Minutes of the meeting of the Planning and Highways Committee held on 3rd July 2024 at 16.00hrs using www.zoom.us

Present: Cllrs Lisa Hayes, Paul Mackin, Den Fensome, and Ken Pollard, and one member of the public.

Town Clerk: C Quinlan (Admin Assistant).

1. **Apologies:** apologies received from Cllrs Steve Nash and Fred Wilson.

2. **Declarations of interest:** none declared.

3. **Minutes**
   The minutes of the meeting of the Committee on 5th June 2024 were agreed as a true record and signed digitally by the Chair. The Zoom recording was agreed to be deleted.

   Public Question Time: A resident made representation for the tree application CB/TRE/24/00208 regarding the informal professional advice given by a tree contractor.

4. **Delegated Powers**
   CB/24/00496/LB
   Ground Floor of 6 North Bridge Street, Shefford, SG17 5DH
   Proposal: Listed Building: Installation of a commercial flue, its ducting surrounding enclosure, external window and doors alterations and internal works. Retrospective.)

   Please see resolution below.

   CB/24/00495/FULL
   Ground Floor of 6 North Bridge Street, Shefford, SG17 5DH
   Proposal: Installation of a commercial flue, its ducting surrounding enclosure, external window and doors alterations. Retrospective.)

   Shefford Town Council resolved to object to this application on the following grounds:
   - ***In agreement with Johnathon Prosser's comments in "Internal Consultation Memo (2554899).pdf", the Committee raised concerns regarding the harmful visual impact with the proposed installation, the inaccuracies of the submitted drawings and the potential for a more suitable and less damaging flue placement. The proposed main and technical drawings display a different configuration of the flat-roofed link structure than currently observed, which could affect impact regarding flue installation. Further to the inaccuracies of the submissions, the retrospective planning application includes works that***

have yet to be conducted and thus is not retrospective, making the application proposed on false grounds.

- ***It is stated in the Design and Access Statement 21.02.2024.docx that "the proposed flue has been located in a position where it results in the least amount of harm to the historic asset." However, the Conservation Officer believes that "the optimum solution, in respect of minimising visual impact, would be an unenclosed, black-finished vertical installation at the far gable end of the kitchen outbuilding". These contrasting views imply that the proposed installation and cladding would create a negative impact on the silhouette of the building and, as the proposed development is not in keeping with the picturesque High Street nor with the Grade II Listed Building, it would detract from the preservation of the conservation area and historic value of the locality and the town as a whole, in contrary to Section 16 of the NPPF and Section 18.5 of the Local Plan.***
- ***As detailed in the Noise Impact Assessment document, it is specified that the noise output levels are to be kept below 39db, as in line with the previous background sound assessment in 2022; however, the assessment only reaches an acceptable level of noise when excluding any external sound and relying upon a reduction through a partially open window. This provides little to no margin for background sound levels and without any noise suppression or reductions, the impact would be 8-11dB over this level, and are classed as a significant adverse impact. Furthermore, the necessary mitigations required to bring the noise output to a permissible level would require regular maintenance and upkeep to prevent failure and without the mitigations, there would be a significant adverse impact. Shefford Town Council's prior experience with other systems in the town offers little confidence that regular maintenance would be carried out. How can it be guaranteed that acceptable noise levels are not exceeded and how will this be enforced if this condition is violated? Additionally, due to the theoretical nature of the assessment, it's claims are unsubstantiated and cannot be proven to be compliant with acceptable noise levels or the mitigation proven to be sufficiently effective. Although various data sheet for the relevant equipment have been submitted, an independent assessment should be conducted to collate and integrate the output and effect of all equipment.***
- ***Moreover, the application does not take into consideration that, due to the surrounding commercial buildings already possessing operational extractors and the location of the adjacent backfill residential development, the installation of another extractor flue in the area will create a pocket of reverberation for noise pollution, in contrary to HQ1 of the Local Plan.***
- ***As detailed in the "CC180432-Planning R2 Ventilation System Details 21.02.2024.pdf", the proposed ventilation system requires a "high level of odour control". Although it is suggested that "installation of ESP RY5000B followed by a filter housing with F7 grade pleated filters,***

followed by carbon filters…dispersed via duct grills.", the application does not take into consideration that, due to the surrounding commercial buildings already possessing operational extractors and the location of the adjacent backfill residential development, the installation of another extractor flue in the area will create a pocket of reverberation for odour pollution. The extraction flue stipulated would not be capable of removing odours to a sufficient mitigation level that would not affect the neighbouring residents and businesses to the site, which is highlighted by the lack of an odour assessment. The effect of the flue installation will be very severe on the neighbouring residents and businesses: as the flue exit is not located above window height, it is predicted that all odorous fumes will be blown into the first storey windows of the adjacent buildings.

- ***Additionally, the flue remains unsatisfactory due to its close proximity to the adjacent properties (there is a horizontal distance of only 11m from proposed extraction flue to number 4A first floor front facing window) and thus is contrary to HQ1 of the Local Plan and Section 2.7 of the Building Regulations 2010 Ventilation Volume 2: Buildings other than dwellings, detailing "Exhaust outlets should be located so that both of the following are achieved: Re-entry of exhaust air into a building, or entry into nearby buildings, is minimised. There is no harmful effect on the surrounding area."***
- ***The Heritage Statement 21.02.2024.docx and Planning Statement 21.02.2024.docx highlight paragraph 85 of Section 6 of the NPPF, stating "Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development". The proposed application does not mention any plans for local employment opportunities, support for the community or consultation with local businesses or residents, and would have a detrimental impact upon the amenity of neighbouring residents in terms of noise and disturbance: hence, the harm identified would not be outweighed by the public benefits of the development. The proposal is therefore considered contrary to Sections 12 and 16 of the National Planning Policy Framework (NPPF), Policies HQ1 and HE3 of the Central Bedfordshire Local Plan and the Central Bedfordshire Design Guide and would fail to satisfy the provisions of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.***
- ***In regards to permitted development rights, certain works are allowed to be conducted in and on a building. However, as the property is both a Grade 2 listed building and is located in a conservation area, these rights require further investigation. There are various issues that have been raised by the Conservation Officer that have yet to be resolved: the repointing of the damaged night safe with appropriate materials and to be in keeping with the rest of the brickwork, and the limewash on the walls and the lathe and plaster will need to be made good. Following sight of the registered title deed and plan of No. 6 (title number***

BD254741), the adjacent archway is included in the area and therefore the applicant is responsible for its upkeep. Details should be included in the application regarding the works done to repair the historic archway and gate, which are in urgent need of repair, and to maintain the car park to an acceptable standard.

5. **Plans for Consideration**

CB/24/01234/FULL

53 Bridge View, Shefford, SG17 5FT

Proposal: Installation of an air source heat pump to replace gas boiler

It was resolved by Delegated Powers to object to this application in concurrence with the Public Protection Practitioner / EHO's comments and the noise assessment resulting in a high level of background noise (42 dB). The unit proposed is in close proximity to the adjacent property and there is no sound attenuation included in the planning application.

If Central Bedfordshire Council are minded to approve the application, Shefford Town Council request that noise mitigation measures be installed together with the proposed unit to reduce any noise pollution to the surrounding properties.

CB/TRE/24/00208

16 Hitchin Road, Shefford, SG17 5JA

Proposal: Works to a tree protected by a Tree Preservation Order: MB/13/2001 Remove Ash Tree T4 in front garden have been advised tree is at end of life, branch falling on pavement a danger to pedestrians

It was resolved by Delegated Powers to object to this application due to the lack of information and professional advice provided in the application documents, and no mention of a replacement tree.

6. **Central Bedfordshire Council's Planning Obligations SPD**

The adoption of the Planning Obligations SPD by Central Bedfordshire Council was received and noted.

Meeting closed 16:33hrs.