

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 9 NOVEMBER 2016

Item 6 (Pages 15-44) – CB/16/02901/FULL – Land at Hillfoot Road, Shillington.

Additional Consultation/Publicity Responses

Highway Officer

Whilst I am aware of the highway related concerns of the Parish Council I am also mindful that the NPPF states that schemes should only be rejected when the highway implications are deemed severe. In this particular case the application has been the subject of a pre-application submission during which the highway issues were considered and the resulting application is compliant with the pre app comments. As such there is no fundamental highway safety or capacity reason why the application should not be considered for approval.

Although the number of dwellings is below the threshold which requires any form of transport assessment the application is supported by a Transport Statement to demonstrate that the scheme is appropriate in terms of highway impact. The TS primarily makes an assessment of the likely traffic generation from the development and considers the location of the site in relation to accessibility by sustainable transport to local facilities.

In terms of traffic generation the TS makes reference to the TRICS database and whilst this is not an exact science and open to interpretation, particularly when considering the choice of site upon which to base the study, it is the recognised tool for predicting traffic generation from new developments. Nevertheless given that the Parish Council are concerned that the figures provided do not represent a true reflection of the likely impact I have undertaken my own assessment using TRICS.

The TS suggests that during the morning peak hour of 8am to 9am the trip generation will be 18 movements and during the evening peak hour of 5pm to 6pm 17 movements. My assessment comes out at 22 and 26 respectively, higher than that predicted in the submission. Despite the differences in the potential traffic generation the amount of traffic does not represent a significant or NPPF severe increase that would justify a highway objection.

(For reference a general rule of thumb is that a single dwelling generates between 4 and 8 movements a day of which 10% occurs during the peak hour. In this case with 41 dwellings a daily total of between 164 and 328 movements can be expected with between 16 and 33 movements in the peak hours.)

There is no record of personal injury road traffic accidents in the vicinity of the site or on the surrounding highway network. I am aware that existing parking on the junction of Hillfoot Road and Church Street has been identified as a problem but do not feel that the development would add to those issues. Indeed the authority have

recently gone out to consultation on plans to introduce waiting restrictions in various locations in the village one of which being the aforementioned junction.

Turning to the highway details within the site the proposal is design Guide compliant in terms of road layout, including appropriate provision to enable accessibility for refuse collection and emergency vehicles. With regard to parking, having regard to the parking layout plan I am content that the scheme provides an adequate number of spaces of the correct size, including garage dimensions, and that the required number of visitor parking is provided in appropriate locations distributed throughout the site in full compliance with the standards set out in the Design Guide.

Outside of the site the proposal has taken into account the existing parking arrangements provided for the residents of the nearby dwellings that do not have the benefit of on plot parking and in fact increased the number of available spaces. The proposed layout with parking perpendicular to the carriageway rather than the existing echelon arrangement is a safe alternative allowing drivers to enter and leave the spaces from the direction they came from with greater convenience. The parking does not conflict with the visibility splays at the junctions of the accesses into the development.

Reference is made to the possible need to modify the position of the existing bus shelter. I consider that there is ample room within the available highway land to relocate the bus shelter and suggest this issue could be covered by condition

Public letters

Additional 30 letters have been received. The issues and objections raised in these letters have been covered in the report.

Additional Comments

None

Additional/Amended Conditions

Recommendation in light of conditions not being included at the end of the report on the agenda:

- 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 relating to the construction of the dwellings hereby approved until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted 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 dwellings hereby approved shall be occupied 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 development hereby approved shall not be brought into use until a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 3 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 3.

Reason: To ensure that the appearance of the site would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009

- 5 No works to the construction of the dwellings hereby approved shall take place until details have been submitted to and approved in writing by the Local Planning Authority of proposals to integrate bat and bird boxes into the development hereby approved and construction of the dwellings shall be carried out in accordance with the approved details.

Reason: To ensure the development provides an enhancement and net gain to biodiversity in the interests of the policies within the National Planning Policy Framework.

- 6 In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and

validation works are approved in writing.

Reason: To ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

- 7 No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance policy DM3 of the Core Strategy and Development Management Policies 2009.

- 8 **No development shall take place until details of the existing and final ground, ridge and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal shall be developed in accordance with the approved details.**

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 9 Prior to the occupation of any dwelling on the site, a scheme for the provision of waste receptacles for each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The receptacles shall be provided before occupation takes place.

Reason: In the interest of residential amenity and to reduce waste generation in accordance with the Council's Minerals and Waste Local Plan 2014, Policy WSP5 and the adopted SPD "Managing Waste in New Developments" (2006).

- 10 A scheme shall be submitted for approval in writing 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 dwellings hereby approved are occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Section 7, NPPF)

- 11 **No development shall take place until an ecological design strategy (EDS) addressing habitat protection and enhancement has been submitted to and approved in writing by the local planning authority. The EDS shall include the following;**
- **Purpose and conservation objectives for the proposed works.**

- **Review of site potential and constraints.**
- **Detailed design(s) and/or working method(s) to achieve stated objectives.**
- **Extent and location/area of proposed works on appropriate scale maps and plans.**
- **Type and source of materials to be used where appropriate, e.g. native species of local provenance.**
- **Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.**
- **Persons responsible for implementing the works.**
- **Details of initial aftercare and long-term maintenance.**
- **Details for monitoring and remedial measures.**
- **Details for disposal of any wastes arising from works.**

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure development protects existing habitats and features and maximises the potential for ecological enhancement on the site in the interests of policy DM3 of the Core Strategy and Development Management Policies 2009

- 12 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

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

- 13 No dwelling hereby approved building shall be occupied until the junction between the proposed estate road and the highway, together with the revised off-road parking and footway provision along Hillfoot Road and the junction of the proposed private vehicular access serving plots 26-29 with the highway have been constructed in accordance with the approved details shown for planning purposes on drawing number 17549/1009A.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.
(Section 4, NPPF)

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), any garage, car port or parking space hereby permitted shall be kept permanently available for the parking of motor vehicles.

Reason: To ensure that off-street parking is retained in the interests of highway safety.

(Section 4, NPPF)

- 15 If the proposed road is not constructed to the full length and layout illustrated on the approved drawing then no building taking access from the proposed estate road shall be occupied until details of a temporary turning space for vehicles within the site have been submitted to and approved in writing by the Local Planning Authority and the temporary turning space has been provided in accordance with the approved details. The turning space shall be retained for use by vehicles until the proposed road is constructed.

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety.

(Section 4, NPPF)

- 16 No development shall take place 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.

(Section 4, NPPF)

- 17 No development shall take place until a scheme detailing provision for on site parking for construction workers and deliveries for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

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

(Section 4, NPPF)

- 18 No development shall take place until wheel-cleaning facilities which prevent the deposit of mud or other extraneous material on the highway during the construction period have been installed at all vehicular site exits and made operational and the Site Developer(s) shall ensure that these are used by all vehicles exiting the site until the development has been substantially completed or until the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).

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.

(Section 7, NPPF)

- 19 No development shall commence until details of the location and layout of the modified bus stop and shelter provision have been submitted to and approved by the local planning authority and no dwelling hereby approved shall be occupied until such time as the works have been undertaken in

accordance with the agreed details.

Reason: To ensure the provision of appropriate public transport infrastructure facilities in the interests of public safety.

- 20 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Drawing Numbers 17594/1000, 17594/1002A, 17594/1004, 17594/1005A, 17594/1006A, 17594/1007A, 17594/1008, 17594/1009A, WHK202223-10, 17594/100, 17594/101, 17594/102, 17594/103, 17594/104, 17594/105, 17594/106, 17594/107, 17594/108, 17594/109, 17594/110, 17594/111, 17594/112, 17594/113, 17594/114, 17594/115, 17594/116, 17594/117, 17594/118, 17594/119, 17594/120, 17594/121, 17594/122, 17594/123, 17594/124, 17594/125, 17594/126, 17594/127, 17594/128, 17594/129, 17594/130, 17594/131, 17594/132, 17594/133, 17594/134 and 17594/135.

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

Informatives.

General

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.

Drainage

In order to discharge the surface water condition as recommended, the following information shall be provided, based upon the principles contained within the 'Flood Risk Assessment' (CWA-14-305, 16.10.15) compiled by CWA:

- Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated and proposed mitigation of blockages.
- Details of the structural stability of the system, and the use of materials and/or construction techniques to ensure this during extreme events e.g. long periods of rainfall causing saturation, and management of health and safety considerations for the system.
- Details of the long term operational and reasonable maintenance requirements, and which body will be responsible for vesting and maintenance of individual aspects of the drainage proposal, with confirmation of land ownership of all land required for drainage.
- Any relevant correspondence with stakeholders and drainage bodies.

Highways Act Section 278 Agreement

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highways Agreements

Officer, Highways Contracts Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

Highways Act Section 38 Agreement

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

Highway Drainage

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

Damage to Highways

The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.

Item 7 (Pages 45-80) – CB/16/02314/FULL – Land at rear of 104-106 Station Road, Lower Stondon, Henlow, SG16 6JH.

Additional Consultation/Publicity Responses

One further letter of objection have been received. This does not raise issues beyond those already set out in the Committee Report.

Additional Comments

Drawing number X001 should be replaced with SK001 A

Additional/Amended Conditions

Condition 9 should now read:

The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO² emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF.

Item 8 (Pages 81-94) – CB/16/03469/FULL – Clifton Park, New Road, Clifton.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 9 (Pages 95-114) – CB/16/02971/OUT – Land at Chapel End Road and London Lane, Houghton Conquest.

Additional Consultation/Publicity Responses

Anglian Water

Water supply is managed as part of the application process for new connections to the existing water supply network in accordance with the provisions of the Water Industry Act 1991. As part of this if there is an unacceptable impact on existing water supply/pressure we will work with the developer as part of the design to ensure that

the impact of development is mitigated and we maintain the existing level of service to customers.

Therefore we do not comment on water supply as part of the planning application process as there is a separate application process that allows us to mitigate the impact of development on the water supply network if required.

Anglian Water provides a pre-planning service for potable (clean) water which is used to give developers an understanding of the expected costs of supplying water to their development. This can include contributions to strategic water mains and/or reinforcement of local water mains as appropriate.

Contributions for upgrades or strategic schemes (where required) will be obtained by Anglian Water through the provisions in the Water Industry Act 1991. Where there is a requirement for off-site improvements to the water supply network these would be made by Anglian Water prior to the occupation of the development.

Additional Comments

1. Update on Self Build Register

As of 4 November there are 75 people on the Council's register. None of those on the list have specifically stated that they are looking for a plot in Houghton Conquest, but a significant proportion of people are looking for a plot anywhere in rural location and most people would consider a plot anywhere in Central Bedfordshire.

The regulations requiring Local Planning Authorities to maintain a supply of plots to meet the demand for serviced plots arising from the demand identified through the Self Build Register came into force on 31 October 2016. The legislation requires an ongoing provision to meet current and future demand.

2.. Access details

Paragraph 4.2 of the officer report states that the applicant was reviewing the Highway officer's comments and may submit revised details. Since the report was completed the applicant has confirmed that following review and discussion with the highway officer the principle of the proposed conditions is accepted. No further plans have, therefore been submitted and the details of access and parking will be addressed at reserved matters stage in line with the recommended conditions shown at the end of the report.

Item 10 (Pages 115-168) – CB/16/03378/FULL – Co-Op Supermarket, High Street, Houghton Regis, Dunstable, LU5 5QT.

Additional Consultation/Publicity Responses

Historic England

Summary

We do not object to the principle of the proposed new buildings or the change of use of the grade II listed Red House. However, we consider the way which the two are linked on the south eastern side of the listed building would harm its significance.

Historic England Advice

This application proposes the redevelopment of a site adjacent to the High Street, Houghton Regis, Bedfordshire. The proposals have been the subject of pre-application consultation with Historic England. The proposed development includes 168 apartments along with associated support facilities and retail spaces on the ground floor fronting the High Street. The existing apartment building currently occupying part of the site is of little historic interest and we accept the principle of its replacement.

To the north west of the site is All Saints Church which is a Grade I listed, flint and stone building originating from the 14th century with work in the chancel from that period. It is mainly in the Perpendicular style with further alterations undertaken in the 19th century. To the south east of the site is Houghton Hall adjacent to The Green, a late 17th century red brick building which is listed Grade II* along with a range of 17th century outbuildings to the north west of the hall also listed Grade II*. In addition, forming part of this group are several Grade II listed buildings including the Lodge to Houghton Hall, the 17th century Houghton Court and the Wall and Gate Piers to Houghton Hall. The Red House, a 17th century timber framed building, refaced in red brick, lies within the proposed development site and is listed Grade II. The eastern half of the site lies within the Houghton Regis Conservation Area. The proposals therefore have the potential to affect the setting of several designated heritage assets, including a number of listed buildings of high significance and the character and appearance of the conservation area.

Having discussed the development and secured amendments to the design we do not have detailed comments to make on the new building. Both the building facing the Green and that to the High Street are larger than the existing buildings on site, but the way the former is articulated makes it less of a single mass. The latter remains of some concern, particularly as seen in context of the church but the removal of a bulky and prominent roof seen in earlier proposals is a major improvement. For the new buildings to be suitable additions to the setting of the church and the conservation area a high quality of materials and detailing will need to be achieved and these should be secured by conditions, should the Council grant consent.

During pre-application discussions we impressed on the applicants' agents the need for an assessment of the historic significance of the Red House and more detail of the proposed changes. These are included with the current application for listed building consent, but we have not had the opportunity to comment on them before. The internal alterations proposed for the house respect the essential components of its plan form and circulation pattern. The proposed extension is large, but single storey and mainly attached to the rear of the property where later additions to the 17th century house are found. By joining to secondary parts of the building, having a low, horizontal form and being set back from the principle (front) elevation the extension, though large should appear subordinate.

Unfortunately this effect would not be achieved on the south eastern elevation where the extension would project forwards to join the original and most important part of the Red House, cutting across the gable elevation. The form and type of the 17th century house can still be readily appreciated despite changes to the rear of the building because the original range stands unextended on its front and end sides. The proposed modern extension would remove this by being built across the south eastern gable end. It does not appear this is necessary to link the Red House's extension with the new building adjacent. If the extension were drawn back towards the rear of the listed building and the gable elevation left exposed this impact would be removed.

The National Planning Policy Framework (NPPF) identifies protection and enhancement of the historic environment as an important element of sustainable development (paragraphs 6 & 7) and establishes a presumption in favour of sustainable development in the planning system (paragraph 14). The significance of a designated heritage asset can be harmed or lost through alteration or destruction of the heritage asset or development within its setting (paragraph 132). Paragraph 137 also advises Local Planning Authorities to look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance and that such proposals should be treated favourably.

While we do not have substantial comments to make on the proposed new building we are concerned that the modern extension to the grade II listed Red House will result in harm to its significance in terms of the NPPF paragraph 132 by projecting forwards across the south eastern gable elevation of the original 17th century house. The Council will need to consider the public benefit of the larger scheme covered by the application for planning permission as well as that for listed building consent, as required by the NPPF paragraph 134. However, it should be borne in mind that delivery of this benefit does not seem to necessitate the harmful impact on the listed building and that this could be removed by amendment of the scheme. As the applications stands we would not support the proposals because of this element, but would be keen to advise further on any amended plans for the extension to the Red House.

Recommendation

While we do not have substantial comments to make on the proposed new building we are concerned that the modern extension to the grade II listed Red House will result in harm to its significance in terms of the NPPF paragraph 132. This harm could be removed by amendment of the scheme. As the applications stands we would not support the proposals because of this element, but would be keen to advise further on any amended plans for the extension to the Red House.

Additional Comments

Response to comments from Historic England:

Historic England has raised concern regarding the designed incorporation of the Grade II Listed Red House as part of the proposed new development, specifically the projection of the single storey glazed link across the gable end of the building's

south east elevation (see Red House - Proposed Elevations 02 [plan 14065wd2.057 Rev A]).

The securing of a long-term, sustainable future for the Red House as part of site redevelopment has been one of the design challenges of the Scheme. The thrust of Historic England concern is the impact of proposed physical linkages upon the architectural integrity of the building (and its traditional outbuilding adjunct) - its *significance* in NPPF terms.

In isolation, and as shown on plan 14065wd2.057 Rev A, the apparent impact of the glazed linkages is perhaps exaggerated, and it is suggested that the linkages need to be 'read' in the wider context of the 'backdrop' of the proposed main development behind, and the adjoining new build units fronting The Green. This is the real context of the incorporation of the Red House buildings as part of the proposed new development, and in view of this context, the degree of impact and harm conceived and expressed by Historic England is not shared.

In looking at the proposed ground floor plan, and being mindful of the developed design concept for the Scheme, with its specific response to incorporation of the Red House and attached outbuilding, it is also considered that the Historic England suggestion that a reduction ('drawing back') of linkages weakens beyond practicality the *designed* solution of integration arrived at. The outcome of 'drawing back' would entail separation, in both concept and actuality, which is not considered advantageous to a secured future for this grade II listed building as part of such comprehensive site redevelopment.

Support is therefore confirmed for the designed incorporation of the Red House and outbuilding in its currently proposed form.

Notwithstanding the above response to the Historic England comments, even if the view is taken that the proposed single storey glazed link would result in any harm to the architectural integrity of the building, the benefits of the scheme, as outlined in the report to committee, would significantly and demonstrably outweigh this harm.

Response of agent for the applicant to Highways (Development Management) consultation response, and (in italics) response of Highways (Development Management) to the agent's response:

Stopping up of existing Public Highway

Approval for the stopping up of the existing road on the Easterly Boundary will be sought from the Highways Authority by way of a Section 278 Agreement by the Civils Engineer as part of the detailed design stage should planning approval be forthcoming.

After discussions it has been agreed that the majority of the highway should remain as highway and that the improvement works and in particular the pedestrianisation should be dealt with if necessary by a traffic regulation order. These matters will need to be approved by the highway authority and considering that this authority is the applicant this matter should be conditioned.

Parking Study

We have checked back through the Transport Statement and can find no reference to the statement the Highways Officer is referring to. Please could you advise what paragraph within the document the comment relates to.

In paragraph 4.15 it states that there is existing parking provision within the town but it does not state if there is spare capacity in the parking area and it does not state that this has been surveyed.

Undercroft Parking Area

We consulted with Central Bedfordshire Council Waste Services department during the design process to determine the type of refuse vehicle which would serve the development. Copy of email attached. Vertical Tracking studies were then undertaken to ensure that the opening into the undercroft was of sufficient height to allow access. The proposed site levels around this entrance were also explored during this exercise to avoid the 'bottoming out' of the refuse vehicle when entering the parking area.

We have attached a copy of drawing 14065wd2.038 which is a more detailed section through this ramp (based on the indicative layout shown on Proposed Elevation KK) which shows the vertical tracking and proposed ramp gradients.

In regards to delivery vehicles accessing the undercroft parking area the Transport Statement is clear that access is for box vans and small artic vehicles only. Please refer to paragraphs 4.30-4.32 in the Transport Statement. Drawings showing the height of the 7.5m and 10.7m artic lorries referred to in the Transport Statement are included in the Drawings section of the Transport Statement. Both of these vehicles is lower than the height of the refuse truck.

The headroom has now been increased and I am now satisfied that the appropriate vehicle can enter the under croft parking and servicing yard. However, for the avoidance of doubt the drawings showing the arrangement that were not acceptable should be amended or withdrawn from the application.

Clarkes Way Access

Vehicle access into the parking courtyard from Clarkes way is for domestic vehicles only, with all deliveries arriving at the main entrance. We note the comment regarding ambulance access and have raised the height of the underside of the undercroft to 3m. Please refer to drawing 14065wd2.038.

The headroom has now been increased and I am now satisfied that the appropriate vehicle can enter the under croft parking area. However, for the avoidance of doubt the drawings showing the arrangement that were not acceptable should be amended or withdrawn from the application.

Refuse Collection

The access door into the bin store on Clarkes Way has been moved to within 10m from the kerbside and the volume of waste per household has been agreed with CBC Waste Management Services, please see attached email. Refuse collection to the existing properties on Clarkes Way is currently by way of kerb side collection and the

refuse collection for the new development would be consistent with the existing arrangement.

The operation to wheel out and discharge into a truck and wheel back 16 communal bins is a completely different operation and time consuming operation than that of emptying 1 wheel bin from each property. I advise that this operation is an operation in its own right and, as my original comments, will involve a vehicle parked up for 45 minutes as opposed to 30 seconds for a wheelie bin.

Going on further to issues I have been asked to deal with:-

There has been concern that the zebra crossing fronting the site should be altered. I confirm that there would be benefits in introducing a central island to split the zebra up. This would give the pedestrians the ability to cross half the road at a time which would aid pedestrian flows.

There has also been concern that within the increase in the public realm and access to commercial premises at the frontage of the highway fronting High Street will lead to indiscriminate parking within the pedestrian area. This concern has merit and should be dealt with a TRO (not waiting/loading at any time). Further consideration should be given to physical measures to prevent vehicles from parking on the pedestrianized area. This could include bollards; benches; lamp post and tree planting.

Further comments in respect of requested contributions for health provision (Section 9 of Item 10 on Page 160 of the Agenda):

Paragraph 9.4 states, 'The scheme is designed to reduce cost to the Health and Social Care system, by enabling people to live independently and well for longer.' There is also strong evidence that these outcomes - improved wellbeing and reducing social isolation - help to lower costs to the health and social care economy as a whole. A study undertaken by Aston University reveals an average saving of £1,115 per person per year.

Revised List of 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 commence until a full suite of external material samples, to include walls, roofs, windows, doors, rainwater goods and hard landscaping, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of listed buildings and to safeguard the character

and appearance of the Conservation Area and its immediate setting of which the site is part.

(Policy BE8, SBLPR and Sections 7 and 12, NPPF)

3. No development shall commence until an external finishes schedule has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of listed buildings and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.

(Policy BE8, SBLPR and Sections 7 and 12, NPPF)

4. Notwithstanding the details submitted with the application, and prior to the commencement of development, details of the following in respect of all proposed new and/or altered boundary enclosure structures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

- (Red House garden brick wall and wall-top railings): drawn elevation detail at a scale of 1:10; drawn elevation and layout plan at a scale of 1:50;
- (Red House garden wall): drawn detail at a scale between 1:10 and 1:20 in elevation and section, showing the method of the formation of the proposed decorative brick arch gate opening; and
- masonry wall details, including coping type, brickwork bond and mortar jointwork finishing.

Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of listed buildings and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.

(Policy BE8, SBLPR and Sections 7 and 12, NPPF)

5. Notwithstanding the details submitted with the application, and prior to the commencement of development, full details of all new gates, timber and metal bollards and exterior lighting installations shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of listed buildings and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.

(Policy BE8, SBLPR and Sections 7 and 12, NPPF)

6. Notwithstanding the details submitted with the application, and prior to the commencement of development, a method statement and specification detailing fully the proposed method of construction of the proposed natural stone cobble/river washed pebble hard landscape surfacing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of listed buildings and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.

(Policy BE8, SBLPR and Sections 7 and 12, NPPF)

7. Notwithstanding the details submitted with the application and prior to the laying out of the cobbled hard landscape surfaces, a finished sample section demonstrating clearly the materials to be used (including edgings and representative cobbles/pebbles) and the manner of surfacing bedding and finishing, shall be constructed on site, and retained, for agreement in writing by the Local Planning Authority, and the approved works shall be implemented thereafter in strict accordance with the approved details.

Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of listed buildings and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.

(Policy BE8, SBLPR and Sections 7 and 12, NPPF)

8. Prior to the commencement of development details of the alteration on the public highway shall be submitted to and approved in writing by the Local Planning Authority and the approved building shall not be occupied until that junction has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.

(Section 4, NPPF)

9. Before the new accesses are first brought into use, any existing accesses within the frontage of the land to be developed, not incorporated in the accesses hereby approved, shall be closed in accordance with details submitted to and approved in writing by the Local Planning Authority.

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

(Section 4, NPPF)

10. The development shall not be occupied until a Full Travel Plan has been submitted to and approved in writing by the Council; such a Travel Plan to include details of:

- Predicted travel to and from the site and targets to reduce car use.
- Details of existing and proposed transport links, to include links to pedestrian, cycle and public transport networks.
- Measures to minimise private car use and facilitate walking, cycling and use of public transport.
- Timetable for implementation of measures designed to promote travel choice.
- Plans for monitoring and review, annually for a period of 5 years at which time the obligation will be reviewed by the Council.
- Details of provision of cycle parking in accordance with Council guidelines.
- Details of marketing and publicity for sustainable modes of transport to include site specific travel information packs, to include:
 - Site specific travel and transport information;
 - Travel vouchers;
 - Details of relevant pedestrian, cycle and public transport routes to/ from and within the site; and
 - Copies of relevant bus and rail timetables.
- Details of the appointment of a travel plan co-ordinator.
- An Action Plan listing the measures to be implemented and timescales for this.

No part of the development shall be occupied prior to implementation of those parts identified in the Travel Plan. Those parts of the approved Travel Plan that are identified as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

**Reason: To reduce reliance on the private car by promoting public transport and sustainable modes of transport.
(Section 4, NPPF)**

11. The maximum gradient of all vehicular accesses onto the estate roads shall be 10% (1 in 10).

**Reason: In the interests of the safety of persons using the access and users of the highway.
(Section 4, NPPF)**

12. The development shall not be occupied until all on site vehicular areas have been 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.

**Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.
(Section 4, NPPF)**

- 13. Prior to the commencement of development, 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.**

**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.
(Section 4, NPPF)**

- 14. Prior to the commencement of development, 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.
(Section 4, NPPF)**

- 15. Prior to the commencement of development, details of the stopping up of the existing public highway to the east of the application site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall proceed in accordance with the approved details.**

**Reason: To ensure the highway is stopped up in an adequate manner.
(Section 4, NPPF)**

- 16. Prior to the commencement of development, details of alterations to the existing zebra crossing on the High Street to the north of the application site, consisting of the introduction of a central island, shall be submitted to and approved in writing by the Local Planning Authority. The altered crossing shall be fully implemented before the development is first occupied or brought into use and thereafter retained.**

**Reason: In the interest of road safety and aiding pedestrian flows.
(Section 4, NPPF)**

- 17. Prior to the commencement of development, details of physical measures to include bollards, benches, lamp posts and tree planting in the proposed pedestrianised area on the High Street frontage, shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be fully implemented before the development is first occupied or brought into use and thereafter retained.**

Reason: To prevent vehicle parking on the pedestrianised area.

(Section 4, NPPF)

- 18. Prior to the commencement of development, the detailed design for the surface water drainage for the site and associated details of its proposed management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The final design shall be based on sustainable drainage principles and a site-specific assessment carried out in accordance with BRE Digest 365, and shall include provision of attenuation and a restriction in run-off rates to replicate greenfield conditions or provide betterment of the existing drainage regime. The approved drainage system shall then be implemented in accordance with the approved detailed design and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

**Reason: To ensure the approved surface water drainage system functions to a satisfactory minimum standard of operation and maintenance, and to prevent environmental and amenity problems arising from flooding.
(Section 10, NPPF)**

- 19. No building shall be occupied until a 'Management and Maintenance Plan' for the entire surface water drainage system, demonstrating that all surface water management structures and facilities shall be maintained in perpetuity to assure that the structures and facilities function as originally designed, has been submitted to and approved in writing by the Local Planning Authority.**

**Reason: To ensure the implementation and long term operation of a sustainable drainage system.
(Section 10, NPPF)**

- 20. Prior to the commencement of development, a scheme for the protection of the dwellings from noise from road traffic shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall follow the recommendations identified in the Noise Impact Assessment (Cass Allen, Ref RP01-15382Rev1) dated 14th June 2016. No dwellings shall be occupied until the scheme providing protection for those dwellings has been implemented in accordance with the approved details and has been demonstrated to achieve the required noise levels to the satisfaction of the Local Planning Authority. The approved scheme shall be retained in accordance with those details thereafter.**

**Reason: To protect the residential amenity of future occupants.
(Policy BE8, SBLPR and Section 11, NPPF)**

- 21. Noise resulting from the use of plant machinery or equipment in relation to the use hereby approved shall not exceed a level of 5dBA below the existing background level plus any penalty for tonal, impulsive or distinctive qualities when measured or calculated according to BS4142:2014. The levels shall not exceed those stated in table 4 of the Noise Impact Assessment (Cass Allen, Ref RP01-15382Rev1) dated 14th June 2016.**

Reason: To protect the residential amenity of future occupants.
(Policy BE8, SBLPR and Section 11, NPPF)

- 22. Prior to the commencement of development, a scheme for the protection of the residential dwellings from internal and external noise (including deliveries) from adjacent commercial premises shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall follow the recommendations identified in the Noise Impact Assessment (Cass Allen, Ref RP01-15382Rev1) dated 14th June 2016. No dwellings shall be occupied until the scheme providing protection for those dwellings has been implemented in accordance with the approved details. The approved scheme shall be retained in accordance with those details thereafter.**

Reason: To protect the residential amenity of future occupants.
(Policy BE8, SBLPR and Section 11, NPPF)

- 23. Prior to the commencement of development, a Phase 2 investigation report, as recommended by the Preliminary Contamination Risk Assessment (FWS Consultants, Ref 19720R01) dated January 2016, shall be submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the Phase 2 report, a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.**

Reason: To protect human health and the environment.
(Section 11, NPPF)

- 24. Prior to the commencement of the development, a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:**
- a) The construction programme and phasing**
 - b) Hours of operation, delivery and storage of materials**
 - c) Details of any highway works necessary to enable construction to take place**
 - d) Parking and loading arrangements**
 - e) Details of hoarding**
 - f) Control of dust and dirt on the public highway**
 - g) Details of consultation and complaint management with local businesses and neighbours**
 - h) Waste management proposals; and**
 - i) Mechanisms to deal with environmental impacts such as noise, air quality, light and odour.**

Development shall proceed in accordance with the approved plan.

Reason: In the interests of highway safety and the control of environmental impacts.

(Sections 4 and 11, NPPF)

- 25. The scheme shall be carried out in accordance with the Landscape Statement (Churchman Landscape Architects, Ref 445_001_D) dated October 2016. A timetable for its implementation and a programme of management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.**

Reason: To ensure satisfactory landscape treatment of the site.

(Policy BE8, SBLPR)

- 26. Prior to the commencement of development, a Method Statement detailing how retained trees and hedgerows will be protected at the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Method Statement.**

Reason: To ensure that trees and hedgerows are properly protected at the site.

(Sections 7 & 11, NPPF)

- 27. Prior to occupation of the development, a Public Art Plan shall be submitted to and approved in writing by the Local Planning Authority. Installation of Public Art shall commence on site prior to occupation of 50% of dwellings. The Public Art Plan shall be implemented in full and as approved unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.**

Reason: To assist in creating a quality environment.

(Section 7, NPPF)

- 28. Prior to the commencement of development, a scheme for biodiversity enhancement at the site including a timetable for its delivery shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

Reason: To ensure that biodiversity is properly protected at the site.

(Section 11, NPPF)

- 29. No first floor windows or other openings shall be formed in the first floor of the development facing the north east side elevation of No. 1 Whitehouse Close.**

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

(Policy BE8, SBLPR and Section 7, NPPF)

30. The two proposed pedestrian accesses from the development onto Whitehouse Close shall be for emergency use only.

Reason: For the avoidance of doubt, and to prevent additional footfall and traffic activity in Whitehouse Close.

31. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 14065wd2.001, MID4237-01, MID4237-500 Rev A, 294993-T-01.dwg Sheet 1 of 1, 14065wd2.002, 14065wd2.010 Rev B, 14065wd2.012, 14065wd2.013, 14065wd2.014, 14065wd2.015, 14065wd2.016, 14065wd2.017, 14065wd2.020, 14065wd2.021, 14065wd2.022, 14065wd2.023, 14065wd2.024, 14065wd2.025, 14065wd2.026, 14065wd2.027, 14065wd2.028, 14065wd2.029, 14065wd2.030 (omitting the ramp into the undercroft which is superseded by proposed section SS on plan 14065wd2.038), 14065wd2.031, 14065wd2.032, 14065wd2.033, 14065wd2.034, 14065wd2.035, 14065wd2.036, 14065wd2.037, 14065wd2.038, 14065wd2.050, 14065wd2.051, 14065wd2.052, 14065wd2.053 Rev A, 14065wd2.054, 14065wd2.055, 14065wd2.056, 14065wd2.057 Rev A, 14065wd2.058 Rev A, 14065wd2.059 Rev A, 14065wd2.070, 14065wd2.071, 14065wd2.072, 14065wd2.073, 14065wd2.074, 14065wd2.075, 14065wd2.076, 14065wd2.077, 14065wd2.078, 14065wd2.079, 14065wd2.080, 14065wd2.081, 14065wd2.082, 445/100 Rev C, 445/101 Rev B, 445/102 Rev C, 445/103 Rev D, 445/104 Rev D, 445/105 Rev D, 445/106 Rev D, 445/107 Rev D, 445/108 Rev C, 445/500 Rev C, and 445/501 Rev B

Reason: To identify the approved plans and to avoid doubt.

Revised List of Informatives

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
2. 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.
3. 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 Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN.
4. The applicant is advised that in order to comply with Condition 8 of this permission it will be necessary for the developer of the site to enter into an agreement with the Highway Authority to ensure the satisfactory completion of the associated road improvements.

5. In respect of condition 18, the surface water drainage scheme shall be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753); and will include the following:
 - Clear details of the existing and proposed impermeable areas and run off rates.
 - Full detailed calculations using FEH rainfall data showing the simulated rainfall storms for the 1 year, 30 year, 100 year and 100 year plus climate change;
 - Detailed plans and drawings showing the proposed drainage system in its entirety, including location, pipe run reference numbers, dimensions, gradients and levels (in metres above Ordinance Datum). This shall include all elements of the system proposed, including source control, storage, flow control and discharge elements;
 - Details of flow control measures to be used, demonstrating that runoff rate and volume will not exceed greenfield rates where practicable;
 - Full calculations of the attenuation storage volume required including allowances for climate change, based on the simulated rainfall runoff and the agreed post-development discharge rates;
 - Flooded areas for the 1 in 100 year storm when system is at capacity, demonstrating flow paths for design for exceedance.
 - Resilience and resistance of individuals to flooding, including finished floor levels.
 - Integration of the drainage system with wider site objectives, including water quality treatment, amenity, biodiversity and Amenity.
 - Details of the structural integrity, proposed construction of the system, and any phasing of works.
 - Full details of the provision of access for maintenance and the proposed responsible parties for maintaining and/or adopting surface water drainage, for the entire drainage system. Including any proposed split of the surface water management system and/or maintenance responsibilities between private (i.e. within curtilage) and public (i.e. in public open space and/or highway).
6. In respect of condition 22, notwithstanding that the detail of the layout/uses of the retail units has not been decided at this stage, as stated in the Noise Impact Assessment (Cass Allen, Ref RP01-15382Rev1) dated 14th June 2016, the scheme to be agreed will potentially include restrictions on hours of use and deliveries etc to ensure that residential amenity is not compromised.
7. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a

properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

8. 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)

9. The development shall not begin unless and until highway rights have been extinguished across the highway to the east of the application site, in accordance with a stopping up order to be made by the Secretary of State for Transport, Government Office for the East of England, under Section 247 of the Town and Country Planning Act 1990, or by application to the highway authority for the stopping up of highway land via the magistrates court under section 117 of the Highways Act 1980.

Item 11 (Pages 169-186) – CB/16/03379/LB – Co-Op Supermarket, High Street, Houghton Regis, Dunstable, LU5 5QT.

Additional Consultation/Publicity Responses

Historic England

Summary

We do not object to the principle of the proposed new buildings or the change of use of the grade II listed Red House. However, we consider the way which the two are linked on the south eastern side of the listed building would harm its significance.

Historic England Advice

This application proposes the redevelopment of a site adjacent to the High Street, Houghton Regis, Bedfordshire. The proposals have been the subject of pre-application consultation with Historic England. The proposed development includes 168 apartments along with associated support facilities and retail spaces on the ground floor fronting the High Street. The existing apartment building currently occupying part of the site is of little historic interest and we accept the principle of its replacement.

To the north west of the site is All Saints Church which is a Grade I listed, flint and stone building originating from the 14th century with work in the chancel from that period. It is mainly in the Perpendicular style with further alterations undertaken in the 19th century. To the south east of the site is Houghton Hall adjacent to The Green, a late 17th century red brick building which is listed Grade II* along with a range of 17th century outbuildings to the north west of the hall also listed Grade II*. In addition, forming part of this group are several Grade II listed buildings including the Lodge to Houghton Hall, the 17th century Houghton Court and the Wall and Gate Piers to Houghton Hall. The Red House, a 17th century timber framed building, refaced in red brick, lies within the proposed development site and is listed Grade II. The eastern half of the site lies within the Houghton Regis Conservation Area. The proposals therefore have the potential to affect the setting of several designated heritage assets, including a number of listed buildings of high significance and the character and appearance of the conservation area.

Having discussed the development and secured amendments to the design we do not have detailed comments to make on the new building. Both the building facing the Green and that to the High Street are larger than the existing buildings on site, but the way the former is articulated makes it less of a single mass. The latter remains of some concern, particularly as seen in context of the church but the removal of a bulky and prominent roof seen in earlier proposals is a major improvement. For the new buildings to be suitable additions to the setting of the church and the conservation area a high quality of materials and detailing will need to be achieved and these should be secured by conditions, should the Council grant consent.

During pre-application discussions we impressed on the applicants' agents the need for an assessment of the historic significance of the Red House and more detail of the proposed changes. These are included with the current application for listed building consent, but we have not had the opportunity to comment on them before. The internal alterations proposed for the house respect the essential components of its plan form and circulation pattern. The proposed extension is large, but single storey and mainly attached to the rear of the property where later additions to the 17th century house are found. By joining to secondary parts of the building, having a low, horizontal form and being set back from the principle (front) elevation the extension, though large should appear subordinate.

Unfortunately this effect would not be achieved on the south eastern elevation where the extension would project forwards to join the original and most important part of the Red House, cutting across the gable elevation. The form and type of the 17th century house can still be readily appreciated despite changes to the rear of the building because the original range stands unextended on its front and end sides. The proposed modern extension would remove this by being built across the south eastern gable end. It does not appear this is necessary to link the Red House's extension with the new building adjacent. If the extension were drawn back towards the rear of the listed building and the gable elevation left exposed this impact would be removed.

The National Planning Policy Framework (NPPF) identifies protection and enhancement of the historic environment as an important element of sustainable development (paragraphs 6 & 7) and establishes a presumption in favour of sustainable development in the planning system (paragraph 14). The significance of a designated heritage asset can be harmed or lost through alteration or destruction of the heritage asset or development within its setting (paragraph 132). Paragraph 137 also advises Local Planning Authorities to look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance and that such proposals should be treated favourably.

While we do not have substantial comments to make on the proposed new building we are concerned that the modern extension to the grade II listed Red House will result in harm to its significance in terms of the NPPF paragraph 132 by projecting forwards across the south eastern gable elevation of the original 17th century house. The Council will need to consider the public benefit of the larger scheme covered by the application for planning permission as well as that for listed building consent, as required by the NPPF paragraph 134. However, it should be borne in mind that delivery of this benefit does not seem to necessitate the harmful impact on the listed building and that this could be removed by amendment of the scheme. As the applications stands we would not support the proposals because of this element, but would be keen to advise further on any amended plans for the extension to the Red House.

Recommendation

While we do not have substantial comments to make on the proposed new building we are concerned that the modern extension to the grade II listed Red House will result in harm to its significance in terms of the NPPF paragraph 132. This harm could be removed by amendment of the scheme. As the applications stands we would not support the proposals because of this element, but would be keen to advise further on any amended plans for the extension to the Red House.

Additional Comments

Response to comments from Historic England:

Historic England has raised concern regarding the designed incorporation of the Grade II Listed Red House as part of the proposed new development, specifically the projection of the single storey glazed link across the gable end of the building's

south east elevation (see Red House - Proposed Elevations 02 [plan 14065wd2.057 Rev A]).

The securing of a long-term, sustainable future for the Red House as part of site redevelopment has been one of the design challenges of the Scheme. The thrust of Historic England concern is the impact of proposed physical linkages upon the architectural integrity of the building (and its traditional outbuilding adjunct) - its *significance* in NPPF terms.

In isolation, and as shown on plan 14065wd2.057 Rev A, the apparent impact of the glazed linkages is perhaps exaggerated, and it is suggested that the linkages need to be 'read' in the wider context of the 'backdrop' of the proposed main development behind, and the adjoining new build units fronting The Green. This is the real context of the incorporation of the Red House buildings as part of the proposed new development, and in view of this context, the degree of impact and harm conceived and expressed by Historic England is not shared.

In looking at the proposed ground floor plan, and being mindful of the developed design concept for the Scheme, with its specific response to incorporation of the Red House and attached outbuilding, it is also considered that the Historic England suggestion that a reduction ('drawing back') of linkages weakens beyond practicality the *designed* solution of integration arrived at. The outcome of 'drawing back' would entail separation, in both concept and actuality, which is not considered advantageous to a secured future for this grade II listed building as part of such comprehensive site redevelopment.

Support is therefore confirmed for the designed incorporation of the Red House and outbuilding in its currently proposed form.

Notwithstanding the above response to the Historic England comments, even if the view is taken that the proposed single storey glazed link would result in any harm to the architectural integrity of the building, the benefits of the scheme, as outlined in the report to committee, would significantly and demonstrably outweigh this harm.

Revised List of Conditions

1. The works shall begin not later than three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. **Notwithstanding the details submitted with the application, and prior to the commencement of development, a full selection of external material samples, including facing and detail brick, flint nodules, boundary wall bricks and copings and rainwater goods proposed to be used in works of new build and external masonry repairs and 'making-good' shall be made available on site for inspection by, and written approval of, the Local Planning Authority and the approved development shall be undertaken thereafter strictly in accordance with the approved details.**

Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of the listed building and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.

(Sections 7 and 12, NPPF)

- 3. Notwithstanding the details submitted with the application, and prior to the commencement of development, a method statement and specification detailing fully the proposed method of the 'making good' of traditional flintwork wall sections to be retained in the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the approved development shall be undertaken thereafter strictly in accordance with the approved details.**

Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of the listed building and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.

(Sections 7 and 12, NPPF)

- 4. Notwithstanding the details submitted with the application, and prior to the commencement of development, a method statement and specification detailing fully the proposed method of all internal and external works of 'making good', including the reinstatement of final wall finishes, resulting from the implementation of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the approved development shall be undertaken thereafter strictly in accordance with the approved details.**

Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of the listed building and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.

(Sections 7 and 12, NPPF)

- 5. Notwithstanding the details submitted with the application, and prior to the commencement of development, drawn detail at an appropriate scale between 1:10 and 1:20, as appropriate, showing the following shall be submitted to and approved in writing by the Local Planning Authority and the approved development shall be undertaken thereafter strictly in accordance with the approved details:**

- section detail demonstrating the construction and depth of recessed masonry to be used in any blocking of existing window or door openings; and**
- section detail showing the relationship of new window and door installations hereby approved to the external envelope of the existing**

building(s) to be retained including cill detail, window and door brick arch detailing, as appropriate.

Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of the listed building and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.

(Sections 7 and 12, NPPF)

6. **Notwithstanding the details submitted with the application, the rainwater goods to be installed as part of the development hereby approved shall be of 'Heritage Range' painted cast aluminium, unless otherwise agreed in writing by the Local Planning Authority, and shall be maintained as such thereafter.**

Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of the listed building and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.

(Sections 7 and 12, NPPF)

7. **Notwithstanding the details submitted with the application, and prior to the commencement of development, full details of all new windows, secondary glazing and external doors proposed to be installed as part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority, and the approved development shall thereafter be implemented strictly in accordance with the approved details and shall be maintained as such thereafter.**

Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of the listed building and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.

(Sections 7 and 12, NPPF)

8. **Notwithstanding the details submitted with the application, and prior to the commencement of development, full details of any proposed internal floor raising/levelling including the method of detailing at the abutment of raised flooring with any existing historic wall plinth and timber framing shall be submitted to and approved in writing by the Local Planning Authority, and the approved development shall thereafter be implemented strictly in accordance with the approved details and shall be maintained as such thereafter.**

Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of the listed building and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.

(Sections 7 and 12, NPPF)

9. **Notwithstanding the details submitted with the application, and prior to the commencement of development, details of the following in respect of all proposed new and/or altered boundary enclosure structures shall be submitted to and approved in writing by the Local Planning Authority and the approved development shall be undertaken thereafter strictly in accordance with the approved details:**

- **(brick wall and wall-top railings): drawn elevation detail at 1:10; drawn elevation and layout plan at 1:50;**
- **(Red House garden wall): drawn detail at between 1:10 and 1:20 in elevation and section, showing the method of the formation of the proposed decorative brick arch gate opening; and**
- **Masonry wall details, including coping type, brickwork bond and mortar jointwork finishing.**

Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of the listed building and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.

(Sections 7 and 12, NPPF)

10. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 14065wd2.001, MID4237-01, MID4237-500 Rev A, 294993-T-01.dwg Sheet 1 of 1, 14065wd2.002, 14065wd2.010 Rev B, 14065wd2.012, 14065wd2.013, 14065wd2.014, 14065wd2.015, 14065wd2.016, 14065wd2.017, 14065wd2.020, 14065wd2.021, 14065wd2.022, 14065wd2.023, 14065wd2.024, 14065wd2.025, 14065wd2.026, 14065wd2.027, 14065wd2.028, 14065wd2.029, 14065wd2.030 (omitting the ramp into the undercroft which is superseded by proposed section SS on plan 14065wd2.038), 14065wd2.031, 14065wd2.032, 14065wd2.033, 14065wd2.034, 14065wd2.035, 14065wd2.036, 14065wd2.037, 14065wd2.038, 14065wd2.050, 14065wd2.051, 14065wd2.052, 14065wd2.053 Rev A, 14065wd2.054, 14065wd2.055, 14065wd2.056, 14065wd2.057 Rev A, 14065wd2.058 Rev A, 14065wd2.059 Rev A, 14065wd2.070, 14065wd2.071, 14065wd2.072, 14065wd2.073, 14065wd2.074, 14065wd2.075, 14065wd2.076, 14065wd2.077, 14065wd2.078, 14065wd2.079, 14065wd2.080, 14065wd2.081, 14065wd2.082, 445/100 Rev C, 445/101 Rev B, 445/102 Rev C, 445/103 Rev D, 445/104 Rev D, 445/105 Rev D, 445/106 Rev D, 445/107 Rev D, 445/108 Rev C, 445/500 Rev C, and 445/501 Rev B

Reason: To identify the approved plans and to avoid doubt.

Additional Informative

1. 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)

Item 12 (Pages 187-200) – CB/16/02821/FULL – Land to the rear of 3-5a High Street, Langford, Biggleswade, SG18 9RP.

Additional Consultation/Publicity Responses

The occupier of 30 Station Road has objected as follows:

1. The access along the side road to my property already gets clogged up with cars/ vans going to the units for business purposes and blocking the road and my garage which is very annoying.
2. My property has been damaged twice this year by vehicle using this access road.
3. There will be mess, noise and the possibility of damage to my property during construction stage.

Pollution Team – Has no comment to make on the application.

Additional Comments

None.

Additional/Amended Conditions

Additional informative to be attached to any permission as follows:

“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”.

Item 13 (Pages 201-216) – CB/15/04456/FULL – Land at Long Lake Meadow, High Road, Seddington, Sandy, SG19 1NU.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 14 (Pages 217-226) – CB/16/03914/FULL – Amenity Land f/o 9-11 Green Lane, Kensworth, Dunstable, LU6 3RP.

Email sent by the occupier of 19 Green Lane, Kensworth on 02/10/16.

I have requested the disabled parking bay.

I will not be able to attend the meeting as I don't know if I will be able to physically get there due to my disabilities. I have no one to help me get there.

At present the grass area to the front of my house where the proposed disabled parking bay is to be sited, is used as a dog toilet by dog owners who live in Common Road / Poplar Road and Russell Road, which is very unpleasant and dangerous for me as dogs on extendable leads are allowed to jump at anyone trying to walk past them. I use a walking frame at present so cannot get out of their way, and if I stand still so that a dog can be walked past me, the owners still allow the dogs to jump at me.

If I park my car in Green Lane, the pavements are very uneven and walking with a walking frame is very difficult as most of the pavements slope. It is easier to use a walking frame in the road.

I have been threatened and harassed by neighbours for parking my car legally in Green Lane and Poplar Road presumably because it is thought that as a disabled oap I have no rights. I have reported incidents to both the police and antisocial behaviour team at the council, but this has not made any difference and my car is continually being vandalised.

I would be grateful if you can approve this application

Email sent by occupier of 18 Poplar Road, Kensworth on 06/11/16.

Dear Madam,

Thank you for your letter of 27th. October, 2016. I would like to address the Development Management Committee briefly on 09.11.16 against the above planning application.

This is a specious application; the applicant cannot meet the basic requirement of a request, viz she cannot demonstrate the lack of parking opportunities at the location. I enclose current pictures of the site, illustrating the normal situation. Please make these available to the Chairman.



