

## PLANNING COMMITTEE

### Minutes of a meeting of the Planning Committee held at Dunstable Community Fire Station, Brewers Hill Road, Dunstable, on Wednesday, 11 March 2009

**Present:**

**Councillors:**

Berry (Vice Chairman)  
Mrs Coleman  
Forde  
M Freeman  
Mrs Gammons  
Mrs Hills  
Janes

**Councillors:**

Kane  
Mrs Morgan  
Nicols  
Northwood  
Shadbolt (Chairman)  
Mrs Wyles  
Young

**Others in attendance:** Councillor Mrs Mustoe  
Councillor Bowater (Leighton-Linslade Town Council)  
Councillor Mrs Fairbairn (Dunstable Town Council)

**Officers attending:** Mr Barnett, Mr Bunu, Ms Claxton, Mr Emerton, Mr Hale and Mr Manning

#### 161. CHAIRMAN'S ANNOUNCEMENTS

The Chairman introduced the Committee's procedures and provided fire safety information for the benefit of those members of the public in attendance. As this was the last scheduled meeting of the Committee before Central Bedfordshire's vesting day on 1 April he also took the opportunity to thank members for their efforts, contribution and support in the Committee's work. The Chairman also thanked the officers for their support and praised their high standards of professionalism.

#### 162. MINUTES

**RESOLVED** to approve the minutes of the meeting held on 18 February 2009 as a correct record and to authorise the Chairman to sign them.

#### 163. SPECIFIC DECLARATIONS OF INTEREST

None.

(Note: a) All members of the Committee received information relating to Application SB/TP/09/0077 (Conway, Oldhill Wood, Studham, Dunstable, LU6 2NE)).

(Note: b) Councillor Nicols informed the meeting that, in connection with Application SB/TP/09/0022 (4 Grange Gardens, Toddington, Dunstable, LU5 6DH) he had responded to a letter received from an objector to the application. Councillor Nicols added that he had subsequently consulted the Principal Solicitor who had advised him that his actions did not prevent him from taking a full part in the meeting).

#### **164. PLANNING APPLICATIONS - REFUSALS**

**RESOLVED** to refuse the planning applications listed in Appendix A for the reasons given.

(Note: With regard to Application SB/TP/09/0072 (219 High Street South, Dunstable, LU6 3HY) the Chairman left the meeting room immediately before the application was considered. He took no part in the subsequent discussion or decision. In the Chairman's absence the Vice Chairman took the Chair for this item only).

#### **165. PLANNING APPLICATIONS - PERMISSIONS**

**RESOLVED** to grant the planning permissions listed in Appendix B, permission, approval or consent being subject to the conditions or other requirements or matters indicated, and to authorise the Head of Development Control to issue a grant of permission in respect of those applications noted as being delegated to him.

(Note: In respect of Application SB/TP/08/1163 (60 Milton Way, Houghton Regis, Dunstable, LU5 5UE) Councillor Nicols requested that his abstention be recorded).

#### **166. 143 VANDYKE ROAD, LEIGHTON BUZZARD, LU7 3HQ AND LAND REAR OF 145 VANDYKE ROAD, LEIGHTON BUZZARD, LU7 3HQ**

Members received a report which sought authority to issue the grant of planning permission in relation to Application SB/TP/06/0450 without the completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990, as amended. The meeting noted that the Legal Agreement had been required under the Planning Committee's resolution passed on 5 July 2006.

**RESOLVED** that the Head of Development Control be authorised to issue the grant of Planning Permission in respect of Application SB/TP/06/0450 (Relaxation of Condition 7 of outline planning permission SB/OUT/04/0299 and reserved matters approval SB/ARM/06/0588 to allow all windows to be side hung, clear glazed in the south west elevation facing St George's Court (except stairwells) and at first and second floor in the north east elevation facing 145 Vandyke Road (except stairwells and secondary windows serving Bedroom No's 36 and 61) in connection with the erection of a 60 bedroom care home) without a Legal Agreement under Section 106 of the Town & Country Planning Act 1990 linking the application to the implementation of planning permission SB/TP/06/0446 (Change of use of part of private garden to amenity area for adjoining residential care home at land rear of 145 Vandyke Road, LU7 3HQ).

#### **167. PLANNING ENFORCEMENT TEAM**

Members received a report which advised of the cases and workload within the Planning Enforcement Team over the past year.

**NOTED** the report.

**168. SITE VISIT AND CONSULTATIVE GROUP – SITE VISITS**

**NOTED** that there had been no site visits by the Site Visit and Consultative Group since the last meeting of the Planning Committee on 18 February 2009.

**169. SITE VISIT AND CONSULTATIVE GROUP – DELEGATED DECISIONS**

**NOTED** the report on delegated decisions made by the Site Visit and Consultative Group at its meeting on 9 March 2009.

**170. TREE PRESERVATION ORDERS**

**NOTED** that, since the last meeting of the Planning Committee on 18 February 2009, Tree Preservation Orders had been placed on trees at:

- Land at Leighton Buzzard Railway Station, Station Approach, Station Road, Leighton Buzzard – TPO Number 1/2009
- Land along the western boundary of Linslade Recreation Ground, Waterloo Road, Leighton Buzzard – TPO Number 2/2009
- Land between No. 80 and No. 100 Common Road, Kensworth – TPO Number 3/2009.

**171. PLANNING SUB COMMITTEE RESPONSIBLE FOR TREE PRESERVATION ORDERS**

**NOTED** that there had been no meetings of the Planning Sub Committee Responsible for Tree Preservation Orders since the last meeting of the Planning Committee on 18 February 2009.

**172. MEMBERSHIP OF GROUP AND SUB-COMMITTEE**

**NOTED** that no changes were necessary to the membership of the Site Visit and Consultative Group or the Planning Sub Committee Responsible for Tree Preservation Orders.

CHAIRMAN

NOTE the abbreviations, which are used in the attached reports:

In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (R.S.S), Bedfordshire Structure Plan 2011 (B.S.P) and the South Bedfordshire Local Plan Review (S.B.L.P.R).

Schedule Type: **A** Item Number: **01**

Application No: **SB/TP/09/0077** Start Date: **09/02/2009** Expiry Date: **06/04/2009**

Applicant: **Mr Brewer**

Agent: **Briffa Phillips Architects**

Location **Conway, Oldhill Wood, Studham, Dunstable, LU6 2NE**

Proposal **Erection of replacement dwelling (Revised application SB/TP/08/0901).**

Ward: **Kensworth/Totternhoe/Studham/Whipsnade**

Ward Councillors: **Cllr Mrs M Mustoe & Cllr Ms C Wyles**

Parish: **Whipsnade**

Application Type: **Planning Application** Case Officer: **Simon Barnett**

**RESOLVED that Planning Permission be REFUSED for the following:**

### **REASONS**

1. R17 The proposed replacement dwelling would by virtue of its size, bulk and massing be both materially larger than, and more intrusive in the landscape than the existing dwelling to the detriment of the openness of the Green Belt. The proposed scheme is therefore considered to be inappropriate development within the Green Belt and no very special circumstances have been justified in support of the proposal. The proposed scheme is therefore contrary to the advice contained within Planning Policy Guidance Note 2: 'Green Belts' and contrary to the provision of Policy H14 of the South Bedfordshire Local Plan Review.
2. R38 The proposed development would result in an overly intrusive and urbanising feature within the semi-rural street scene and which makes a significant contribution towards the designated Oldhill Wood Area of Special Character. It would result in a more urbanised form of built development within the street scene, harmful to its character and that of the locality. The proposal is therefore contrary to Policies BE8 and BE6 of the South Bedfordshire Local Plan Review.

Schedule Type: **B** Item Number: **05**

Application No: **SB/TP/09/0072** Start Date: **04/02/2009** Expiry Date: **01/04/2009**

Planning Committee – 11 March 2009

Applicant: **Mr W Reddan**

Agent: **PCA Design**

Location **219 High Street South, Dunstable, LU6 3HY**

Proposal **Conversion of dwelling to create seven studio flats.**

Ward: **Dunstable - Manshead**

Ward Councillors: **Cllr A Fairbairn & Cllr P Freeman**

Parish: **Dunstable**

Application Type: **Planning Application**

Case Officer: **Abel Bunu**

**RESOLVED that Planning Permission be REFUSED for the following:**

### **REASONS**

Having regard to the lack of information submitted with the application, including off-site parking and travel survey details, it is considered that the proposal makes inadequate provision for off-street parking spaces and is likely to lead to an increase in on-street parking in a locality where it has not been demonstrated that there is sufficient, reasonably available capacity, so resulting in inconvenience and additional hazards to highway users of the nearby roads. The proposal is therefore contrary to Government advice contained in Planning Policy Guidance 13, 'Transport' and Policy T10 of the South Bedfordshire Local Plan Review.

Schedule Type: **B** Item Number: **01**

Application No: **SB/TP/09/0004** Start Date: **16/01/2009** Expiry Date: **17/04/2009**

Applicant: **Tesco Stores Ltd c/o DPP LLP**

Agent: **DPP LLP**

Location **Tesco Stores Ltd, Skimpot Road, Dunstable, LU5 4JU**

Proposal **Extension to existing foodstore, addition of store lobby, relocation of ATM, installation of cycle parking facilities, revised bulk store/service yard layout, revised elevations, alterations to car park/bus layby and other associated works.(Revised application SB/TP/07/0060)**

Ward: **Dunstable - Icknield**

Ward Councillors: **Councillors D McVicar, J Kane & N Warren**

Parish: **Dunstable**

Application Type: **Planning Application**

Case Officer: **Gill Claxton**

**RESOLVED that Planning Permission be GRANTED subject to the submission of no adverse consultation response from Beds County Council Highways and subject to prior Agreement under Section 106 Town & Country Planning Act 1990 in relation to the restriction on the net retail sales area of the store (up to 5,869sq.m); the durable, comparison goods sold and the amount of floorspace devoted to these items (not more than 30% of net retail area to be devoted to the defined range of comparison goods); removal of the partial mezzanine floor; ensuring that the replacement Peter Newton Sports pavilion is provided either prior to the removal of the existing building or prior to the first use of the store extension cross referencing to the extant permission for the pavilion granted under reference SB/TP/08/0291; the securing a temporary facility or other interim arrangements and maintenance of parking provision for the Newton Recreation Ground pending construction; completion of the new pavilion; provisions for car parking sharing between the store and replacement pavilion; and financial contributions to bus information facilities/bus shelter on Dunstable Road and off-site highway works as appropriate; a Deed of Variation to the Section 52 Agreement for the store enabling the use of a specified area for non-public open space use; and subject to the following:**

#### **CONDITIONS**

1. A3A 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. B1 Before development begins, a landscaping scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the District Planning Authority. The approved scheme

immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.

REASON: To ensure a satisfactory standard of landscaping.

(Policy BE8, S.B.L.P.R).

3. U Prior to the commencement of the development hereby permitted full details of the landscaping to be retained shall be submitted to agreed in writing by the District Planning Authority. In this condition “retained landscaping” means an existing tree, shrub or grassed area which is to be retained in accordance with approved plan and particulars; and paragraphs (a) (b) and (c) below shall have effect until the expiration of 5 years from the last date of the occupation of the buildings for their permitted uses.

(a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the District Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work);

(b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and the tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the District Planning Authority;

(c) if any retained shrub is removed, uprooted or destroyed or dies, another shrub shall be planted at the same place and the shrub shall be of such size and species, and shall be planted at such time as may be specified in writing by the District Planning Authority;

(d) the erection of fencing for the protection of any retained tree or shrub shall be undertaken in accordance with the recommendations set out in BS 5837 (1991) and the approved plans and particulars before demolition or any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the District Planning Authority.

REASON: To comply with Section 197 of the Town and Country Planning Act 1990 and to safeguard the existing trees and landscaping on the site.

(Policy BE8, S.B.L.P.R).

4. Notwithstanding any details submitted with the application, the



to Skimpot Road, shall be constructed using a 'no-dig' pathway based on a three-dimensional cellular confinement system. All existing planting in the vicinity of the new pathway shall be protected from construction access, plant and material storage with barriers in accordance with details to be submitted to and approved in writing by the District Planning Authority. These barriers, as approved, shall be erected at the edge of the new path between the construction work and new planting before construction of the pathway begins and shall remain in situ throughout the pathway construction process.

REASON: In order to safeguard significant landscape features.

5. Before development commences, details of ground protection measures to protect the soil structure and planting of the adjacent shrub bed, in the vicinity of the new retaining wall for the recycling facility shall be submitted to and agreed in writing with the District Planning Authority. The ground protection measures as may be approved shall be in place before work on the construction of the retaining wall commences and shall remain for the duration of the construction of the retaining wall and recycling facility.

REASON: In order to safeguard significant landscape features.

6. E8 Before development begins, samples of the materials to be used for the external walls, roofs and external finishes of all new buildings shall be submitted to and approved in writing by the District Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON: To control the appearance of the buildings in the interests of visual amenity.

(Policy BE8, S.B.L.P.R).

7. E1 Before development begins, details of any proposed boundary treatments shall be submitted to and approved in writing by the District Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained, unless otherwise agreed in writing with the District Planning Authority.

REASON: To safeguard the amenity of the area.

(Policy BE8, S.B.L.P.R).

8. H4 No external lighting shall be installed without the prior written approval of the District Planning Authority.

REASON: To protect the amenity of neighbouring properties and/or highway safety.

(Policy BE8, S.B.L.P.R).

9. I9 No external loudspeaker systems shall be installed without the prior written approval of the District Planning Authority.

REASON: To protect the amenities of nearby residential properties.

(Policy BE8, S.B.L.P.R).

10. P3 Before development commences, details of any plant, machinery and equipment (including refrigeration and air conditioning systems) to be used by reason of this permission shall be submitted to and approved in writing by the District Planning Authority. The plant, machinery and equipment shall be installed in accordance with the approved details prior to the first use or occupation of the development and shall thereafter be maintained and operated in a way so as to prevent the transmission of noise to any neighbouring premises.

REASON: To prevent nuisance from noise and vibration and to



- (Policy BE8, S.B.L.P.R).
11. P6 Before development begins, details of a scheme for the neutralisation of all effluvia from the processes of cooking etc. shall be submitted to and approved in writing by the District Planning Authority. The scheme as approved shall be installed before the use commences and shall subsequently be retained in full operational condition.  
REASON: To prevent nuisance arising from the development and to safeguard the amenities of the area.  
(Policy BE8, S.B.L.P.R).
12. E18 Before development begins, details of the levels of the extension to the store shall be submitted to and approved in writing by the District Planning Authority, and development shall thereafter be implemented accordingly.  
REASON: To produce a satisfactory relationship between the various elements of the scheme and adjacent properties.  
(Policy BE8, S.B.L.P.R).
13. E19 Before development begins, the position of the extension to the store shall be pegged out on site and its position approved in writing by the District Planning Authority. The development shall thereafter be carried out in accordance with the approved details.  
REASON: To enable consideration to be given to the precise layout of the development.  
(Policy BE8, S.B.L.P.R).
14. U Development shall not begin until details of the junction between the proposed access road and the highway have been approved by the District Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details.  
REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.
15. U Development shall not begin until details of the junction improvement of the Skimpot Road/Luton Road have been approved by the District Planning Authority and the said development shall not be occupied until that junction has been constructed in accordance with the approved details.  
REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.
16. U The Club House shall not be occupied until a 2.0m wide footway has been constructed from Skimpot Road to the entrance of the new Club House in accordance with details to be submitted to and approved in writing by the District Planning Authority, prior to the commencement of the development.  
REASON: In the interests of promoting sustainable modes of transport.
17. C4 Before the development is first occupied or brought into use, the parking spaces, servicing and unloading areas shown on Drawing No. 6403-PL201 Revision B shall be completed and thereafter retained for this purpose.  
REASON: To ensure provision for car parking and servicing clear of the highway.  
(Policy T10, S.B.L.P.R).
18. U The development hereby permitted shall not be occupied or brought

accordance with details as shown on Drawing Nos. 6403-PL201 Revision B and 6403/PL26.

REASON: To ensure that provision is made for non-car related modes of transport.

(Policy T10, S.B.L.P.R).

19. U Notwithstanding the details shown on Drawing No. 6403-PL201 Revision B full details of the recycling facility to be provided in the car parking area shall be submitted to and approved in writing by the District Planning Authority prior to the commencement of development. The approved scheme shall be provided prior to the first occupation of the extended store and shall thereafter be retained unless otherwise agreed in writing with the District Planning Authority.

REASON: In the interests of good planning and the sustainability principles of the Development Plan.

(Policy SD1, S.B.L.P.R).

20. P10 Unless otherwise agreed by the District Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the District Planning Authority in writing until condition (d) has been complied within relation to that contamination.

**(a) Site Characterisation**

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the District Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the District Planning Authority. The report of the findings must include:

- i. A survey of the extent, scale and nature of the contamination;
- ii. An assessment of the potential risks to:
  - Human health
  - Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
  - Adjoining land
  - Ground waters and surface waters
  - Ecological systems
  - Archaeological sites and ancient monuments
- iii. An appraisal of remedial options, and proposal of the preferred option(s)

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the management of Land Contamination, CLR 11'*.

**(b) Submission of Remediation Scheme**

A detailed remediation scheme to bring the site to a condition suitable

buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the District Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

**(c) Implementation of Approved Remediation Scheme**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the District Planning Authority. The District Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the District Planning Authority.

**(d) Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the District Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (b), which is subject to the approval in writing of the District Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the District Planning Authority in accordance with condition (c).

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

21. The development hereby permitted shall not be commenced until such time as a scheme to improve the existing surface water disposal system has been submitted to, and approved in writing by, the District Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the District Planning Authority before the first use or occupation of the development.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to improve water quality,

22. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the District Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the District Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.  
REASON: To protect the water environment. The site is in a sensitive area (Source Protection Zone 2 and on the Chalk- Major Aquifer) with respect to groundwater and some of the current uses have the potential to cause contamination.
23. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the District Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.  
REASON: To protect the water environment. The flood risk assessment proposes the use of soakaways. The site is located in a sensitive area (Source Protection Zone 2) with respect to groundwater receptors, and therefore restrictions to the use of infiltration methods for drainage may apply. The use of infiltration drainage would only be acceptable if a site investigation shows the presence of no significant contamination.
24. H1 No goods, waste, materials or equipment shall be deposited or stored on the site in the open other than on any area(s) defined for those purposes and previously shown on a plan submitted to and approved in writing by the District Planning Authority.  
REASON: To protect the amenities of the area and to ensure that vehicle parking, servicing and unloading areas are available for those purposes at all times.  
(Policy BE8, S.B.L.P.R).
25. H2 Before development begins, details of the arrangements to be made for the collection, storage and disposal of solid trade waste emanating from the both the store premises and the replacement sports pavilion shall be submitted to and approved in writing by the District Planning Authority. The development shall thereafter be carried out in accordance with the approved details.  
REASON: To ensure control over the development in the interests of amenity and public safety.  
(Policy BE8, S.B.L.P.R).
26. J1 This permission relates only to the details shown on Drawings Nos. 6403/PL200; 6403/PL205; 6403/PL206; 6403/101; 6403/102; 6403/PL26; 6403/PL210; M/1; 490603/12Rev B received 05/01/09 and 6403/PL201B received 16/01/09 or to any subsequent appropriately endorsed revised plan.  
REASON: To identify the approved drawings and to avoid doubt.

## INFORMATIVE NOTES

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial

Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

**Regional Spatial Strategy**

**East of England Plan (May 2008)**

SS1 - ACHIEVING SUSTAINABLE DEVELOPMENT

ENV7 - QUALITY IN THE BUILT ENVIRONMENT

C1 - Cultural Development

T4 - Urban Transport

T6 - Strategic & Regional Road Networks

T13 - Public Transport Accessibility

T14 - Parking

Wat4 - Flood Risk Management

**MILTON KEYNES AND SOUTH MIDLANDS SUB-REGIONAL STRATEGY  
(MARCH 2005)**

**BEDFORDSHIRE STRUCTURE PLAN 2011**

Policy 25 - Infrastructure

**South Bedfordshire Local Plan Review**

BE8 - Design Considerations

T10 - Parking

**R2 - Proposed Areas of New Urban Open Space in Dunstable**

R12 - Protection of Recreational Open Space

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4. The applicant's attention is drawn to the attached letter from the Manshead Archaeological Society of Dunstable in which it is requested that reasonable access be afforded at all times to the Chairman of the Society or to a person nominated by him to observe excavations and record finds of archaeological interest. The developer should contact the Hon. Secretary, The Manshead Archaeological Society of Dunstable, Les Matthews Archaeology Centre, 5 Winfield Street, Dunstable, LU6 1LS, prior to the commencement of the development hereby permitted.
5. In connection with Condition 4 above, the barriers referred to shall be strong, well-braced and rigid enough to resist impact and casual movement. Details of suitable barrier specification shall be similar and made with reference to that set out in paragraph 9.2.2 and illustrated Figure 2 of BS 5837:2005 – "Trees in Relation to Construction."

6. In connection with Condition 5 above, the ground protection measures should act as a load suspension layer and prevent soil compaction. In areas where working access will be required, protection could be “in the form of a single thickness of scaffold boards on top of a compressible layer onto a geotextile and supported by scaffold.” This is the recommended method described in paragraph 9.3.2 and illustrated in Figure 3 of BS 5837:2005 – “Trees in Relation to Construction.”
  
7. In connection with Condition 20 above:
  - Where remedial measures are necessary, they should be managed with Part IIA of the Environmental Protection Act 1990 in mind. Encapsulation of any contaminants should be made on the risk-based assessment so that they are unlikely to be subject to future release to the environment.
  
  - All ground investigations shall be risk based and have regard to BS10175:2001 *Investigation of Potentially Contaminated Sites - Code of Practice* and *Environment Agency/NHBC R&D Publication 66 - Guidance for the Safe Development of Housing on Land Affected by Contamination*.
  
  - Where analyses are undertaken analytical laboratories should be accredited to MCERTS and where appropriate laboratory methods should also be accredited to MCERTS.
  
  - The applicants/agent's consulting engineers shall certify that decontamination and remediation of the site has been undertaken in accordance with any measures approved by the District Planning Authority.
  
  - The applicant shall advise the District Planning Authority of commencement of the works.
  
  - The applicant should also be made aware that the ownership of land shown to be contaminated may accrue legal and financial liabilities under Part IIA of the Environmental Protection Act 1990. Such liabilities are maximised when "pollutant linkages" engender "pathways" for the contaminants to reach "receptors".
  
  - South Bedfordshire District Council has published its Contaminated Land Inspection Strategy in line with the Environmental Protection Act 1990: Part IIA and its definition thereof. No land within the district has yet been formally designated as being 'contaminated'. However, it should not be taken to imply that the property or adjoining land is free from contamination.
  
8. The applicant is advised that in order to comply with Condition 15 of this permission it will be necessary for the developer of the site to enter into an agreement with Bedfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Planning and Control Group, Bedfordshire County Council, County Hall, Bedford, MK42 9AP.



Schedule Type: **B** Item Number: **02**

Application No: **SB/VOC/09/0013** Start Date: **07/01/2009** Expiry Date: **04/03/2009**

Applicant: **Asda Stores Ltd**

Agent: **Savills (L & P) Ltd**

Location **ASDA Stores Ltd, Court Drive, Dunstable, LU5 4JD**

Proposal **Variation of condition 1 of Planning permission SB/TP/06/1330 to extend opening hours.**

Ward: **Dunstable - Central**

Ward Councillors: **Cllr Mrs J Freeman & Cllr Mrs C Hegley**

Parish: **Dunstable**

Application Type: **Variation of Condition** Case Officer: **Gill Claxton**

**RESOLVED that Planning Permission be GRANTED subject to the following:**

**CONDITION**

1. U The building shall not be open to the public outside the hours of 7.00am to 11.00pm on Mondays to Fridays, 7.00am to 10.00pm on Saturdays and 10.00am to 5.00pm on Sundays.  
REASON: To protect the amenities of the area.

**INFORMATIVE NOTES**

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

**Regional Spatial Strategy**

**East of England Plan (May 2008)**

SS1 - ACHIEVING SUSTAINABLE DEVELOPMENT

SS3 - Key Centres for Development and Change

SS6 - City and Town Centres

ENV7 - QUALITY IN THE BUILT ENVIRONMENT

T14 - Parking

**MILTON KEYNES AND SOUTH MIDLANDS SUB-REGIONAL STRATEGY (MARCH 2005).**



**South Bedfordshire Local Plan Review**

BE8 - Design Considerations

TCS1 - Sustaining and Enhancing the District's Town Centres

T1 - Controlling the Location and Traffic Impact of Development

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Schedule Type: **B** Item Number: **03**

Application No: **SB/VOC/09/0042** Start Date: **22/01/2009** Expiry Date: **19/03/2009**

Applicant: **Mr A Smith**

Agent:

Location **The Evergreens Land Adj, Kingswood Nursery, Dunstable Road, Tilsworth, LU7 9PU**

Proposal **Variation of conditions 1 and 2 of planning consent SB/TP/06/0741**

Ward: **Stanbridge/Chalgrave/Eggington/Tilsworth**

Ward Councillors: **Cllr N B Costin**

Parish: **Tilsworth**

Application Type: **Variation of Condition** Case Officer: **Steve Anderson**

**RESOLVED** that the application to vary Condition 1 attached to planning consent **SB/TP/06/0741** be **APPROVED** subject to the following:

**CONDITIONS**

1. U The occupation of this site hereby permitted shall be carried on only by (names to be advised) and their resident dependants.  
REASON: To ensure the retention of planning control by the District Planning Authority in recognition of the location of the site in the Green Belt and the 'very special circumstances' case accepted.
2. The occupation of this site hereby permitted shall be carried on only by Alby Smith & Joyce Smith, Albert Smith & Claire Smith and Mark Hughs & Emma Hughs, together with such other persons as may be agreed in writing by the District Planning Authority subject to such persons falling within the definition of Gypsies contained in ODPM Circular 1/2006 or any Ministerial Circular or Order superseding that

REASON: To ensure the retention of planning control by the District Planning Authority in recognition of the location of the site in the Green Belt and the 'very special circumstances' case accepted.

## INFORMATIVE NOTES

1. This permission is granted under the provisions of Section 73A of the Town and Country Planning Act 1990.
2. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the Planning Committee having regard to the very special circumstances use for this Green Belt development, including the site characteristics, planning history, personal circumstances and need for accommodation, determined that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

### **Regional Spatial Strategy**

East of England Plan (May 2008), H3 (Provision for gypsies and Travellers), ENV7 (Quality in the Built Environment)

East of England Regional Assembly, Draft Policy – RSS Single Issue Review; Planning for Gypsy and Traveller Accommodation in the East of England (February 2008)

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005).

### **South Bedfordshire Local Plan Review**

Policies SD1 (Sustainable Keynote Policy), BE8 (Design and Environmental Considerations), H5 (Providing Affordable Housing in Rural Areas) and H15 (Siting of Mobile Homes in the Green Belt).

3. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
4. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Schedule Type: **B** Item Number: **04**

Application No: **SB/TP/09/0078** Start Date: **06/02/2009** Expiry Date: **03/04/2009**

Applicant: **Mr O Price**

Agent:

Location **Eversholt Beeches, Watling Street, Caddington, Dunstable, LU6 3QP**

Proposal **Retention of Gypsy site to provide a maximum of five pitches.**

Ward: **Caddington, Hyde and Slip End**

Ward Councillors: **Cllrs Mrs Gammons, Mrs Hills & P Penman**

Parish: **Caddington**

Application Type: **Planning Application**

Case Officer: **Steve Anderson**

**RESOLVED that Planning Permission be GRANTED subject to the following:**

### **CONDITIONS**

1. U The site, excluding the existing dwellinghouse, shall not be occupied by any persons other than Gypsies and travellers, as defined in paragraph 15 of ODPM Circular 01/2006.  
REASON: To ensure that use of the site is restricted to Gypsies and travellers in accordance with ODPM Circular 1/2006 (Planning for Gypsy and Traveller Caravan Sites) and PPG2 (Green Belts).
2. U The occupation of the site, excluding the existing dwellinghouse, shall be carried on only by the following and their resident dependants: Oram Price & Lucy Price, Jim Price & Emma Lee Price, Dixie Price & Naomi Price, Adam Price & Mel Price and Rocky Lee & Tina Price.  
REASON: In recognition of the location of the site in the Green Belt and the “very special circumstances” case accepted in accordance with PPG2 (Green Belts).
3. U When the land ceases to be occupied by those named in Condition 2 above the use hereby permitted shall cease and all caravans, structures, materials and equipment brought on to the land in connection with the use hereby approved, shall be removed. Within 6 months of that time the land shall be restored to its condition before the use commenced.  
REASON: To enable the District Planning Authority to review the use, together with any buildings and structures, when the occupation of the site by the individuals named in Condition 2 ceases, in recognition of the location of the site in the Green Belt and the “very special circumstances” case accepted in accordance with PPG2 (Green Belts).
4. U There shall be no more than five caravans on the site hereby approved of which only one caravan shall be a residential mobile home.  
REASON: To ensure the retention of planning control by the District Planning Authority in recognition of the location of the site in the Green Belt, the “very special circumstances” case accepted in accordance with PPG2 (Green Belts) and the location of the site in an Area of Outstanding Natural Beauty and an Area of Great Landscape Value.  
(Policies 7, B.S.P.; BE8 & NE3, S.B.L.P.R).
5. U No business or commercial activity shall take place at the site and no more than one commercial vehicle per pitch shall be kept on the land

shall not exceed 3.5 tonnes in weight.

REASON: To ensure the retention of planning control by the District Planning Authority in recognition of the location of the site in the Green Belt and the provisions of PPG2 (Green Belts) and the location of the site in an Area of Outstanding Natural Beauty and an Area of Great Landscape Value.

(Policies 7, B.S.P.; BE8 & NE3, S.B.L.P.R).

6. U Notwithstanding the details submitted, 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 (a) to (d) below:

- (a) within 3 months of the date of this decision a scheme for the means of foul and surface water drainage of the site; the details of the proposed washing and toilet facilities; the external lighting of the site; the internal layout of the site including the demarcation and any proposed enclosure of the individual pitches; any sheds or other buildings proposed to be erected or to be retained; an area within the eastern part of the site where no caravans, vehicles or domestic paraphernalia shall be sited and for the provision of screen planting, particularly along the northern boundary of the site, including details of the proposed species, plant sizes, numbers and densities (hereafter referred to as the site development scheme) shall have been submitted for the written approval of the District Planning Authority and the said scheme shall include a timetable for its implementation;
- (b) within 11 months of the date of this decision the site development scheme shall have been approved by the District Planning Authority or, if the District 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.

REASON: To ensure an appropriate standard of development including the provision for parking and turning of vehicles within the site, adequate foul and surface water drainage, landscaping and amenity.

(Policies 7, B.S.P.; BE8 & NE3, S.B.L.P.R).

7. U Any plants required to be planted in accordance with the provisions of Condition 6 that die, are removed, or become seriously damaged or diseased within a period of five years following their planting shall be replaced with others of a similar size and species and at the same location unless otherwise agreed in writing by the District Planning

REASON: In recognition of the location of the site in the Green Belt and an Area of Outstanding Natural Beauty and an Area of Great Landscape Value and in order to ensure an appropriate standard of development.

(Policies 7, B.S.P.; BE8 & NE3, S.B.L.P.R).

8. U No caravans, vehicles or domestic paraphernalia shall be sited within the eastern portion of the site as identified in the approved site development scheme.

REASON: To ensure the retention of planning control by the District Planning Authority in recognition of the location of the site in the Green Belt and the provisions of PPG2 (Green Belts) and the location of the site in an Area of Outstanding Natural Beauty and an Area of Great Landscape Value.

(Policies 7, B.S.P.; BE8 & NE3, S.B.L.P.R).

9. U Notwithstanding the provisions of Part 1 and Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any Order or enactment amending or re-enacting that Order no extensions to the existing dwelling on the site nor sheds or other outbuildings, walls, hedges or other means of enclosure shall be erected on the site other than in accordance with the provisions of the site development scheme approved in accordance with Condition 6 or such amendment as may be agreed thereto in writing by the District Planning Authority or in accordance with a specific grant of planning consent in that regard.

REASON: In order to ensure that an appropriate standard of development is provided and maintained.

(Policies NE3 & BE8, S.B.L.P.R).

10. At the same time as the site development scheme required by condition 6 above is submitted to the District Planning Authority there shall be submitted a schedule of maintenance for a period of five years of the proposed planting commencing at the completion of the final phase of implementation as required by that condition; the schedule to make provision for the replacement, in the same position, of any tree, hedge or shrub that is removed, uprooted or destroyed or dies or, in the opinion of the District Planning Authority, becomes seriously damaged or defective, with another of the same species and size as that originally planted. The maintenance shall be carried out in accordance with the approved schedule.

REASON: To ensure an appropriate standard of development having particular regard to landscaping and amenity.

(Policies 7, B.S.P.; BE8 & NE3, S.B.L.P.R).

## INFORMATIVE NOTES

1. This permission is granted under the provisions of Section 73A of the Town and Country Planning Act 1990.
2. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the Planning Committee having regard to the very special circumstances use for this Green Belt development, including the site characteristics, planning history, personal circumstances and need for accommodation, determined that the proposal as hereby approved conforms

Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

**Regional Spatial Strategy**

**East of England Plan (May 2008)**

Policies H3 (Provision for gypsies and Travellers) and ENV7 (Quality in the Built Environment).

**Bedfordshire Structure Plan 2011**

Policy 7 (Areas of Great Landscape Value).

**South Bedfordshire Local Plan Review**

Policies SD1 (Sustainable Keynote Policy), GB1 (Control of Development in the Green Belt), BE8 (Design and Environmental Considerations), H5 (Providing Affordable Housing in Rural Areas) and H15 (Siting of Mobile Homes in the Green Belt).

3. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
4. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
5. (a) Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. Contact Customer Enquiries on 08708 506506 for further details.

(b) All sewage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent. Where approval is given for a cesspool it should be constructed in accordance with BS6297 and be of sufficient capacity. It should be emptied regularly to prevent overflow.

Schedule Type: **B** Item Number: **06**

Application No: **SB/TP/08/1163** Start Date: **18/12/2008** Expiry Date: **12/02/2009**

Applicant: **Mr & Mrs Curzon**

Agent: **Paul Lambert Associates Limited**



Location **123 Common Road, Kensworth, Dunstable, LU6 2PH**

Proposal **Erection of detached bungalow**

Ward: **Kensworth/Totternhoe/Studham/Whipsnade**

Ward Councillors: **Cllr Mrs M Mustoe & Cllr Ms C Wyles**

Parish: **Kensworth**

Application Type: **Planning Application**

Case Officer: **Simon Barnett**

**RESOLVED that Planning Permission be GRANTED subject to the following:**

**CONDITIONS**

1. A3A 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. P10 Unless otherwise agreed by the District Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the District Planning Authority in writing until condition (d) has been complied within relation to that contamination.

**(a) Site Characterisation**

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the District Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the District Planning Authority. The report of the findings must include:

- i. A survey of the extent, scale and nature of the contamination;
- ii. An assessment of the potential risks to:
  - Human health
  - Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
  - Adjoining land
  - Ground waters and surface waters
  - Ecological systems
  - Archaeological sites and ancient monuments
- iii. An appraisal of remedial options, and proposal of the preferred option(s)



Environment Agency's *'Model Procedures for the management of Land Contamination, CLR 11'*.

**(b) Submission of Remediation Scheme**

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the District Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

**(c) Implementation of Approved Remediation Scheme**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the District Planning Authority. The District Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the District Planning Authority.

**(d) Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the District Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (b), which is subject to the approval in writing of the District Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the District Planning Authority in accordance with condition (c).

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

3. E9 Before development begins and notwithstanding the details submitted with the application, details of the materials to be used for the external walls and roofs of the proposed building shall be submitted to and approved in writing by the District Planning Authority. The

- approved details.  
REASON: To control the appearance of the buildings.  
(Policy BE8, S.B.L.P.R).
4. I10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order with or without modification), no extensions to the dwelling hereby permitted shall be carried out without the grant of further specific permission from the District Planning Authority.  
REASON: To control the external appearance of the dwelling in the interests of the amenities of the area.  
(Policy BE8, S.B.L.P.R).
5. I12 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the property without the grant of further specific permission from the District Planning Authority.  
REASON: To control the development in the interests of the amenities of the area.  
(Policy BE8, S.B.L.P.R).
6. L3 Before development begins, details of the proposed method of foul and surface water drainage for the site shall be submitted to and approved in writing by the District Planning Authority. The drainage works as approved shall be constructed in accordance with the approved details before the development is first occupied or brought into use.  
REASON: To ensure satisfactory drainage of the site.
7. B1 Before development begins, a landscaping scheme to include the retention of the existing hedgerow to the Dovehouse Lane frontage and any hard surfaces and earth mounding shall be submitted to and approved in writing by the District Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.  
REASON: To ensure a satisfactory standard of landscaping.  
(Policy BE8, S.B.L.P.R).
8. E1 Before development begins, a scheme for screen fencing and/or screen walling shall be submitted to and approved in writing by the District Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained.  
REASON: To safeguard the amenity of the area.  
(Policy BE8, S.B.L.P.R).
9. HC02 Development shall not begin until details of the widening of the junction of the proposed vehicular access with the highway have been approved by the District Planning Authority and no building shall be occupied until the junction has been constructed in accordance with

- REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.
10. HC06 Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.  
REASON: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.
11. HC13 No dwelling shall be occupied until a 1.2m wide footway has been constructed on the eastern side of Dovehouse Lane between the existing footway and the site boundary in accordance with details of the approved drawing/or scheme to be submitted to and approved by the District Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.  
REASON: In the interests of road safety and pedestrian movement.
12. HC14 The proposed vehicular access shall be surfaced in bituminous or other similar durable material as may be approved in writing by the District Planning Authority for a distance of 6.5m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.  
REASON: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.
13. HC15 Any gates provided shall open away from the highway and not encroach upon the public highway.  
REASON: To enable vehicles to draw off the highway before the gates are opened.
14. J1 This permission relates only to the details shown on Drawing No. 2310-01 Rev.A received 25/02/09 or to any subsequent appropriately endorsed revised plan.  
REASON: To identify the approved drawing and to avoid doubt.

## INFORMATIVE NOTES

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

**Regional Spatial Strategy**  
**East of England Plan (May 2008)**

**Bedfordshire Structure Plan 2011**

Policy 7 - Areas of Great Landscape Value

**South Bedfordshire Local Plan Review**

GB3 - Green Belt Villages

H12 - Infilling in Villages

BE8 - Design Considerations

NE3 - Control of Development in AGLV

T10 - Parking - New Developments

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4.
  - Where remedial measures are necessary, they should be managed with Part IIA of the Environmental Protection Act 1990 in mind. Encapsulation of any contaminants should be made on the risk-based assessment so that they are unlikely to be subject to future release to the environment.
  - All ground investigations shall be risk based and have regard to BS10175:2001 *Investigation of Potentially Contaminated Sites - Code of Practice* and Environment Agency/NHBC R&D Publication 66 - *Guidance for the Safe Development of Housing on Land Affected by Contamination*.
  - Where analyses are undertaken analytical laboratories should be accredited to MCERTS and where appropriate laboratory methods should also be accredited to MCERTS.
  - The applicants/agent's consulting engineers shall certify that decontamination and remediation of the site has been undertaken in accordance with any measures approved by the District Planning Authority.
  - The applicant shall advise the District Planning Authority of commencement of the works.
  - The applicant should also be made aware that the ownership of land shown to be contaminated may accrue legal and financial liabilities under Part IIA of the Environmental Protection Act 1990. Such liabilities are maximised when "pollutant linkages" engender "pathways" for the contaminants to reach "receptors".
  - South Bedfordshire District Council has published its Contaminated Land Inspection Strategy in line with the Environmental Protection Act 1990.

formally designated as being 'contaminated'. However, it should not be taken to imply that the property or adjoining land is free from contamination.

5. No works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Bedfordshire County Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Bedfordshire County Council's Customer Contact Centre, 6<sup>th</sup> Floor, County Hall, Bedford, MK42 9AP quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
6. In order to comply with Condition 11 of this permission it will be necessary for the developer of the site to enter into an agreement with Bedfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Planning and Control Group, Bedfordshire County Council, County Hall, Bedford, MK42 9AP.
7. 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 Bedfordshire Highways, Streetworks Co-ordination Unit, County Hall, Bedford. MK42 9AP.
8. Photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.

Schedule Type: **B** Item Number: **07**

Application No: **SB/TP/08/1156** Start Date: **29/01/2009** Expiry Date: **26/03/2009**

Applicant: **Mr & Mrs T & L Gittins**

Agent:

Location **60 Milton Way, Houghton Regis, Dunstable, LU5 5UE**

Proposal **Erection of single storey rear extension and first floor front/side extensions and detached front garage (Revised application SB/TP/08/0509)**

Ward Councillors: **Cllr Mrs Bird, Mrs Morgan & Mr Swain**

Parish: **Houghton Regis**

Application Type: **Planning Application**

Case Officer: **Nicola McPhee**

**RESOLVED that Planning Permission be GRANTED subject to the following:**

**CONDITIONS**

1. A3A 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. E14 New external facing materials shall match those of the existing building as closely as possible.  
REASON: To ensure that the development is in keeping with the existing building.  
(Policies BE8 & H8, S.B.L.P.R).
3. HC21 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 District 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.
4. U An electrically operated garage door, which does not project beyond the face of the garage, shall be used and shall be of the type that is remotely controlled from the vehicle using the garage. The type of door and remote control shall thereafter be permanently retained on site unless otherwise agreed in writing by the District Planning Authority.  
REASON: To avoid the need to park across the footway whilst the garage door is being opened thereby avoiding obstruction to the public footway to the inconvenience of users of that footway.
5. J1 This permission relates only to the details shown on the Site Location Plan and Drawings Numbered 1 to 8 received 8/12/08 and Drawing No. 9 received 12/01/09 or to any subsequent appropriately endorsed revised plan.  
REASON: To identify the approved plans and to avoid doubt.

**INFORMATIVE NOTES**

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure



considerations do not indicate otherwise. The policies which refer are as follows:

**Regional Spatial Strategy**

**East of England Plan (May 2008)**

ENV7 - Quality in the Built Environment

**South Bedfordshire Local Plan Review**

H8 - Extensions to Dwellings

BE8 - Design Considerations

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Schedule Type: **B** Item Number: **08**

Application No: **SB/TP/09/0022** Start Date: **13/01/2009** Expiry Date: **10/03/2009**

Applicant: **Mrs L S Grant**

Agent: **Mr L Butler MRICS**

Location **4 Grange Gardens, Toddington, Dunstable, LU5 6DH**

Proposal **Erection of single storey and two storey side and single storey rear extension.**

Ward: **Toddington inc Chalton**

Ward Councillors: **Cllr J Machin & Cllr T Nicols**

Parish: **Toddington**

Application Type: **Planning Application** Case Officer: **Abel Bunu**

**RESOLVED that Planning Permission be GRANTED subject to the following:**

**CONDITIONS**

1. A3A 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. E13 New external brickwork and roofing materials shall match those of the



- REASON: To ensure that the development is in keeping with the existing building.  
(Policies BE8 & H8, S.B.L.P.R).
3. U Notwithstanding the details submitted with the application, development shall not begin until details of the car parking arrangement within the curtilage of the site has been submitted to and approved by the District Planning Authority. Within six months of the start of the works, the said car parking arrangement shall be constructed in accordance with the approved details.  
REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.
4. HC02 Development shall not begin until details of the junction of the proposed vehicular access with the highway have been approved by the District Planning Authority and no building shall be occupied until the junction has been constructed in accordance with the approved details.  
REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.
5. HC19 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the District Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.  
REASON: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.
6. J1 This permission relates only to the details shown on Drawings No's. 301208 & 301208/A received 13/01/09 or to any subsequent appropriately endorsed revised plan.  
REASON: To identify the approved drawings and to avoid doubt.

## INFORMATIVE NOTES

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

### **Regional Spatial Strategy**

#### **East of England Plan (May 2008)**

ENV7 - Quality in the Built Environment

### **South Bedfordshire Local Plan Review**

BE8 - Design Considerations

H8 - Control of Extensions to Dwellings

T10 - Controlling Parking In New Developments

2. In accordance with Article 22 of the Town and Country Planning (General

condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).

3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4. No works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Bedfordshire County Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Bedfordshire County Council's Customer Contact Centre, 6<sup>th</sup> Floor, County Hall, Bedford, MK42 9AP quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

Schedule Type: **B** Item Number: **09**

Application No: **SB/TP/09/0030** Start Date: **16/01/2009** Expiry Date: **13/03/2009**

Applicant: **Mr V Trebisacce**

Agent:

Location **6 Liddell Way, Leighton Buzzard, LU7 4FN**

Proposal **Erection of part two storey and part single storey side extension**

Ward: **Leighton-Linslade - Grovebury**

Ward Councillors: **Councillors A Fahn, P Record & G Rolfe**

Parish: **Leighton Buzzard**

Application Type: **Planning Application** Case Officer: **Nicola McPhee**

**RESOLVED that Planning Permission be GRANTED subject to the following:**

**CONDITIONS**

1. A3A 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.

building as closely as possible.

REASON: To ensure that the development is in keeping with the existing building.

(Policies BE8 & H8, S.B.L.P.R).

3. J1 This permission relates only to the details shown on Drawing titled "Sheet 1 Plans and Elevations" Revision A received 16/01/09 or to any subsequent appropriately endorsed revised plan.

REASON: To identify the approved drawing and to avoid doubt.

## INFORMATIVE NOTES

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

### **Regional Spatial Strategy**

#### **East of England Plan (May 2008)**

ENV7 - Quality in the Built Environment

### **South Bedfordshire Local Plan Review**

BE8 - Design Considerations

H8 - Control of Extensions to Dwellings

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.