

## **LATE SHEET**

### **DEVELOPMENT MANAGEMENT COMMITTEE – 31 JANUARY 2018**

#### ***Item 3 – Minutes***

Typographical error – the date of the minutes to be approved by the Committee should say 3 January 2018 not 31 January 2018.

#### **The Central Bedfordshire Pre-Submission Local Plan**

Section 38(6) of The Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 require all planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan currently consists of the South Bedfordshire Local Plan Review (2004), the Core Strategy and Development Management Policies Development Plan (2009) and the Minerals and Waste Local Plan; Strategic Sites and Policies (2014). The National Planning Policy Framework (2012) must be taken into account in the preparation of local and neighbourhood plans and is a material planning consideration in planning decisions.

The Central Bedfordshire Local Plan has reached pre-submission stage and is out for consultation in accordance with regulation 19 of the The Town and Country Planning (Local Planning) (England) Regulations 2012 until 22<sup>nd</sup> February 2018.

The National Planning Policy Framework (paragraph 216) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

In summary it is therefore considered that reference should be made to the emerging plan but limited weight should be applied to the Central Bedfordshire Pre-Submission Local Plan taking into account its stage of preparation, the level of consistency with the Framework and acknowledging that the draft site allocations have not yet been subject to statutory public consultation. Where there are site specific Pre-Submission Local Plan policies these will be acknowledged for those specific applications on this agenda.

***Item 6 (Pages 7-62) – CB/17/02575/OUT – Land East of Ampthill Road and North of Bedford Road surrounding Great Thickthorn Farm, Houghton Conquest.***

**Additional Consultation/Publicity Responses**

Bedford Borough Council – Objection remains following additional Highways information.

Summary of response in terms of additional highways information:

- The B Kempston Highway Works seems to be a reasonable approach. The A Manor Road, Kempston Hardwick Junction Mitigation Works or contributions seems overly complicated and contributions on a scheme rather than delivery of the scheme was discussed previously and would be preferred.
- Would be easier to agree a number of dwellings trigger for contributions rather than a number of trips as it won't rely on a third party/ the Council to organise counts etc. Dwelling based trigger easier to understand and monitor. The approach ties Bedford Borough to a scheme that may not be the preferred solution, contributions would be more flexible.
- Further discussions would not stop contributions to these junctions going in the heads of terms but may require further thought and discussion before any agreement can be signed.

**Additional Comments**

Pre-Submission (Regulation 19) Local Plan Policies

Policy SA2: Marston Vale New Villages

**Additional/Amended Conditions**

Amended conditions:

Condition 3:

Each reserved matters application shall demonstrate how it has taken account of the principles set out within the submitted Design Framework Document (David Lock Associates, May 2017):

- a) Section 4 - Character Areas
- b) Section 5 - Layout, Scale & Form
- c) Section 6 - Access & Movement
- d) Section 7 - Landscape, Ecology & Open Space
- e) Section 8 - Secured by Design

and the submitted Parameter Plan ORS004\OPA\002 (David Lock Associates, December 2017)

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority in accordance with Policies CS14 and

DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009)

Condition 6:

- (i) No development shall begin until the details for the provision of 2.0m wide footway along Bedford Road between the site access point marked A on submitted and the existing footway in Houghton Conquest at the point marked B on the Footpath connections plan ORS004\OPA\003 (David Lock Associates, December 2017) have been submitted to and approved in writing by the Local Planning Authority.**
- (ii) No development shall begin until the details for the provision of 3.0m wide footway/ cycleway between the junction of Thickthorn Lane with Ampthill Road (B530) at the point marked C and the proposed new roundabout serving the development of the site on the B530 Ampthill Road at the point marked D on the Footpath Connections Plan ORS004\OPA\003 have been submitted to and approved in writing by the Local Planning Authority.**

**No dwellings shall be occupied until the footways have 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 in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009 and Section 4 of the National Planning Policy Framework**

Condition 13:

Prior to the occupation of the 25th dwelling a scheme for traffic calming on Bedford Road between site vehicle access points shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The approved traffic calming scheme shall be fully implemented prior to the 50th dwelling occupation.

Reason: To ensure the provision of appropriate speed reduction measures in the interests of highway and pedestrian safety in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009 and Section 4 of the National Planning Policy Framework.

Condition 14:

Prior to occupation of the 25th dwelling a scheme for a single lane dualling junction improvement on A6/Chapel End Road junction shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the 50th dwelling occupation.

Reason: In order to minimise danger and inconvenience to users of the highway and of the development in accordance with Policy DM3 of the Core Strategy and

Development Management Policies for Central Bedfordshire (North) 2009 and Section 4 of the National Planning Policy Framework .

### Additional Conditions

#### Condition 38:

Prior to the occupation of the 25th dwelling a scheme for the area of land at the B530 Ampthill Rd/Bedford Rd junction shall be submitted to and approved by the Local Planning Authority. Such a plan to include details of a path to facilitate use by pedestrians and cyclists but prevent unauthorised vehicular access. The approved scheme should be fully implemented within 2 months following the opening of the alternative route through the development between the B530 and Bedford Rd accesses.

Reason: In the interests of highway and pedestrian safety in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009 and Section 4 of the National Planning Policy Framework.

### Amended Informatives:

#### Informative 3:

The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council.

#### Informative 4:

The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways 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 Highways Agreements Officer, Highways, 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.

#### Informative 7:

Should the scheme for the B530 Ampthill Road/Bedford Road junction require a stopping up order. A stopping up order can be made by the National Transport Casework Team, Department for Transport, 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.

## Additional informative

### Informative 9:

Any reserved matters application for each area, as identified in condition 4, shall include the following:

- a) An estate phasing and completion plan – setting out the development phases and the standards that estate streets serving each phase of the development will be completed;
- b) Details of the proposed arrangements for future management and maintenance of the proposed streets within each phase of the development until such time as an agreement has been entered into under Section 38 of the Highways Act 1980, or a private management and maintenance company established;
- c) Full engineering, drainage, street lighting and constructional details of the streets proposed for adoption.

This is in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North).

## ***Item 7 (Pages 63-86) – CB/17/00981/OUT – Land North of Clophill Road, Maulden, MK45 2AE.***

### **Additional Consultation/Publicity Responses**

None.

### **Additional Comments**

#### Landscape Comments

For completeness, though landscape matters are addressed within the associated Officer report, it should be noted that there has been some concern from Landscape Officers. Concerns are summarised as:

- 1) Loss of views of the woodland to the rear of the site.
- 2) A harsh urban edge would harm the identity of the village.
- 3) Harm to a 'valued' landscape and the character of the area.

For clarity, these points are now addressed in turn:

- 1) The topography of the site is such that it slopes in a gentle gradient towards the access road. As such, trees are elevated compared to the highway and would be visible beyond the development. In any event, it should be clearly noted that the loss of 'views' is not a material planning consideration.

- 2) It should be noted that the outline application proposes an indicative layout only. Concerns in this regard could be satisfactorily addressed through consideration of matters reserved for future determination and through conditioned Landscape Plans.
- 3) Paragraph 109 of the Framework indicates that valued landscapes should be protected and enhanced. There is no definition of as to what is a 'valued landscape'. Given the objections from local residents and the Parish Council it is clear that local people value it. This is insufficient in itself to make it 'valued'.

Though the site does form part of a larger Character Area, it does not comprise any discernible landscape features. The site is not a designated gap and the proposal would not result in the coalescence of settlements.

#### **Additional/Amended Conditions**

None.

### ***Item 8 (Pages 87-108) – CB/17/01156/OUT – Land East of No. 13 Clophill Road, Maulden, Bedford, MK45 2AQ.***

#### **Additional Consultation/Publicity Responses**

None.

#### **Additional Comments**

It should be first noted that this application is now subject to an appeal against non-determination. Accordingly, no decision will be formally issued by the Council following this meeting. The decision made by Members today will instead be used as a basis to provide the Councils 'likely determination' of the application to the Planning Inspectorate for their consideration.

#### **Additional/Amended Conditions**

The applicant has provided an additional drawing demonstrating that appropriate visibility splay can be achieved. Accordingly, it is recommended condition 4 is amended to read:

4. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; 16216 (D) 001 & 16216 (D) 002 Rev. D.

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

Further, it is recommended that condition 13 is replaced by the following condition:

13. The development shall be served by means of roads and footpaths which shall be laid out and drained in accordance with the Central Bedfordshire Design

Guide September 2014 or other such documents that replace them, and no building shall be occupied until the roads and footpaths which provide access to it from the existing highway have been laid out and constructed in accordance with the above-mentioned Guidance.

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

***Item 9 (Pages 109-138) – CB/16/02972/FULL – Former Dukeminster Estate, Church Street, Dunstable.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

***Item 10 (Pages 139-156) – CB/16/05852/FULL – Land off Harrow Way, Shefford.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

***Item 11 (Pages 157-174) – CB/17/02512/OUT – Land South of the bungalow, Bedford Road, Houghton Regis, Dunstable, LU5 6JS.***

**Additional Consultation/Publicity Responses**

None.

## **Additional Comments**

None.

## **Additional/Amended Conditions**

### Replacement Condition 14

The Development hereby approved shall be built out at a density of 25-30dph.

Reason: To ensure development respects the rural character of the area and the density of forthcoming residential development close to the site.

### New Condition

Development shall not begin until details of a traffic calming scheme along Bedford Road has been approved by the Local Planning Authority. The details of the scheme shall include but not be exclusive to the following:-

- Speed limit reduction from 30 and 40 to 20mph;
- Feature to enforced a speed limit of 20mp;
- Raise speed tables to the proposed junctions; and
- Improved Street lighting along the frontage of the site with Bedford Road.

No dwelling shall be occupied until that scheme has been implemented in accordance with the approved details

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

Development shall not begin until details of a traffic calming scheme along Bedford Road has been approved by the Local Planning Authority and no building shall be occupied until that scheme has been implemented 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.

No dwelling shall be occupied until a 3m wide footway/cycleway has been constructed along the frontage of the site with Bedford Road accordance with details of the approved drawing/or scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

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

Development shall not begin until details of the improvements to the junction between the proposed estate road and the highway have been approved by the Local Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details.

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

Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction. (HC8)

Reason: To provide adequate visibility between the existing highway and the proposed access(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).

Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval. (HC19)

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

***Item 12 (Pages 175-186) – CB/17/05425/FULL – The Pigling, Woodview Nurseries, Shefford Road, Meppershall, Shefford, SG17 5LL.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

- Paragraph 5.2 to be removed due to it not being relevant and was entered within the report in error.

**Additional/Amended Conditions**

None.

***Item 13 (Pages 187-212) – CB/17/04050/FULL – Holywell Middle School, Red Lion Close, Cranfield, Bedford, MK43 0JA.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Conditions**

The applicant has provided additional details of the sports facility. On discussion with Sport England, these are acceptable and remove the need for condition no. 3. A revised condition is recommended ensuring development is in accordance with submitted details. This is as follows:

3. The indoor sports hall hereby approved shall not be constructed other than in accordance with specifications entitled 'Court Information' received on 4<sup>th</sup> January 2018.

Reason: To ensure that the approved development complies with Sport England guidelines.

***Item 14 (Pages 213-226) – CB/17/04312/FULL – Land at 11 and rear of 13 The Ridgeway, Flitwick, Bedford, MK45 1DH.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

Re: No. 30 Durham Close. Confirmation has been received that the first-floor side window (as identified in para 3.2 of the Officers Report) is to a bathroom and not to the landing as stated in the Report.

In response to concerns raised in an email from Caroline Wisdom (49 Durham Close) which was circulated to Members on the 29<sup>th</sup> January:

Re: Flitwick Town Council

No response was received from the Town Council

Re: removal of permitted development rights

PD right were removed because it was considered that any further extensions could result in inadequate garden provision and that the addition of further windows could result in a loss of privacy.

Re: neighbour letters:

At the time of the consultation process and site visit the adjacent site of York Close was under construction but nearing completion. Plots 3 and 4 were not occupied. I sought confirmation from the agent (also Acorn Building Services) that they had indeed informed any prospective purchaser of the application. 3 x site notices were posted.

Re: Impact on the side bathroom window of no. 49 Durham Close

Whilst this concern is noted the window to a bathroom is not considered to be a 'habitable room' and as such is not assessed against the criteria of 'overbearing impact, loss of light or loss of privacy'.

**Additional/Amended Conditions**

None.

***Item 15 (Pages 227-242) – CB/17/05740/FULL – 65 Mill Road, Leighton Buzzard, LU7 1AX.***

**Additional Consultation/Publicity Responses**

Final comments from the Highways Officer are as follows:

“The site location plan indicates a red line boundary which now includes the amenity land adjacent to Doggett Street and I understand that the applicant has served the appropriate notice to Central Bedfordshire Council Property Assets.

The application will require the existing dropped kerb extended across the Mill Road frontage and includes a new dropped kerb (verge/footway) crossover in Doggett Street to serve five parking spaces to the rear of the dwellings. This will involve construction works within the public highway which must be undertaken by the Highway Authority at the applicant's expense.

The level of visibility available at the proposed access onto Doggett Street is considered acceptable and the number of off-street parking spaces is compliant with the Council's standards.

It is noted that there is a telephone cabinet on the Doggett Street frontage which will need to be relocated in order to provide access to the parking spaces. This will need to be undertaken at cost to the applicant/developer.

The applicant has now removed the bin store from the frontage of the property and relocated it to the side of the development. This now maximises the available space for the longitudinal parking bay. I would bring to your attention that whilst a vehicle

can be parked within the front curtilage, it may impact on the pedestrian access to the properties if not parked accurately. This is not going to affect the public highway, but it may affect the amenity of the pedestrian users of the four properties. In order to emphasise the position of the parking bay, I would suggest that the bay is constructed using a contrasting hard surfaced material in comparison to the surrounding pedestrian access, which shall also be a hard surfaced material. This parking space will also require the existing dropped kerb extended across the whole site frontage. This will involve construction works within the public highway which must be undertaken by the Highway Authority at the applicant's expense.

There are two rows of parking spaces shown in tandem and their total length shall be a minimum of 10m, which is virtually the width of the site. I understand that the builder has also measured and confirmed that the parking land to the rear is 10.5m.

There is a 1.8m high close board fence proposed to the rear boundary, I would advise the applicant that the first panel shall not exceed 0.6m in height in order to provide pedestrian/driver intervisibility; I recommend a condition is imposed to secure this.

I recommend the supplied conditions are imposed.”

### **Additional Comments**

The majority of the conditions recommended by the Highways Officer have already been enclosed. However, an additional condition is recommended (below) in respect of vision splays and it is recommended that condition 5 be deleted and replaced with a different condition. Additional informatives are also recommended (below).

### **Additional Condition**

11. Before the access is first brought into use a triangular vision splay shall be provided on the southern boundary of the new vehicle access on to Doggett Street and shall measure 1.8m along the back edge of the footway in a southerly direction from the boundary fence and 1.8m measured into the site at right angles to the same line, along the southern boundary fence adjacent to the new parking space. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic which is likely to use it.

(Policy BE8, SBLPR and Section 4, NPPF)

### **Replacement Condition**

5. None of the dwellings hereby permitted shall be first occupied until details of the junctions of the proposed vehicular accesses with the highway have been approved by the Local Planning Authority and the junctions have been constructed in accordance with the approved details.

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

### **Additional Informatives**

1. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council Highways Department. Upon receipt of this Notice of Planning Approval, the applicant is advised to seek approval from the Local Planning Authority for details of the proposed vehicular access junction in accordance with condition 5. Upon formal approval of details, the applicant is advised to follow this link on the Council website  
<http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx>  
or contact Central Bedfordshire Council, Tel: 0300 300 8301 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration. To fully discharge condition 5 the applicant should provide evidence to the Local Planning Authority that the Highway Authority have undertaken the construction in accordance with the approved plan, before the development is brought into use.
2. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from The Street Works Co-ordinator, Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8049.
3. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into the public highway without authorisation from the highway authority. If necessary further details can be obtained from The Street Works Co-ordinator, Central Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8049.

### ***Item 18 (circulated separately) Urgent Item – Minutes – 6 December 2017***

The Chairman has agreed to take the minutes of the Development Management Committee held on 6 December 2017 as an urgent item of business. As required by the Constitution these minutes were to have been signed by the Chairman, with the Committee's approval, as an accurate record at the Committee's next ordinary meeting held on 3 January 2018. Because the minutes had not been published and made publically available at that time, however, this could not be done. The minutes should have been included on the agenda for the current meeting (31 January 2018) for approval but were omitted in error.