made by Stotfold Town Council. Those points were addressed in the officer report with the recommended approval being subject to the accommodation only being occupied whilst under the ownership and management of the owner of the main house, to avoid issues of parking and amenity.

Item 15 (Page 189-206) – CB/13/01292/FULL – Oak Tree farm, Potton Road, Biggleswade

Further Drainage details have been provided by the applicant.

Additional Consultation/Publicity Responses

Environment Agency – The additional information received is sufficient to remove the need for a foul and surface water condition.

Amended conditions

Condition 5 – Prior to occupation of the main school building, all on site vehicular areas shall be surfaced in a stable and durable manner, with foul and surface water disposal, in accordance with details set out on drawing SK02 received 4 June 2013.

Reason: To ensure adequate parking provision, avoid the carriage of mud or other extraneous material or surface water from the site and to reduce the risk of flooding and contamination.

Condition 6 - Prior to first occupation of the main school building, details of bus stops on Biggleswade Road together with associated waiting areas and facilities for passengers served by a 2.0m wide footway linking the school development to the bus stops shall have been submitted to and approved by the Local Planning Authority. Occupation of the school shall not take place until the approved scheme, or phase thereof, has been implemented in accordance with a timescale to be agreed.

Reason: To ensure the provision of appropriate facilities to encourage use of sustainable modes of transport.

Item 16 (Page 207-216) – CB/12/1590/FULL – Land to r/o 24-68 Byford Way and 27-31 Garland Way, Billington Park, Leighton Buzzard

Additional Comments

Informal discussions have taken place with the Ministry of Defence with regard to the handing over of the hedgerow, the MOD have confirmed that they have no objection and negotiations will take place as part of the forthcoming application for the last development phase of approximately 200 dwellings.

Item 17 (Pages 217 - 250) – CB/13/01276/REG3 – Demolition of all existing buildings on the site and redevelopment for the construction of 83 Extra Care flats for Older Persons with communal areas, support facilities and retail unit. – Dukeminster Estate (South West corner), Church Street, Dunstable.

Please note that this is a Regulation 3 Application (development which the Council intends to implement). Also, note that the Planning Application Number on Page 5 should be amended as above.

Item 18 (Pages 251 – 276) – CB/13/01368/OUT – The demolition of all buildings on the site and redevelopment for up to 170 residential dwellings together with improvements to the existing access road, associated vehicular parking and landscaped areas.

Further History decision:

CB/13/01762/DEM – Since the submission of the main application a determination has been made that details of demolition of the 3 remaining blocks (other than the Plumb Centre, which has already been subject of a previous determination) are required and have been approved.

Additional consultation response:

<p>Waste (23/5/13, 6/6/13)</p>	<p>Each dwelling should have room for 3 x 240lt bins. More details needed of how waste bins would be kept away from the front of properties and not need to be taken through dwellings for collection. Communal collection points would be required. Details of provision for flats would need agreement. Financial contributions would be sought for provision of bins and recycling banks. A bring site would be useful.</p>
<p>Highways Officer (17/6/13)</p>	<p>Proposes a condition to obtain a footway/cycleway to The Mall which could be used as an emergency access.</p>
<p>Police ALO (17/6/13)</p>	<p>No objection in principle but object to the indicated proposal on account of the avoidably high levels of victimisation which can reasonably be anticipated. Quotes the Bedfordshire Community Safety Supplementary Planning Guide (SPG) 2005 which states “It is usually desirable to avoid through-routes in new housing areas”, and “where through routes are unavoidable, they should be kept to a minimum”. The proposed layout is diametrically opposed to the SPG and no compromise has been made. The ACPO Secured by Design scheme requirements recognise that through routes will be included, but security should not be compromised by excessive permeability such as permitting access to the sides and rear of properties or too many unsegregated footpaths.</p>

Additional comments:

Further to the Waste comment above, the condition to require a bring site will be re-imposed.

Following review with the applicants a minor amendment is made to condition 19 to enable them to discuss the need for the validation demonstration depending on circumstances at the time.

A condition relating to LED streetlighting would be attached to any Reserved Matter Approval.

The new highway condition reflects the earlier 'permission' and ensures a good level of linkage with the main shopping and entertainment area. This is a major contributor towards sustainable travel, avoiding the necessity of driving to the town centre, and in the officers' view is not inconsistent with the Police response. Although the indicative layout would be excluded from any permission hereby granted, it is disappointing that the Police conclude that the layout is criminogenic mainly because more culs-de-sac have not been provided; it should be noted that only 3 points of pedestrian access (and one for motor vehicles) to an estate of 170 dwellings would be provided.

Amended / Additional conditions:

19. (3rd sentence to commence) "...Unless otherwise agreed in writing by the Local Planning Authority the effectiveness of the scheme...".

24. (Text of condition) "No more than 49 dwellings shall be occupied unless and until a 3.0m wide footway/cycleway with 0.15m clearance either side has been constructed between the new highway to the development and the existing carriageway of the Mall in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The said footway/cycleway shall also double as an emergency vehicular access for the development. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed access.

REASON: In the interests of sustainability and to ensure free movement of traffic.

(Policies: 24, 43 DS)

New condition 25 (renumber agenda condition 25 as 26).

The detailed layout to be submitted shall include the provision of a 'Bring site'.

REASON: To provide a satisfactory scale of recycling opportunities within the development.

(Policy:)

Item 19 (Page 277-282) – CB/13/1838/FULL – 1 Carlisle Close, Dunstable, LU6 3PH**Consultation response**

12/06/13 - Dunstable Town Council – No objections