

MID BEDFORDSHIRE DISTRICT COUNCIL

At a meeting of the **DEVELOPMENT CONTROL COMMITTEE** held in the Council Chamber, Priory House, Chicksands, Shefford on Wednesday, 11 March 2009.

PRESENT

Cllr P F Vickers (Chairman)
Cllr H J Lockey (Vice-Chairman)

Cllrs A R Bastable
J A E Clarke
Mrs J R Davison
G Ellis
D J Gale
M J Gibson

Cllrs B J Golby
H T W Harper
M Hawkins
D Smith
J Street
Mrs C Turner

Apologies for Absence: Cllrs J H Lewis
S A Mitchell
G Summerfield

Substitutes: Cllrs A R Baines (In place of S A Mitchell)
K C Matthews (In place of J H Lewis)
L Thompson (In place of G Summerfield)

South Bedfordshire District Council Representative Cllr A Shadbolt

Members in Attendance: Cllrs L Birt
Mrs J G Lawrence
A A J Rogers
A D Brown
Mrs C F Chapman MBE

Officers in Attendance: Miss H Bell – Committee Administrator
Mrs S Cawthra – Enforcement & Appeals Team Leader
Mr D Lamb – Area Team Leader (East)
Mrs A Sammé – Area Team Leader (West)
Mr M Woolsey – Solicitor

DC/08/153 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcement:-

The Chairman noted that this would be the last meeting of the Development Control Committee for Mid Bedfordshire District Council and thanked the Committee for their work and support on Development Control Committee throughout his time as Chairman.

DC/08/154 **MINUTES**

RESOLVED

that the Minutes of the meeting of the Development Control Committee held on the 11 February 2009 be confirmed and signed by the Chairman as a correct record.

DC/08/155 **MEMBERS' INTERESTS**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr A R Bastable	13	Member of the LDF Task Force which has previously considered the application site.	Present
Cllr K C Matthews	13	Member of the LDF Task Force which has previously considered the application site.	Present
Cllr D J Gale	13	Member of the LDF Task Force which has previously considered the application site.	Present

Cllr P N Aldis	13	Member of the LDF Task Force which has previously considered the application site.	Present
Cllr B J Golby	13	Member of the LDF Task Force which has previously considered the application site.	Present

(b) **Personal and Prejudicial Interests:-**

Member	Item	Nature Interest	of	Present or Absent during discussion
Cllr Mrs C F Chapman MBE	14	Applicant election agent.	is	Absent
Cllr A D Brown	14	Applicant is election agent.		Absent
Cllr A R Bastable	14	Applicant is election agent.		Absent
Cllr D J Gale	14	Applicant is election agent.		Absent
Cllr H J Lockey	14	Applicant is election agent.		Absent
Cllr K C Matthews	14	Applicant is election agent.		Absent
Cllr M Hawkins	14	Applicant is election agent.		Absent
Cllr M J Gibson	14	Applicant is election agent.		Absent

(c) **Prior Local Council Consideration of Applications**

Member	Item	Parish/Town Council	Vote Cast
Cllr P F Vickers	11	Biggleswade Town Council	Did not speak or vote.
Cllr D Smith	11	Biggleswade Town Council	Did not speak or vote.
Cllr Mrs J Lawrence	11	Biggleswade Town Council	Did not speak or vote.
Cllr M A Smith	9	Amphill Town Council	Was not present when discussed.
Cllr D Lawrence	11	Biggleswade Town Council.	Did not vote.

DC/08/156 **VARIATION OF ORDER OF BUSINESS**

The Chairman advised the Committee that under Provisions of Committee Rule No. CM16 the order of business would be varied as follows:-

Item No. 17 – Enforcement Action Relating to Unauthorised Roadside Advertisements for Business would be considered following consideration of Item No. 7, Planning Enforcement cases where formal action has been taken.

DC/08/157 **PLANNING ENFORCEMENT CASES WHERE FORMAL ACTION HAS BEEN TAKEN**

AGREED

that the monthly update of Planning Enforcement Cases as identified in the report where formal action has been taken were received.

The Committee congratulated Mrs S Cawthra on the progress made with regard to the control of enforcement action.

DC/08/158 **ENFORCEMENT ACTION RELATING TO UNAUTHORISED ROADSIDE ADVERTISEMENTS FOR BUSINESS**

The Committee received and considered a report of the Director of Environmental and Planning Services which sought a decision whether it was expedient to take formal enforcement action to remove unauthorised business advertisements, Case No. ENC/09/0012 which related to the entrance of Ampthill Business Park at the junction of Station Road and the A507.

AGREED

that formal enforcement action regarding the unauthorised roadside advertisements for local businesses at the site relating to the entrance of Ampthill Business Park at the junction of Station Road and the A507 be authorised.

DC/08/159 **DEVELOPMENT CONTROL MATTERS**

The Committee received and considered the report of the Director of Environmental and Planning Services which sought the determination of planning applications, details of which are set out in the schedule appended to these minutes.

No inspections of any sites had been conducted in accordance with Paragraph 1a of the Code of Practice for the Conduct of Site Inspections.

DC/08/160 **PLANNING APPLICATION NO. 08/01890/FULL**

RESOLVED

that Planning Application No. 08/01890/FULL which related to land on the north side of Church Street, Ampthill, be delegated to the Director of Environmental and Planning Services to approve the application as indicated in the Schedule appended to these minutes.

DC/08/161 **PLANNING APPLICATION NO. 06/01418/SE73**

RESOLVED

that Planning Application No. 06/01418/SE73 which related to land at Old Bridge Way, Shefford be approved as set out in the Schedule appended to these minutes.

DC/08/162 PLANNING APPLICATION NO. 09/00131/FULL

RESOLVED

that Planning Application No. 09/00131/FULL which related to land adjacent to Toy Box Day Nursery, the Saxons Centre, Kingsfield Road, Biggleswade be approved as set out in the Schedule appended to these minutes.

DC/08/163 PLANNING APPLICATION NO. 08/02368/FULL

RESOLVED

that Planning Application No. 08/02368/FULL which related to 200A Shefford Road, Clifton be delegated to the Director of Environmental and Planning Services to approve the application subject to no new issues being received prior to the expiry of the consultation period.

DC/08/164 PLANNING APPLICATION NO. 07/00290/FULL

RESOLVED

that Planning Application No. 07/00290/FULL which related to Old Acre Paddock, land to the rear of The Plough Inn, Barton Road, Pulloxhill be approved with a temporary permission for three years as indicated in the Schedule appended to these minutes.

DC/08/165 PLANNING APPLICATION NO. 08/00850/FULL

RESOLVED

that Planning Application No. 08/00850/FULL which related to East Lodge School, Ampthill Road, Shefford be deferred until a minimum of 35 days after the election, and to be reconsidered by the Development Management Committee on 22 July 2009 as indicated in the Schedule appended to these minutes.

DC/08/166 PLANNING APPLICATION NO. 08/02409/FULL

RESOLVED

that Planning Application No. 08/02409/FULL which related to 19a High Street, Pulloxhill be deferred to enable a site inspection as indicated in the Schedule appended to these minutes.

DC/08/167 **PLANNING APPLICATION NO. 09/00007/FULL**

RESOLVED

that Planning Application No. 09/00007/FULL which related to Barns at Doltons Farm, Newport Road, Woburn be approved as indicated in the Schedule appended to these minutes.

DC/08/168 **SITE INSPECTION APPOINTMENT(S)**

RESOLVED

that in light of the introduction of Central Bedfordshire Council with effect from 1 April 2009, the Assistant Director of Legal and Democratic Services, after consultation with the Chairman and Vice-Chairman of Central Bedfordshire Development Management Committee, be authorised to appoint Members to conduct any site inspections required. Any site inspection would be conducted before the meeting of the Development Management Committee to be held on 8 April 2009.

(Note: The meeting commenced at 2.00 p.m. and concluded at 5.18 p.m.)

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Item No.9

DESCRIPTION: FULL: PROVISION OF A NEW LONG-STAY TOWN CENTRE CAR PARK COMPRISING 100 SPACES AND 38 NEW RESIDENTIAL UNITS (30 HOUSES AND 8 APARTMENTS).

LOCATION: LAND ON THE NORTH SIDE OF, CHURCH STREET, AMPHILL

GRID REFERENCE: TL038383
APPLICATION NUMBER: 08/01890/FULL
PARISH: Ampthill
APPLICANT: Waveley Developments Ltd
CASE OFFICER: Sarah Fortune
DATE REGISTERED: 14 October 2008
EXPIRY DATE: 13 January 2009

RECOMMENDED DECISION REFUSE

REASON FOR COMMITTEE TO DETERMINE CLLR SUMMERFIELD REQUEST IN LIGHT OF TOWN COUNCIL CONCERNS OF SITE BEING OUTSIDE SETTLEMENT ENVELOPE.

Delegated Application – See Minute No. DC/08/160

The Council as District Planning Authority hereby gives notice of decision to APPROVE Planning Permission for the application set out above subject to the following condition(s):-

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- proposed finished levels or contours;
- material to be use for any hard surfacing;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;

- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

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

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 3 The scheme provided in Condition 2 above shall be carried out in respect of the housing development by a date which shall not be later than the end of the full planting season immediately following the completion of the development hereby approved, and, in respect of the car park, prior to the first use of the car park as a public car park, unless an alternative date has been agreed in writing by the Local Planning Authority.

Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

Reason: In order to ensure that the planting is carried out within a reasonable period in the interest of the visual amenities of the area.

- 4 A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. This scheme shall include details of the retention and repair of the boundary wall along the west boundary of the site.

The boundary treatment in respect of the car park shall be completed in accordance with the approved scheme – and before the use of the car park is commenced – and in respect of the residential development before the buildings are occupied.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 5 The permission shall extend only to the application as amended by plans received 9/01/2009, 21/01/2009 and 28/02/2009.

Reason: For the avoidance of doubt and to ensure that the development is implemented in accordance with the plans formally approved by the Local Planning Authority.

- 6 Details of materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to complement existing buildings and the visual amenities of the locality.

- 7 All rooflights hereby approved shall be conservation type of details of which shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented.

Reason: To safeguard the character and appearance of the contemplated development in the interest of the visual amenities of the area.

- 8 Brick bond shall be Flemish type and, where entrance steps and thresholds are shown, these shall be in stone.

Reason: To safeguard the character and appearance of the completed development.

- 9 Details of the design and material finishes of gates and piers, any external lighting and signage, street naming plates to both the residential areas of the site and car park shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented.

Reason: To safeguard the character and appearance of the completed development.

- 10 Details of a scheme of archaeological investigation of the site shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The said development shall only be implemented in accordance with the scheme thereby approved.

Reason: To safeguard any material of archaeological interest which exists on the site.

- 11 Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Thereafter no part of the development shall be brought into use until the approved drainage scheme has been implemented serving that area of the site.

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

- 12 The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) DDO/BED 810G and in particular the following mitigation measures detailed within the (FRA):-
1. Limiting the surface water run off generated by the critical storm event including climate change allowance so that it will not exceed the run-off for the undeveloped land and not increase the risk of flooding off-site.
 2. Provision of compensatory flood storage on/or in the vicinity of the site to a 1 in 100 year climate change allowance standard. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented.

Reason: To prevent flooding by ensuring satisfactory storage of/disposal of surface water from the site and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

- 13 Details of Site Waste Management Plans and Waste Audit shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented.

Reason: To ensure the satisfactory disposal of waste at the site.

- 14 Details of CCTV coverage of the public Car Park shall be submitted to and approved in writing by the Local Planning Authority. The Car Park shall not be brought into use until the approved details have been installed on the site and its operation shall be in accordance with the agreed management scheme for the Car Park (see Condition 21)

Reason: To ensure the safety of users of the Car Park.

- 15 Prior to commencement of the development hereby permitted details of the provision of 28% affordable housing at the site - all of which shall be for rent - shall be submitted to and approved in writing by the Local Planning Authority and only the approved scheme shall be implemented.

Reason: To ensure the provision of affordable housing at the site in accordance with this authority's adopted planning policies in the Mid Beds Local Plan First Review 2005 and Supplementary Planning document for the provision of affordable housing.

- 16 The car park hereby approved shall be available for use as a car park prior to the occupation of the sixth dwelling hereby approved at the site.

Reason: To ensure the provision of the car park within a reasonable period of time to serve the local community.

- 17 Prior to commencement of any part of the development hereby approved a full site investigation report shall be submitted to the local Planning Authority in respect of the presence of common lizards, grass snakes and slow worms. If these are found a detailed mitigation scheme shall be prepared and submitted to the Local Planning Authority for approval and the approved scheme shall be implemented to the satisfaction of the Local Planning Authority.

Reason: To safeguard these protected species.

- 18 Prior to the commencement of the development hereby approved a scheme for protecting the existing and proposed dwellings from noise from the permitted use of the Car Park shall be submitted to and approved in writing by the Local Planning Authority. Any works which form part of the scheme approved by the Local Planning Authority shall be completed prior to the first use of the Car Park and before any permitted dwelling is occupied - unless an alternative period is approved by the Local Authority in writing.

Reason: To safeguard the amenities of occupiers of existing residential dwellings.

- 19 The car park shall not be open to the public except between the hours of 0800 hours and 2200 hours from Monday to Saturday and 0900 hours and 2200 hours on Sundays without the prior agreement in writing of the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of the neighbouring residential properties.

- 20 Prior to commencement of the development hereby permitted the applicant shall submit in writing for the approval of the Local Planning Authority a suitable external lighting scheme and impact assessment for the car park devised to eliminate any detrimental effect caused by obtrusive light and/or glare on neighbouring land uses. The scheme shall be prepared by a suitably qualified lighting engineer in accordance with relevant publications and standards and the approved scheme shall be fully implemented prior to the car park being brought into use unless an alternative period is approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of neighbours and the visual amenities of the area.

21 Prior to commencement of the development hereby permitted full details of the management of the car park shall be submitted to and approved in writing by the local Planning Authority and only the approved details shall be implemented. These details shall include management and funding of the CCTV system, how the usage is to be controlled and operational details of lighting, barrier controls and methods of payment. The said details shall include information on any associated noise from such equipment. Only the approved details shall be implemented on site.

Reason: To safeguard the amenities of local residents.

22 Prior to the commencement of the development hereby approved a Code of Construction Practice shall be submitted to and approved in writing by the Local Planning Authority and this shall detail methods that all developers, contractors and sub contractors will employ at all times during demolition, construction and other engineering operations on the site. The Code of practice shall include:-

Measures to be used to control and suppress dust

Measures to be use to reduce the impact of noise and vibration arising from noise vibration generating activities on site in accordance with best practice set out in BS:5228:1997 "Noise and vibration control on construction and open sites"

The siting and appearance of works compounds.

The implementation of the development shall only be undertaken in accordance with the approved Code.

Reason: To safeguard the amenities of occupiers of neighbouring residential properties.

23 Prior to the commencement of the development hereby approved plans shall be submitted for approval in writing by the local planning authority of the design of garage doors to residential dwellings on Plots numbers marked x on the layout plan attached. They shall be of a type that when fully open leaves a minimum driveway length of 6metres.

Reason: To ensure adequate off street parking in the interests of traffic and pedestrian safety.

24 No dwelling shall be occupied until visibility splays have been provided at the junction of the estate road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4 m measured along the centre line of the proposed estate road from its junction with the channel of the public highway and 43 m measured from the centre line of the proposed estate road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be kept free of any obstruction.

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.

25 Development shall not begin until detailed plans and sections of the proposed road(s), 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 the proposed roadworks are constructed to an adequate standard.

26 Prior to the commencement of the development hereby approved full details of the proposed off-site highway works to provide for an acceptable footway or controlled pedestrian crossing along Church Road to link with Amphill Town Centre together with speed reduction features within the highways and Real Time Information for bus services shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such time as the agreed works have been constructed.

Reason: In the interests of road safety, pedestrian movement and to promote more sustainable transport modes.

27 No dwelling shall be occupied until a 2 m wide footway has been constructed along the frontage of the development site between the access to the approved site and Gas House Lane in accordance with details of an approved drawing or scheme to be submitted to and approved in writing by the Local Planning Authority. Any Statutory Undertakers' equipment or street furniture shall be resited to provide an unobstructed footway. The footpath shall be constructed in accordance with the approved details.

Reason: In the interests of road safety and pedestrian movement.

28 Before the premises are occupied all on site vehicular areas shall be constructed and surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. This shall be done before the premises are occupied. 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 and 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.

29 Before the premises are occupied any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.

Reason: In the interests of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

30 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 previously agreed in writing by the Local Planning Authority.

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.

31 The development shall not be brought into use until a turning space for vehicles has been constructed within the curtilage of the site in a manner to be approved in writing by the Local Planning Authority.

Reason: To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles onto the highway.

32 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 roadworks 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.

33 Prior to the commencement of the development hereby approved details of a covered and secure scheme for the parking of cycles on the site shall be submitted to and approved by the Local Planning Authority . The scheme shall be fully implemented before the development is first brought into use or occupied and thereafter retained for this purpose.

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

34 Development shall not commence until a scheme detailing access provision to and from the site for construction traffic has been submitted to and approved in writing by the Local Planning Authority. Details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress. 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.

35 Development shall not commence until a scheme detailing provision for on site parking for construction workers 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.

36 Prior to the development hereby approved commencing on site levels of the final ground and slab levels of the dwellings hereby approved shall be submitted to and approved in writing by the Local planning Authority. Such details shall include sections through both the site and adjoining properties. Thereafter the site shall be developed in full accordance with the approved details.

Reason: To ensure that the development is constructed at a level which is appropriate for the area.

37 A detailed plan shall be submitted to and approved in writing by the Local Planning Authority of all grounds surfaces and kerbing to both the housing development and the car park including any demarcation of the car parking spaces to the public car park

Reason: In the interest of the character and appearance of the completed development.

38 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no works shall be commenced for the extension of the buildings or any material alteration of their external appearance until detailed plans and elevations have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of occupiers of neighbouring properties and safeguard the visual amenities of the area.

39 Prior to the occupation of any development approved by this planning permission the developer shall submit to the Local Planning Authority and have approved, in electronic form where possible:

- (a) A further investigation report that progresses the contamination issues and specific recommendations identified by previously submitted reports. Particular attention shall be given to the potential pollution pathway at the boundary with historic gas works.
- (b) A detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment posed by any contaminants identified in the investigation reports.
- (c) A written confirmation that any and all remedial works have been completed in accordance with agreed remediation scheme in the form of a validation report to include photographs, material transport tickets and testing of replacement material. The British Standard for Topsoil, BS 3882:2007, specifies requirements for top soils that are removed or traded and should be adhered to.

All variations to any remediation scheme shall be agreed in writing with the Local Planning Authority.

Any groundwater issues shall be pursued independently through approval via the Environment Agency.

Reason: To protect human health and the environment

40 No clearance works to the site shall take place during March - August (inclusive) unless prior approval has been obtained from the Local Planning Authority following a detailed survey having been undertaken of the potential of the site for reptiles and nesting birds.

Reason: To safeguard nesting birds and any reptiles at the site.

41 Prior to commencement of the development hereby approved the applicant shall submit to the Local Planning Authority a report of evening activity surveys which have been carried out from April to September which investigate the use of the site by important and specially protected species of bats. If these are found at the site then the report shall quantify their use, assess the impact of the development on their habitat and propose appropriate mitigation measures in respect to PPS9 and Local Plan policies. The development shall be carried out in accordance with any necessary mitigation measures .

Reason: To ensure that bats at the site are protected in accordance with PPS9 and Local Plan policies.

This permission relates only to that required under the Town and 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.

The public guidance leaflet Construction and Demolition Sites - A Good Practice Guide can be found on our website.

http://www.midbeds.gov.uk/Images/construction%20demolition_tcm5-24431.pdf#False

Notes to Applicant

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

The application form for approval of details reserved by a condition, Guidance notes and fees (i.e. £25.00 for householder applications and £85.00 for all other applications, per submission) can be found on our website

http://www.midbeds.gov.uk/Planning/Planning_Applications/Planning_Application_Fees.aspx

or alternatively call Customer Services on 01462 611 222 for hard copy forms.

1. The applicant is advised to take note of the comments from the Environment Agency in the attached letter dated 30/01/2009.
2. The applicant is advised that 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 Highway Engineer, Central Bedfordshire Council, PO Box 1395, Bedford, MK42 5AN 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 vehicular access affects or requires the removal and/or 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.

3. The applicant is advised that in order to comply with conditions 27 and 28 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council, PO Box 1395, Bedford, MK42 5AN 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 Highway Engineer, Central Bedfordshire Council. PO Box 1395, Bedford, MK42 5AW.
4. The applicant is advised that the closure of existing access shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with the Highway Engineer, Central Bedfordshire Council, PO Box 1395, Bedford, MK42 5AN. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access(es).
5. 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 highways. Further details can be obtained from the Highway Engineer, Central Bedfordshire Council, PO Box 1395, Bedford, MK42 5AN.
6. The applicant is advised that the Council as highways authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.
7. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Bedfordshire County Council's "Cycle Parking Guidance - August 2006".
8. This planning permission is also subject to a legal undertaking under Section 106 of the Town and Country Planning Act 1990.
9. The applicant is advised to comply with the requirements and regulations of the Wildlife and Countryside Act.

- [Notes: (1) In advance of the consideration of this application, the Committee were advised that four further letters of support to the scheme had been received.
- (2) In advance of the consideration of this application, the Committee received representations made under the Public Participation Scheme.]

Item No. 10

DESCRIPTION: SECTION 73 DETERMINATION: VARIATION OF CONDITIONS 2 AND 3 (DURATION OF CONSENT) ATTACHED TO PLANNING PERMISSION 99/00060/OUT DATED 14.01.04: OUTLINE CONSENT FOR DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF RETAIL FOODSTORE WITH CAR PARKING AND HIGHWAY IMPROVEMENT WORKS (ALL MATTERS RESERVED EXCEPT SITING AND MEANS OF ACCESS)

LOCATION: LAND AT, OLD BRIDGE WAY, SHEFFORD
GRID REFERENCE: TL142388
APPLICATION NUMBER: 06/01418/SE73
PARISH: Shefford
APPLICANT: Daniels Bros (Shefford) Ltd
CASE OFFICER: Anne Sammé
DATE REGISTERED: 06 September 2006
EXPIRY DATE: 06 December 2006

RECOMMENDED DECISION: S106 PENDING

REASON FOR COMMITTEE TO DETERMINE: THE DIRECTOR OF ENVIRONMENTAL AND PLANNING SERVICES CONSIDERS IT PRUDENT FOR COMMITTEE TO DETERMINE THIS APPLICATION

APPROVE Planning Permission **Subject to completion of a S106 Legal Agreement** for the application set out above and subject to the following condition(s):

1 DG04 **Approval of the details of:-**

- (a) the scale of the building(s);
- (c) the appearance of the building(s);
- (d) the landscaping of the site;

(hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of all of the reserved matters referred to above shall be submitted in writing to the Local Planning Authority and the development shall be implemented as approved.

Reason: To enable the Local Planning Authority to exercise control over the said matters which are not particularised in the application for planning permission in accordance with Section 92 of the Town and Country Planning Act 1990 and Town and Country Planning (General Development Procedure) Order 1995.

- 2 DG05 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 (2) (a) and (4) of the Town and Country Planning Act 1990.

- 3 DG06 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Sections 92 (2) (b) and (4) of the Town and Country Planning Act 1990.

- 4 TL01 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 5 U Before any plant or machinery is used on the premises, it shall be enclosed with sound insulating material and mounted in a way which will minimise transmission of structure borne sound in accordance with a scheme previously agreed in writing with the Local Planning Authority. Thereafter only the approved scheme shall be implemented.

Reason: To ensure that the amenities of neighbouring occupiers are not prejudiced by excessive noise.

- 6 U **Before development commences, the procedures for the management and use of the service yard to ensure that amenities of neighbouring residents are protected shall be submitted to and approved in writing by the Local Planning Authority. The development shall accord with the approved details.**
- Reason: To protect the amenities of occupiers of neighbouring properties.**
- 7 U **Details of a scheme for protecting residents of New Street, High Street, Midland Close and Old Bridge Way from noise and general disturbance from the site shall be submitted to and approved in writing by the Local Planning Authority before development commences. The approved scheme shall be implemented before the premises are first brought into use. Approved management operations shall be used at all times.**
- Reason: To protect the amenities of occupiers of neighbouring properties.**
- 8 U **Before development commences, details of lighting of the car park and service area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the premises are first brought into use.**
- Reason: To protect the amenities of occupiers of neighbouring dwellings and to provide on site security.**
- 9 U The premises shall only be open to customers between the hours of 7am and 11pm on Mondays to Saturdays and between the hours of 8am and 6pm on Sundays and Public Holidays.
- Reason: To protect neighbouring residential amenity.
- 10 U There shall be no goods deliveries outside the hours of 7am to 7pm Mondays to Saturdays and only one delivery on Sundays and Public Holidays, which shall only take place between the hours of 9.30am and 3.00pm.
- Reason: To protect the amenities of occupiers of neighbouring properties.
- 11 U **Details of CCTV cameras to be provided in the car park including their position, coverage and means of ensuring the privacy of neighbouring residents shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The cameras shall be provided and available for use before the building hereby approved is first brought into use.**

Reason: On site security and the protection of neighbouring residential amenity.

- 12 U The supermarket hereby permitted shall only be used for the sale of food, drink and other household items normally associated with a supermarket/food store other than a maximum of 250 square metres of net sales floor area which can be given over to the sale of durable items not normally associated with the above category. The unit shall not be used for any other purpose within Class A1 of the Town and Country Planning (Use Classes Order 1987) other than that specified in this condition without the prior written consent of the Local Planning Authority.

Reason: In order to safeguard the vitality and viability of the town centre.

- 13 U Prior to the building first being brought into use, a scheme for odour abatement from store facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be provided before these facilities are first brought into use.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 14 U **No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied. Development shall be carried out in accordance with the approved details.**

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 15 U **Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Thereafter no part of the development shall be brought into use until the approved drainage scheme has been implemented.**

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

- 16 U No building shall be erected within at least 3 metres of the centre line of the public sewer crossing the site.
- Reason: To protect existing services.
- 17 U **Prior to the commencement of any phase of development approved by this planning permission the developer shall submit to the Planning Authority, in duplicate, plus where possible an electronic copy of:**
- a) A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to contamination.**
 - b) Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation Report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soil, gas and groundwater sampling.**
 - c) Where shown necessary by the Phase 2 investigation, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.**
 - c) On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a Phase 4 validation report.**
- Any remediation scheme shall be agreed in writing by the Local Planning Authority prior to the commencement of works.**
- Any remediation scheme, as agreed in writing shall be fully implemented before the development hereby permitted is first occupied.**
- All variations to any remediation scheme shall be agreed in writing with the Local Planning Authority.**
- Reason: To protect human health and the environment.**
- 18 U In this condition "retained tree" means the Copper Beech tree located on the western boundary of the site which is to be retained and paragraph (a) below shall have effect until the expiration of one year from the date of occupation of the building for its permitted use.
- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped without the written approval of the Local Planning Authority.
 - (b) Details of the means of constructing the foundations of the building hereby approved to ensure they do not unduly damage the Copper Beech tree shall be submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: In the interests of the amenity of the Tree Preservation Order site and the surrounding area.

- 19 U Before development commences, full details of all on site facilities for cyclists including details of secure parking facilities shall be submitted to and approved in writing by the Local Planning Authority. All these works shall be implemented in accordance with the approved details before the building is first brought into use.

Reason: In order to provide adequate facilities for cyclists.

- 20 U **Before the development commences details of the highway improvements illustrated on drawing no. FOS 11f shall be submitted to and approved in writing by the Local Planning Authority and no buildings should be occupied until the approved scheme has been implemented.**

Reason: In the interest of highway safety.

- 21 U **Before the development commences details of a pedestrian crossing on Amptill Road/High Street shall be submitted to and approved by the Local Planning Authority and no building shall be occupied until the approved scheme has been constructed in accordance with the approved details.**

Reason: In the interest of pedestrian safety.

- 22 U Before the new access is first 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 a manner to the Local Planning Authority's written approval.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

- 23 U **No development shall commence until details of a cycleway/footpath for the use of staff and customers from New Street into the site has been submitted and approved by the Local Planning Authority. The cycleway/footpath shall be provided in accordance with the approved details prior to the store opening for business.**

Reason: In order to encourage cycle access to the site.

- 24 U The retail use hereby approved shall not commence until a Travel Plan has been submitted to and approved by the Local Planning Authority.

Reason: In order to reduce car traffic to the site and to encourage sustainable modes of transport.

- 25 U The retail use hereby approved shall not commence until details of a 20mph speed restriction within the site including appropriate signage, has been submitted to and approved by the Local Planning Authority. The signage and speed restriction shall be implemented as approved.

Reason: In order to provide a safe means of access for cyclists.

- 26 U **No development shall commence until full details of any external plant, condensers or chillers to be sited on or adjacent to the building have been submitted to and approved by the Local Planning Authority. The details shall include size, location and noise levels of any plant to be installed. The development shall be implemented in accordance with the approved details.**

Reason: In order to protect the amenities of nearby residents and the character of the area.

Notes to Applicant

- 1 The applicant is advised that in order to comply with conditions 20 and 21 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, Environmental Services Bedfordshire County Council, County Hall, Bedford, MK42 9AP
- 2 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 safety 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 developers expense to account for extra surface water generated. Any improvements must be approved by the Development planning and Control Group, Bedfordshire County Council. Further details can be obtained from the Network Maintenance Group, Contracts and Facilities Management, Bedfordshire County Council, County Hall, Bedford, MK42 9AP.
- 3 The applicant is advised that the closure of existing access(es) shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to agreed in writing with the Department of Environment and Economic Development (DEED), Bedfordshire County Council, County Hall, Bedford, MK42 9AP. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access(es).

- 4 The applicant is advised that all chiller units and condensers on the building should be sited as far away as possible from the adjacent residential properties. The applicant is encouraged to discuss potential noise issues with the Environmental Health Section of the Council.
- 5 All construction works near or around the adjacent protected Beech tree shall be hand dug to avoid damage to its roots. The applicant is encouraged to discuss this issue with the Council's Tree and Landscape Manager prior to construction works commencing.
- 6 Any developer of this site is reminded that the site falls partly within the Shefford Conservation Area and therefore conservation area consent is likely to be required before any demolition works are undertaken.
- 7 This permission is the subject of a legal obligation under Section 106 of the Town and Country Planning Act 1990 as amended.

[Notes: (1) In advance of the consideration of the application, the Committee were advised that the signed Section 106 Agreement had been received and confirmed acceptable by our Legal Team.

(2) In advance of the consideration of this application, the Committee received representations made under the Public Participation Scheme.]

Item No. 11

DESCRIPTION: FULL: ERECTION OF TWO STOREY BLOCK OF FLATS COMPRISING OF 4 NO. ONE BEDROOM MAISONNETTES AND 4 NO. TWO BEDROOM MAISONNETTES

LOCATION: LAND ADJACENT TO TOYBOX DAY NURSERY, THE SAXON CENTRE, KINGSFIELD ROAD, BIGGLESWADE, SG18 8AT

GRID REFERENCE: TL203442
APPLICATION NUMBER: 09/00131/FULL
PARISH: Biggleswade
APPLICANT Elliot Charles Biggleswade Partnership Phase 2
CASE OFFICER: Mark Spragg
DATE REGISTERED: 26 January 2009
EXPIRY DATE 23 March 2009
RECOMMENDED DECISION S106 Pending

REASON FOR COMMITTEE TO DETERMINE MBDC has a legal interest in the land.

APPROVE Planning Permission **Subject to completion of a S106 Legal Agreement** for the application set out above and subject to the following condition(s):

- 1 DG01 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 EM01 The building shall be finished externally, in accordance with the approved plan SK13P1, with brickwork and black stained boards to match the adjacent development at Saffron House, unless otherwise agreed in writing by the Local Planning Authority. The development shall only be carried out in accordance with the above.

Reason: To protect the visual amenities of the building and of the area generally.

- 3 TL28 The boundary treatment shall be completed in accordance with the approved drawings unless otherwise agreed in writing by the Local planning Authority prior to occupation of any units.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 4 TL02 **Prior to commencement of development full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-**

- **materials to be used for any hard surfacing;**
- **proposed and existing functional services above and below ground level;**
- **planting plans, including schedule of size, species, positions, density and times of planting;**
- **cultivation details including operations required to establish new planting;**
- **details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.**

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

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 5 TL01 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 6 HS32 Details of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details prior to the first occupation of the buildings hereby approved.

Reason: In the interests of the amenity of cyclists using the development.

- 7 EM10 The first floor windows in the north elevation of the development hereby permitted shall be of fixed type and fitted with obscured glass of a type to substantially restrict vision through it at all times, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. No further windows or other openings shall be formed in the elevation.

Reason: To safeguard the amenities of occupiers of adjoining properties

- 8 AN03 **Details of a scheme of archaeological investigation of the site shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The said development shall only be implemented in accordance with the scheme thereby approved.**

Reason: To safeguard any material of archaeological interest which exists on the site.

[Note: In advance of the consideration of this application, the Committee received representations made under the Public Participation Scheme.]

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Item No. 12

DESCRIPTION: FULL: DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF 2NO. DETACHED DWELLINGS WITH DOUBLE GARAGES.

LOCATION: 200A SHEFFORD ROAD, CLIFTON, SHEFFORD, SG17 5QS

GRID REFERENCE: TL 154390
APPLICATION NUMBER: 08/02368/FULL
PARISH: Clifton
APPLICANT: Mr Owen
CASE OFFICER: Godwin Eweka
DATE REGISTERED: 17 December 2008
EXPIRY DATE: 11 February 2009

RECOMMENDED DECISION: FULL CONDITIONAL APPROVAL

REASON FOR COMMITTEE TO DETERMINE: Cllr Rogers- Overbearing impact and over-development

APPROVE Planning Permission for the application set out above subject to the following condition(s):

- 1 DG01 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 CD03 **Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Thereafter no part of the development shall be brought into use until the approved drainage scheme has been implemented.**

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

- 3 DG17 The permission shall extend only to the application as amended by 08021 (D) 095 Rev A and 080219D) 096 Rev A received 24th February 2009 and 08021(D) 094 Rev I; 08021(D) 093 Rev J and 08021(D)091 Rev K received on 25th February 2009.

Reason: For the avoidance of doubt and to ensure that the development is implemented in accordance with the plans formally approved by the Local Planning Authority.

- 4 EM01 A scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external walls and roof. The development shall be carried out in accordance with the approved scheme.

Reason: To protect the visual amenities of the building and of the area generally.

- 5 EM11 **Prior to the first occupation of the building the first floor windows in the east elevation of the development on plot 2, shall be fitted with obscured glass of a type to substantially restrict vision through it at all times, and restriction on its opening, details of which shall have been previously submitted to and agreed in writing by the Local Planning Authority.**

Reason: To safeguard the amenities of occupiers of adjoining properties.

- 6 EM16 **Prior to the development hereby approved commencing on site details of the final ground and slab levels of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

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

- 7 U 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 5.0m 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. (HC 15)

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.

8 U Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local 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. (HC 20)

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises

9 U The turning space for vehicles illustrated on the approved Drawing No 08021 (D) 090 Revision G shall be constructed before the development is first brought into use. (HC 27)

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

10 U **Before development begins, a scheme for the parking of cycles on the site 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. (HC 35)**

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.

11 U Details of bin collection point located at the site frontage outside of the public highway shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling.

Reason: To ensure the public highway is not obstructed.

12 U **Development shall not commence until a scheme detailing provision for on site parking for construction workers 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. (HC 38)**

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

13 RR07 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification), there shall be no further extension(s) on any of the buildings.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 14 RR08 Notwithstanding any provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no further window or other opening shall be formed on the any elevation of the building(s).

Reason: To protect the amenities of occupiers of neighbouring properties.

- 15 TL02 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- materials to be used for any hard surfacing;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

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

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 16 TL01 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 17 TL28 **A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied in accordance with a timescale agreed in writing with the Local Planning Authority.**

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

Notes to Applicant

- 1 The applicant is advised that 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, 6th 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.
- 2 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 Bedfordshire Highways, Streetworks Co-ordination Unit, County Hall, Bedford, MK42 9AP. (HN x)
- 3 The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway The 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. (HN xi)
- 4 The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Bedfordshire County Council's 'Cycle Parking Guidance - August 2006'.

[Notes: (1) In advance of the consideration of the application, the Committee were advised that as the consultation period for the amended drawings did not expire until 24 March 2009, delegated powers were requested for the Director of Environmental and Planning Services to approve the application subject to no new issues being raised before the expiry of the consultation period.

“Two additional letters of objection had been received raising the following issues:-

- The revised proposal would have an overbearing impact giving rise to an unreasonable loss of light to the writers and other adjacent dwellings and would result in a cramped and overdeveloped site.
- The development would result in overlooking and loss of privacy to their property.
- Visitors to the new dwellings would probably park out in the street as there is no parking to the front of plot 1.
- The upper and lower schools in the area are already oversubscribed and struggling to provide places for young families that are already in the area.
- The density proposed is not appropriate for the area.
- The visibility from the access is poor and the drives are dangerous not only to the car driver but also the pedestrian.
- Plot 2 extends further forward and further back than the adjacent property 200B Shefford Road and is far from similar to this neighbouring dwelling.

(2) In advance of the consideration of this application, the Committee received representations made under the Public Participation Scheme.]

Item No.13

DESCRIPTION: FULL: CHANGE OF USE OF LAND FROM AGRICULTURAL TO STATIONING OF 8 CARAVANS FOR RESIDENTIAL PURPOSES WITH ASSOCIATED HARDSTANDING, CESS PIT, SHEDS AND LANDSCAPING (RETROSPECTIVE).

LOCATION: OLD ACRE PADDOCK LAND TO THE REAR OF THE PLOUGH INN, BARTON ROAD, PULLOXHILL

GRID REFERENCE: TL080326
APPLICATION NUMBER: 07/00290/FULL
PARISH: Pulloxhill
APPLICANT: Mr P Fury
CASE OFFICER: Hannah Pattinson
DATE REGISTERED: 01 March 2007
EXPIRY DATE: 26 April 2007

RECOMMENDED DECISION FULL CONDITIONAL APPROVAL

REASON FOR COMMITTEE TO DETERMINE CLLR OR CALL IN

Temporary Planning Permission for 3 years.

The use hereby permitted shall be carried on for a limited period of 3 years commencing from the date of this Decision notice, at the end of which period the use shall cease and the caravans shall be removed from the land.

Reason for decision: for the avoidance of doubt.

Notes to Applicant

- 1 Please note that the Internal Drainage Board will not consent direct discharge to the watercourse on the boundary of the property and advise that permanent structures must not be positioned within 7 m of the bank top without the consent of the Board.
- 2 The applicant is advised that whilst the Council has no positive evidence to suggest that the site is contaminated, it is their responsibility to ensure that the final ground conditions are fit for the end use of the site.
- 3 All mobile homes sites are required to obtain a Site Licence under the provisions of the Caravan Site and Control of Development Act 1960. Further information may be obtained from the Home Environment Team on 08452 304040.

[Note: In advance of the consideration of the application, the Committee were advised that the initial submission was made by Cllr David Thompson, on the basis of the high level of likely public interest and the opposition of Pulloxhill Parish Council to the Scheme.

The Committee noted an amendment to Condition 2 to read:

“No more than eight pitches each comprising of one touring caravan, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 shall be stationed on the site at any one time and shall be sited in the position indicated on the submitted plan MBDC, unless otherwise agreed in writing by the Local Planning Authority.”

Item No. 14

DESCRIPTION: FULL: CHANGE OF USE FROM SCHOOL TO RESIDENTIAL USE

LOCATION: EAST LODGE SCHOOL, AMPHILL ROAD, SHEFFORD, SG17 5BH

GRID REFERENCE: TL131387
APPLICATION NUMBER: 08/00850/FULL
PARISH: Shefford
APPLICANT: Mr A and Mrs V Green
CASE OFFICER: Mary Collins
DATE REGISTERED: 15 May 2008
EXPIRY DATE: 10 July 2008

RECOMMENDED DECISION REFUSE

REASON FOR COMMITTEE TO DETERMINE COUNCILLOR BIRT REQUEST; CONSIDERS THERE HAS NOW BEEN AN INTENSIVE PROGRAMME OF ADVERTISEMENT FOR THE PROPERTY.

Deferred Application: that the application be deferred until 35 days after the election to be held on 4 June 2009.

[Notes: (1) In advance of the consideration of the application, the Committee were advised of updates and consultation as follows:-

- (i) To confirm the site is within Campton and Chicksands Parish. The corporate GIS on which our records are held records the site as being Shefford – this has led to repeated expressions of concern by the applicant, but is not a matter that can be changed to record this individual planning application. Confirm that consultation went to both Campton and Chicksands Parish Council and to Shefford Town Council, the latter being the adjacent parish.
- (ii) Additional information has been received from the applicant in the last few days regarding the advertising of the premises. This has been forwarded to members of the Committee together with the earlier submitted supporting information. The applicant confirms that the poster sign at the entrance to the premises has been in situ since December 2007 offering a single storey building for alternative commercial use. They have also now submitted evidence of press advertising in the Biggleswade Chronicle on two Fridays in January 2008 (a copy has now been submitted and shows a small box advert advertising a single storey building in a rural location for commercial use). In addition an advertisement was placed in each of Bedfordshire on Sunday (through Leighton Buzzard, Dunstable, Milton Keynes, Luton and Bedford) and the Comet, for two weeks in January 2008.

- (iii) The correspondence also advises that because of the suspended floor structure, heavy machinery would not be appropriate within the building. It also confirms that potential occupiers of the building for commercial purposes have all requested additional access arrangements using the drive to the lodge – this would cause congestion and has in the past resulted in an accident to the applicant's car.
- (iv) Officers can also advise that in the last few days two small signs have also been spotted on the fence to the property advertising the premises as offices to let. It is not known how long these have been in situ as the applicant has not advised of this.
- (v) The applicant advises that they are reluctant to enter into a legal agreement in terms of the Planning Obligations Supplement but perceive their letter as an agreement to comply with the requirement. Such written undertaking would not be enforceable in planning terms, and it is not possible for this requirement of our adopted policy to be addressed in this informal way.

Officers remain concerned that in order to demonstrate that there is no demand for this premises as a continuing commercial unit we would normally expect a continuous programme of advertising of a property over a period of at least six months, even without the current downturn, with the unit advertised separately from the adjacent Lodge. Information is usually also expected on the financial aspects of either the sale or rental so that advice can be taken on the appropriateness of such an exercise. Such information has not been forthcoming in this instance, and therefore the officer recommendation remains or refusal for the reasons set out.

- (2) In advance of the consideration of this application, the Committee received representations made under the Public Participation Scheme.]

Item No. 15

DESCRIPTION: FULL: CHANGE OF USE TO RESIDENTIAL AND ALTERATIONS TO CHANGE ROOF FORM

LOCATION: BARN AT 19A, HIGH STREET, PULLOXHILL

GRID REFERENCE: TL063341

APPLICATION NUMBER: 08/02409/FULL

PARISH: Pulloxhill

APPLICANT Mr Sherry

CASE OFFICER: Duncan Jordan

DATE REGISTERED: 19 January 2009

EXPIRY DATE 16 March 2009

RECOMMENDED DECISION S106 PENDING

REASON FOR COMMITTEE TO DETERMINE CLLR ELLIS REQUEST - AFFECT ON CONSERVATION AREA & AMENITY CONCERNS

Deferred Application: See Minute No.

- [Notes: (1) In advance of the consideration of the application, the Committee were advised that a revised plan had been received detailing an enclosed internal staircase. A draft legal agreement had been undertaken which would comply with the Councils Planning Obligations Strategy.
- (2) In advance of the consideration of this application, the Committee received representations made under the Public Participation Scheme.]

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Item No.16

DESCRIPTION: FULL: CHANGE OF USE OF BARNs TO RESIDENTIAL AND STUDIO OFFICE.

LOCATION: BARNs AT DOLTONs FARM, NEWPORT ROAD, WOBURN

GRID REFERENCE: SP940335
APPLICATION NUMBER: 09/00007/FULL
PARISH: Woburn
APPLICANT: Bedford Estates
CASE OFFICER: Sarah Fortune
DATE REGISTERED: 05 January 2009
EXPIRY DATE: 02 March 2009

RECOMMENDED DECISION FULL CONDITIONAL APPROVAL

REASON FOR COMMITTEE TO DETERMINE AT REQUEST OF CLLR WELLS - THE SITE IS OUTSIDE THE SETTLEMENT ENVELOPE AND IN THE GREEN BELT

APPROVE Planning Permission for the application set out above subject to the following condition(s):

- 1 DG01 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 EM01 A scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external walls and roof. The development shall be carried out in accordance with the approved scheme.

Reason: To protect the visual amenities of the building and of the area generally.

- 3 TL02 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- i. a native hedge and trees along the rear boundary of the site and a native hedge along the south boundary of the site
- ii. materials to be used for any hard surfacing;
- iii. planting plans, including schedule of size, species, positions, density and times of planting;

- iv. cultivation details including operations required to establish new planting;
- v. details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

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

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 4 TL04 The scheme approved in Condition 3 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the completion of the development.

Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

Reason: In order to ensure that the planting is carried out within a reasonable period in the interest of the visual amenities of the area.

- 5 TL28 A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. This shall include the erection of a post and rail fence around the sides and rear of the site. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 6 U **Prior to the commencement of any phase of development approved by this permission the developer shall submit to the Local Planning Authority, in duplicate and in electronic form where possible:**

a) A sampling report further documenting the ground conditions of the site with regard to potential contamination, incorporating testing of exposed glacial till and made ground, as recommended by the existing geotechnics, July 2008,

Phase 1 desk Study.

Should this or any other indication suggest the need for further remedial or investigative works after consultation with the Authority's Contaminated land officer, further reports will be required.

Any matters relating to controlled waters to be pursued via Environment Agency.

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.

Reason: To protect human health and the environment.

7 TL05 The plans and particulars submitted in accordance with condition 3 above shall include:-

(a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each tree;

(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraph (c) and (d) below apply:

(c) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, [within the crown spread of any retained tree or of any tree on land adjacent to the site within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree];

(d) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage before or during the course of development.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason: To safeguard the existing trees on the site in the interests of visual amenity.

- 8 TL10 The soil levels within the root spread of the trees/hedgerows to be retained shall not be raised or lowered.
- Reason: To safeguard the existing trees on the site in the interests of visual amenity.
- 9 TL19 A scheme for landscape maintenance which shall cover a period of at least 5 years from the date of its implementation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted to and approved in writing prior to the first occupation/bringing the site into use. The schedule shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.
- Reason: To ensure an appropriate standard of visual amenity in the local area.
- 10 TL26 The parking area shall be constructed using a “no-dig” method of construction as outlined in Arboricultural Practice Note no.1 (Driveways close to trees).
- Reason: To ensure the protection of trees and hedgerows to be retained, and in particular to avoid unnecessary damage to their root systems.
- 11 RR07 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no works shall be commenced for the extension or material alteration of the building, or the erection of any building or structure within its curtilage until detailed plans and elevations have been submitted to and approved in writing by the Local Planning Authority as part of a planning application.
- Reason: To protect the amenities of occupiers of neighbouring properties and safeguard the appearance of the completed development in the interest of the visual amenities of the area and the Green Belt.
- 12 RR10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995, (or any Order revoking or re-enacting that Order with or without modification) no fence, wall, gate or other means of enclosure shall be erected unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To protect the amenities of adjacent occupiers and the character and appearance of the area.

- 13 U The studio office hereby approved shall be used at all times in association with the dwelling house and at no time sold off or used as a separate office.

Reason: For the avoidance of doubt, in the interest of the visual amenities of the area and to safeguard highway safety.

- 14 U **Prior to any building work commencing on the site detailed drawings of all proposed new and or replacement doors and windows together with a detailed specification of the materials, construction and finishes, shall be submitted to and approved in writing by the Local Planning Authority. Details shall be provided which clearly show a section of the glazing bars, frame mouldings, door panels, the position of the door or window frame in relation to the face of the wall, depth of reveal, arch and sill detail.**

Reason: To ensure that the special architectural interest of the building and its character and appearance is properly preserved, maintained and enhance in accordance with PPG15.

- 15 U All rainwater goods - gutters, down pipes and rainwater heads and associated fixtures and fittings - are to be black or dark grey painted cast iron. In certain circumstances and with the agreement in writing of the Local Planning Authority - cast aluminium may be acceptable. Plastic or other materials are not acceptable.

Reason: To ensure that the character and appearance of the historic building is properly preserved, maintained and enhanced to accord with PPG15: Planning and the Historic Environment.

Notes to Applicant

- 1 The applicant is advised that the recommendations provided in the RPS reports must be followed. The developer must remove the barn owl nest box prior to this years breeding season to prevent nesting activity. This should be replaced with an appropriately designed and located nest box, either at a suitable distance from the development site if replaced immediately, or close to the current site once development/disturbing activity is complete.

The developer is advised to follow the consultants recommendations that: development of the site should include minimal external lighting that does not cast light on surrounding vegetation; existing vegetation should be retained as far as possible; and provision of bat roosts within the re development should be considered.

All contractors working on site should be made aware of the possible presence of protected species; should any such species be encountered during development contractors should be requested to cease work until professional advice has been sought

[Note: In advance of the consideration of the application, the Committee were advised that Woburn Sands and District Society has concerns that the site is outside the settlement envelope and in designated greenbelt. It was noted that the barn is redundant and becoming derelict. It was felt that this should not influence the planning decision. There is no need for an additional four bedroomed property but there is need for more employment either agricultural or light industrial. There is a need locally for affordable housing.

“The Committee noted that the completed unilateral agreement had been submitted in connection with this application”.

In advance of the consideration of this application, the Committee received representations made under the Public Participation Scheme.]