

Item No. 8

APPLICATION NUMBER	CB/16/01373/RM
LOCATION	Land off Bedford Road to the north of Gold Furlong, Marston Moretaine, Beds
PROPOSAL	Reserved Matters: Permission is being sought for the Access, Appearance, Landscaping, Layout and Scale following Outline application CB/14/2084/OUT Development of up to 50 dwellings (falling within use class C3) circa 1.23 hectares of employment related development for uses falling in use classes B1, D1 and D2; a local centre of circa 0.13 hectares to include a range of retail and commercial uses falling within use classes A1/A2/A3/A4/A5, 0.3 hectares of school playing field land; associated infrastructure including the principle of access from gold furlong (the primary street serving the existing Marston Park development), and its approved access road spur; internal access roads, pedestrian footpaths and cycle routes including improvements to the pedestrian connection linking through to Stewartby Lake, car and cycle parking, utilities and drainage, landscape works and ground remodelling.
PARISH	Marston Moretaine
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER	Lisa Newlands
DATE REGISTERED	01 April 2016
EXPIRY DATE	01 July 2016
APPLICANT	BDW Trading Limited
AGENT	KRT Associates Ltd
REASON FOR COMMITTEE TO DETERMINE	Major application with a Parish Council objection
RECOMMENDED DECISION	Reserved Matters - Approve

Summary of Recommendation

It is considered that the proposal is in accordance with the Marston Park design code and the principle has already been established at outline stage. The reserved matters application shows a suitable design and level of amenity for both existing and future occupiers. In addition, the parking provision and access arrangements are considered acceptable. It is therefore recommended that reserved matters be approved.

Site Location:

The site lies to the east of the village of Marston Moretaine. Along its western boundaries it adjoins existing residential areas off Bedford Road and Station Road. It adjoins the Marston Vale Millennium Country Park and Forest Centre to the east/southeast. To the northeast is Anglian Water sewage treatment works.

The site lies within the Settlement Envelope of Marston Moretaine and was granted outline planning permission under planning application ref: CB/14/02084/OUT - Outline Planning Permission with all matters reserved : Development of up to 50 dwellings (falling within use class C3) circa 1.23 hectares of employment related development for uses falling in use classes B1, D1 and D2; a local centre of circa 0.13 hectares to include a range of retail and commercial uses falling within use classes A1/A2/A3/A4/A5, 0.3 hectares of school playing field land; associated infrastructure including the principle of access from gold furlong (the primary street serving the existing Marston Park development), and its approved access road spur; internal access roads, pedestrian footpaths and cycle routes including improvements to the pedestrian connection linking through to Stewartby Lake, car and cycle parking, utilities and drainage, landscape works and ground remodelling.

The site forms part of a wider housing development known as Marston Park, this is under construction with approximately 300 completed dwelling houses, and the Lower School constructed.

This application has been submitted for the local centre element of the outline permission.

The Application:

Reserved matters consent is sought for the detailed design and layout of the local centre comprising of a range of retail and commercial uses and 8 residential apartments. The design proposes eight 2 bedroom apartments and a flexible arrangement of 2 commercial spaces.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Section 6 - Delivering a wide choice of quality homes

Section 7 - Requiring Good Design

Core Strategy and Development Management Policies- North 2009

CS1 Development Strategy

CS3 Healthy and Sustainable Communities

CS5 Providing homes

CS7 Affordable Housing

CS13 Climate Change

CS14 High Quality Development

CS16 Landscape and Woodland

DM1 Renewable Energy

DM2 Sustainable Construction of New Buildings

DM3 High Quality New Development
DM4 Development within and Beyond Settlement Boundaries
DM10 Housing Mix
DM14 Landscape and Woodland

Mid Bedfordshire Local Plan (First Review) 2005

Policy HO8(3A)

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Supplementary Planning Guidance

Central Bedfordshire Design Guide

Marston Park - Design Code

Relevant Planning History

Application:	Planning	Number:	CB/15/02631/RM
Validated:	15/07/2015	Type:	Reserved Matters
Status:	Decided	Date:	18/11/2015
Summary:		Decision:	Reserved Matters- Granted
Description:	Permission is being sought for the Access, Appearance, Landscaping, Layout and Scale Following the Outline planning permission CB/14/2084/OUT Development of up to 50 dwellings (falling within use class C3) circa 1.23 hectares of employment related development for uses falling in use classes B1, D1 and D2; a local centre of circa 0.13 hectares to include a range of retail and commercial uses falling within use classes A1/A2/A3/A4/A5, 0.3 hectares of school playing field land; associated infrastructure including the principle of access from gold furlong (the primary street serving the existing Marston Park development), and its approved access road spur; internal access roads, pedestrian footpaths and cycle routes including improvements to the pedestrian connection linking through to Stewartby Lake, car and cycle parking, utilities and drainage, landscape works and ground remodelling.		

Representations: (Parish & Neighbours)

Marston Moretaine
Parish Council

Objects to the proposed three storey height of the local centre with flats above. They feel that the height does not positively contribute to the overall character and setting of the wider development, and character of a village setting. The centre is located adjacent to a lower school which is a low building and as such the local centre will impact

detrimentally on the street scene.

They also raise the following concerns:

- the car park does not provide sufficient customer parking spaces and as such current parking issues in God Furlong will be compounded as a result;
- whilst a main thoroughfare through the development Gold Furlong is still narrow for a main route and has existing parking problems at school pick up and drop off times - request a condition relating to delivery times outside of school drop off/ pick up times;
- Flats 3,4, 7 & 8 all have windows which overlook the adjacent lower school and its playground - concern regarding child safety
- The design of the commercial units should allow for additional subdivision to enable smaller outlets to run from the premises.
- The delivery access is not ideal for Unit 2 - concern is expressed that the location of the allocated delivery parking area will not be utilised by delivery drivers as the current location will necessitate delivery items to be walked to the store.

Neighbours

No comments received

Consultations/Publicity responses

Public Protection

No objection - it is assumed that condition 35 to 39 on the outline remain applicable to this reserved matters and am satisfied that this will provide adequate controls should the development proceed. If not I request that these conditions are imposed on any grant of planning permission.

Officer Comments: Noise and air filtration systems are covered in conditions on the outline. The outline conditions also cover opening hours and delivery times. The opening hours are currently restricted to between 07:00 hrs and 23:00 hours unless agreed in writing by the Local Planning Authority. Delivery hours are currently permitted between the hours of 06.00 and 21.00hrs Monday to Friday, 06.00 and 20.00hrs on Saturdays, and 09.00 and 17.00hrs on Sundays and Bank Holidays. No deliveries by Heavy Goods Vehicles (i.e. those exceeding 3.5t) shall be undertaken before 07.30hrs on any day.

Archaeology

This development site lies outside the limits of the excavated archaeological site to the south no archaeological constraints were identified at the outline

Highways

planning stage and consequently, I have no objection to this reserved matters application.

A new 4.8m wide access road will serve the development leading to a publically available parking area at the front of the building containing 12 car parking spaces and 6 cycle parking spaces to serve the commercial development and a private car park at the rear containing 16 car parking spaces and a secure storage building containing 16 cycle parking spaces to serve the residential development.

A loading/unloading bay is shown to the side of the building for use by delivery vehicles.

The on-site parking for both the commercial and residential elements of the development can be considered compliant with the Council's parking standards for the scale of development proposed.

The proposed width of the access road is acceptable and the level of visibility available at the point of access is in excess of the minimum standard required.

Therefore, no objection subject to conditions.

IDB

No objection

Trees and Landscape

No objection - subject to landscape condition.

Housing Development Officer

This application provides for 2 affordable homes which is not in accordance with our current affordable housing requirement. I would expect to see 35% affordable housing or 3 affordable units.

Officer comments: Historically, a lower affordable housing percentage was negotiated at outline stage for this site. The affordable housing provision is therefore in accordance with this agreed figure.

Determining Issues

The main considerations of the application are;

- Principle of Development
- Compliance with the Design Code
- Visual Impact
- Neighbourhood Amenity
- Hard and Soft Landscaping
- Highway Matters
- Other Issues

Considerations

1. Principle of Development

- 1.1 The principle of mixed use development at Land East of Marston Moretaine confirmed by its allocation for development in the Mid Bedfordshire Local Plan, First Review 2005.
- 1.2 Outline planning permission (ref no. MB/06/00593/OUT) was approved in October 2008 and this further underlined the acceptability in planning policy terms of residential development in this location.
- 1.3 A condition of the outline planning permission was for any development to be carried out in accordance with the Master Plan and Design Code to be approved by the Local Planning Authority; this code was approved July 2010.
- 1.4 The revised Master Plan and Design Guide contains (amongst others) regulatory details which all of the new residential development on the site must comply with.
- 1.5 Further consent was granted for an additional 50 dwellings on this site, which was consented on the 2nd April 2015. This is the Reserved Matters Consent associated with the approved outline. It is considered that the principle of this development is acceptable.

2. Compliance with the Design Code

- 2.1 The approved Design Guide seeks continuous frontage along the "Main Street" with a lowering of density and less built up form towards the southern edge facing the Forest Centre. The proposed dwellings are a gateway into Marston Park, forming the dwellings off the 1st road on the left of the main access into the development. This area of the site was originally envisioned in the design code as an area of employment (area D) mixed with area A (main street). The area will not exceed three storeys in height, and units will form a strong frontage along the main road through this area. Although this is now a residential part of the site it is considered appropriate to consider the character of the area.
- 2.2 The application site falls in Character Area A which seeks a formal arrangement with a positive frontage addressing the main street. It is more urban in character with heights up to 3 storey allowed. It is considered that this proposal demonstrates the requirements of Character Area A. The design code states that the local centre will be the focal point for the new community, it continues to state that the prominent location of the local centre and its range of uses provide an opportunity for taller building heights of up to 3 storeys.
- 2.3 In summary it is felt that this proposal adheres to the principles within the Design Code and where appropriate conditions would be imposed to ensure that construction is carried out in accordance with the approved Code, this would largely relate to the use of materials and window types.

3. Visual Impact

- 3.1 The Design Code indicates that the entirety of the development is to be designed to promote local distinctiveness. The submitted plans are considered to be an appropriate interpretation of the Design Guide's principles in terms of character,

quality, legibility and local distinctiveness.

- 3.2 It is considered that the bulk, massing, and siting of the proposed development would be acceptable and would enable an appropriate level of design and form as required by the Design Guide. The form and massing takes its cue from the design code and the adjacent 2.5 storey terrace, thus creating a perception of continuous build form along the Gold Furlong frontage. The Parish Council have objected to the application on the grounds of the height of the proposed building, however, the Design Code allows for 3 storey buildings at this point and it is envisaged that the proposed building will be a key focal building within the development. In addition, to this the adjacent residential development is a 2.5 storey row of terraces.
- 3.3 The Parish Council have raised concern in terms of the height given its relationship with the adjacent single storey school. The Design Code envisaged a much larger school, up to 3 storeys in height. However, due to school requirements and access required to all, a smaller school of single storey height was permitted. This introduced a canopy at the front to make it more prominent within the street scene. However, the school and community building are the only low level buildings within this part of the site, with the surrounding development being predominantly 2.5 storey in height. It is acknowledged that there will be a significant difference in height between the proposed local centre and the school, given the design of both elements and the surrounding area, it would not have a detrimental impact on the character of the area.
- 3.4 It is considered that the proposed would be in accordance with the Design Code and would not have a detrimental impact on the character of the area.

4. Neighbouring Amenity

- 4.1 The proposed development would have suitable separation distances from the development to the rear with some 30 metres from the rear elevation of the proposal to the rear elevation of the properties behind.
- 4.2 The siting of the building has allowed for commercial parking at the front and residential parking to the rear. The footprint of the building is adjacent to the footprint of the proposed school. The Parish Council raised concerns regarding overlooking from the apartments above the commercial units towards the school. However, they would predominantly overlook the roof of the school building, with only oblique views towards the play ground area. This area is proposed to have landscape hedging on the school side and fencing. It is not considered that the oblique views over the school would result in any issues in terms of child safety.
- 4.3 The outline permission contains conditions which restrict the opening hours of the commercial/ retail units and this is considered to enable a sufficient level of amenity for neighbouring residents. There are also noise and air filtration system conditions on the outline that will ensure adequate protection for surrounding residential properties.
- 4.4 The proposal includes a sufficient amount of communal amenity space for the apartments, and a communal bins storage area. There is separate bin areas for the commercial and the residential uses on the site to the rear of the building.
- 4.5 It is considered that the proposal would not have a detrimental impact on neighbouring

amenity and would ensure a suitable level of amenity for future occupiers.

5 Hard and Soft Landscaping

- 5.1 No details have been provided in terms of the materials to be used or the detailed landscaping on the site, apart from it will be based around the palette set out in the Design Code. A condition will therefore be imposed requiring further details of these elements.

6 Highway Matters

- 6.1 The development comprises the provision of a three storey building with a mix of A1/A2/A3/A4/A5 commercial floorspace in two units on the ground floor and 4 no. two bedroom apartments on the first and second floor.
- 6.2 A new 4.8m wide access road will serve the development leading to a publically available parking area at the front of the building containing 12 car parking spaces and 6 cycle parking spaces to serve the commercial development and a private car park at the rear containing 16 car parking spaces and a secure storage building containing 16 cycle parking spaces to serve the residential development.
- 6.3 A loading/unloading bay is shown to the side of the building for use by delivery vehicles.
- 6.4 The on-site parking for both the commercial and residential elements of the development can be considered compliant with the Council's parking standards for the scale of development proposed.
- 6.5 The proposed width of the access road is acceptable and the level of visibility available at the point of access is in excess of the minimum standard required.
- 6.6 Following the grant of the outline consent, the principle of the development and the level of traffic movement generated by the proposal have previously been considered and found to be acceptable. The Highways Officer has raised no objection to the proposal subject to conditions which would be imposed on the grant of any planning permission.
- 6.7 The Parish Council have raised concern regarding deliveries taking place during school drop off and pick up times and the impact this would have on the surrounding road network. The proposal includes adequate provision for delivery parking within the confines of the site and it is therefore considered that this would not result in any additional delivery traffic on the highway. It is therefore considered that in highway terms there is no justification for restricting delivery times further.
- 6.8 Given the Highway Officers assessment and that the proposal is compliant with the Council's parking standards it is not considered that the proposed development would have a detrimental impact on highway safety or the safe operation of the surrounding highway network.

7 Other Issues

7.1 Human Rights Issues

The proposal would raise no known Human Rights Issues.

7.2 Equality Act 2010

The proposal would raise no known issues under the Equality Act.

Recommendation

That Reserved Matters Consent be approved subject to the following conditions:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 No development shall take place on the construction of the external walls and roof, until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Section 7, NPPF)

- 3 **No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping.
(Sections 7 & 11, NPPF)**

- 4 **The dwellings hereby approved shall not be occupied until details of the bin storage/collection areas have been submitted to and approved in writing by the Local Planning Authority and the bin storage/collection areas have been implemented in accordance with the approved details. The bin storage/collection areas shall be retained thereafter.**

**Reason: In the interest of amenity.
(Section 7, NPPF)**

- 5 Before the development hereby permitted is first occupied or brought into use, the scheme for access, parking, loading/unloading and manoeuvring shown on Drawing No. 1326-08 Rev A shall be laid out, drained and surfaced in accordance with details previously submitted to and approved in writing by the Local Planning Authority and those areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway. (NPPF & Policy DM3, CSDM)

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1326-01; 1326-07 Rev B; 1326-08 Rev A; 1326-09

Reason: To identify the approved plan/s and to avoid doubt.

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your

actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.