

Central
Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



**TO EACH MEMBER OF THE
DEVELOPMENT MANAGEMENT COMMITTEE**

21 October 2014

Dear Councillor

DEVELOPMENT MANAGEMENT COMMITTEE - Wednesday 22 October 2014

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the Late Sheet:-

- (i) Late Sheet

Should you have any queries regarding the above please contact Democratic Services on Tel: 0300 300 4040.

Yours sincerely

Helen Bell,
Committee Services Officer
email: helen.bell@centralbedfordshire.gov.uk

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LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 22 OCTOBER 2014

Item 6 (Page 13 - 108) – CB/14/02515/OUT – Vehicle Storage Area, Chaul End Road, Caddington, Luton, LU1 4AX.

Additional Consultation/Publicity Responses

1. The Council is in receipt of a petition against the Chaul End Road site being brought forward through the Neighbourhood Plan process and as part of the Development Strategy. This was lodged in August 2014 in response to consultation on the Development Strategy and is in addition to the other Development Strategy representations summarised within the Committee report. The petition includes approximately 800 signatures. However four of these signatures were subsequently removed by request. These requests state that, at the time of signing, it was unclear what the petition related to. The covering letter to the petition is summarised as follows:

- The site was used as an old industrial landfill
- The site is not located in an area with shops, schools and other services
- Various utilities, services and road improvements are required
- The site is in a sensitive infiltration area and investment would be needed to prevent ecological damage.
- Concern is raised that the development should meet the costs of all the relevant impacts
- The Neighbourhood Plan is only supported by a handful of individuals and has no soundness or credibility

A copy of the covering letter to the petition is appended to the late sheet.

[OFFICER NOTE: The implications for the impact on local services and facilities, including schools, utilities and roads as well as land contamination issues and the risk to protected waters are addressed in detail within the Committee report. The Committee report also sets out the level and type of mitigation/investment required to address these impacts and this can be secured in full. In relation to landfill activity, Council records make reference to historic landfill in the area and there are anecdotal accounts of this. However CBC Pollution Officers have confirmed that this should not automatically be interpreted that the site itself contains site-wide high risk contaminants. Site investigations demonstrate that there is no evidence of significant site wide contamination and the contamination risks identified relate to the previous and current vehicle testing and storage uses. Suitable remediation and other protection measures can be secured. Matters relating to contamination risks are addressed at pages 42 and 80 of the Committee reports pack.]

2. The applicant has submitted an additional letter in support of the application which is summarised as follows:

- A number of minor changes to the recommended conditions are requested. These are summarised below
- The agreed financial contribution towards public rights of way is clarified. This is primarily intended to provide funding towards existing routes such as Public

Footpaths 3 and 4 and/or the proposed Heritage Greenway which are available to connect the site with Caddington village.

- The issues raised by the petition lodged in response to consultation on the Development Strategy are addressed.

A copy of the applicant's letter is appended to the late sheet.

3. An additional third party representation has been received which is summarised as follows:

- The predicted traffic distribution north and south of the site, as set out within the Transport Assessment, is incorrect and a greater proportion of traffic would travel south via Caddington.
- This is on the basis that shops and services in Caddington and Junctions 9 and 10 of the M1 would be a significant draw and drivers are likely to favour the route south of the site to reach rail services at Luton Airport Parkway or Luton Central in order to avoid congestion north of the site.
- It is suggested that the application should be deferred until the traffic flows have been re-assessed and enhanced mitigation plans for the junction south of the site in Caddington village have been considered.

A copy of the third party representation is appended to the late sheet.

[OFFICER NOTE: Highways DM Officers have clarified their position on this matter and the rationale for the predicted traffic distribution. In summary, this is as follows:

- *Sat navs/route planners typically identify Hatters Way as the optimum route to the M1. While the distance is longer, the journey time is (up to 30%) shorter than going to the same destination via Caddington. This is with the existing right turn ban in place at the Hatters Way junction and does account for likely delays at a number of junctions encountered and the time of day.*
- *With the proposed signalled junction in place, the journey time north of the site would be reduced further. This further enhances the desirability of the route via Hatters Way.*
- *There are considerably more destinations and origins of journeys relating to this site (e.g. Dunstable, Houghton Regis, Leighton Buzzard, north bound via M1 or A5 or A6) which would go via Hatters Way.*
- *It is essential to promote primary routes and classified roads and to encourage traffic to join these primary routes as soon as possible. It would not be appropriate to encourage traffic through a village or number of villages. While Highways DM have accepted that the predicted traffic distribution split, it was also noted that there may be some 'rat running' along this route. As a result Highways DM asked for a sensitivity test. This sensitivity test increased the split of traffic towards the village which has shown a delay at the junction at the southern end of Chaul End Road in Caddington. While there is an improvement proposed at this junction which would increase its capacity; it would be counterproductive to promote more extensive junction improvements which would cater for a heavier flow south of the site as this would only make the route more attractive above that of the desired route. The introduction of a junction improvement at Hatters Way would reduce the delays at that junction and along with allowing the right turning traffic out of Chaul End Road would promote this route further over and above that via Caddington.]*

4. The applicant has submitted an additional Non-Technical Supplementary Note to clarify the trip generation predictions as detailed within the Transport Assessment

and the proposed improvements to the Chaul End Road / Dunstable Road / Luton Road junction.

Additional Comments

1. New government guidance relating to housing and economic needs and Green Belt policy was published on 6 October 2014 and this forms part of the National Planning Practice Guidance. This guidance does not alter national policy under the NPPF or the weight attached by Officers to the policy considerations as set out in the Committee report.

2. With regard to the planning obligations to be secured by Legal Agreement (Section 8 of the Committee report) these are considered to be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development and therefore meet the test for planning obligations as under paragraph 204 of the NPPF and Part 11 of the 2010 CIL Regulations.

Amended Conditions

The following recommended conditions are amended to incorporate minor wording changes as summarised/explained as part of the applicants' letter dated 15 October 2014.

- 3 **No development of a particular phase of the proposals shall commence (including any works of demolition) until a Construction Environmental Management Plan ('CEMP') has been submitted to and approved in writing by the Local Planning Authority for that relevant phase. The CEMP shall include details of:**
- a) Environment Management Responsibilities;**
 - b) Construction Activities and Timing;**
 - c) Plant and Equipment, including loading and unloading;**
 - d) Construction traffic routes and points of access/egress to be used by construction vehicles;**
 - e) Details of site compounds, offices and areas to be used for the storage of materials;**
 - f) Utilities and Services;**
 - g) Emergency planning & Incidents;**
 - h) Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;**
 - i) On site control procedures in respect of:**

i. Traffic management measures

- ii. Air and Dust quality**
 - iii. Noise and vibration**
 - iv. Water quality**
 - v. Ecology**
 - vi. Trees, Hedgerows and Scrub**
 - vii. Waste and Resource Management**
 - viii. Archaeological and Cultural Heritage**
 - ix. Visual and Lighting**
 - x. Utilities and Services**
 - xi. Protection of water resources**
 - xii. Protection of species and habitats**
- j) Detailed phasing plan to show any different phasing, different developers and/or constructors to be updated on an annual basis;**
- k) Details for the monitoring and review of the construction process including traffic management (to include a review process of the Construction Environmental Management Plan during development).**

Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site.

The development hereby permitted shall be carried out only in accordance with the approved CEMP.

Reason: To ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period and in accordance with Policy 44 of the emerging Development Strategy Central Bedfordshire for Pre-Submission.

- 4 No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Rev F3 flood risk assessment (FRA) prepared by Campbell Reith Ref: 11386 dated 18/06/14, or an alternative mitigation scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the FRA, unless an alternative scheme**

is submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity. To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in accordance with Policy 49 of Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

- 5 No development shall commence until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the Local Planning Authority. Where the development is brought forward in phases, each phase may only be begun once a remediation strategy for that phase has been submitted to and approved, in writing, by the Local Planning Authority:

1. The results of a site investigation based on the Preliminary Risk Assessment (Phase 1 Environmental Assessment prepared by CBRE), submitted with the outline planning application and a detailed risk assessment, including a revised Conceptual Site Model (CSM).

2. Based on the risk assessment in (1) an options appraisal and remediation strategy 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 actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.

3. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (2) is submitted to, and approved in writing by the Local Planning Authority. The long term monitoring and maintenance plan in (2) shall be updated and be implemented as approved. Where the development is brought forward in phases, no occupation of the relevant phase of the permitted development shall take place until the above verification report is approved.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity. To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in accordance with Policy 49 of Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

- 8 No development shall commence until a scheme of noise attenuation measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that internal noise levels from external road traffic noise sources shall not exceed 35 dB LAeq,

07:00 – 23:00 in any habitable room or 30 dB LAeq 23:00 – 07:00 and 45 dB L_{Amax} 23:00-07:00 inside any bedroom. Any works which form part of the scheme approved by the local authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the Local Planning Authority in writing, before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority.

Reason: To protect the amenity of any future occupiers in line with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 44 of Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

- 9 Noise resulting from the use of the plant, machinery or equipment during occupation and operation of the development shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured or calculated according to BS4142:1997, at a point one metre external to the nearest noise sensitive building.

Reason: To safeguard the amenity of adjoining residents and landowners in line with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 44 of Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

- 10 No occupation of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

As shown to be necessary by the Phase 1 CBRE 2014 Report, a further detailed investigation strategy incorporating a remedial plan for soil capping and any gas protection measures shown to be necessary. Any works which form part of the strategy approved by the local authority shall be completed in full before any permitted building is occupied.

The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Local Planning Authority. Any such validation should include responses to any unexpected contamination discovered during works and shall be completed in full before any permitted building is occupied.

Reason: To protect human health and the environment in line with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 44 of Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

Deleted Conditions

Condition 12 requires the submission, approval and implementation of a detailed scheme of highways improvement works. This could be secured as part of the Legal Agreement and through the separate S278 highways process. Condition 12 is therefore deleted.

Covering letter - Development Strategy petition

**"Draft Development Strategy Consultation".
Chaulington (GM) 325 housing development
Caddington Bedfordshire**

On behalf of the residents of Caddington and Chaul End I attach 800 signed petition Objections to Chaulington and to the Caddington Neighbourhood Plan within the Central Bedfordshire Council Development Strategy. Local residents feel bitter at the way Central Bedfordshire Council and Caddington Parish Council have prepared the Neighbourhood Plan and included Chaulington in the draft Development Strategy. We cannot see any planning merit in Chaulington and completely disagree with local representatives and Council officers who are endorsing an isolated site with big problems. Local authority records confirm that the site was used as an old "industrial landfill site" by SKFCo. The location and the size of the development is not sustainable. Chaulington is far away from the Village, isolated from grocery stores, schools, and other essential services. We met with General Motors PR team who said they would only pay for services within their boundary, and then wrote back with a different version. This raised our suspicions and I started to think about the credibility of a site for 325 houses on an old tip, isolated from all nearby amenities. The site has serious problems and requires money to fix these problems. Services need to get to this site and where is the money required for electric, gas, telecommunications, sewer and water to the house, along with extra classrooms? There needs to be money for the upgrade in road and paths to provide a safe access to and from Caddington. Chaulington is located in a sensitive infiltration area that requires money to prevent ecological damage. Basic common sense has gone out the window because anyone can see that Chaulington is a dead duck that doesn't financially stand up, and it is a fact that General Motors have recent history of promoting unsustainable development that our representatives have ignored. Earlier this year a planning application was put forward on land that belonged to them. The development was called Napier Park and Luton Borough Council was the determining authority. Just like Chaulington improvements and enhancements were needed, especially to the local schools which were reaching or at capacity. Luton calculated that the cost would be £10.16 million but eventually only got £3.1 million. Napier Park ended up costing the taxpayer £7 million and is a disgraceful abhorrence of planning that must not be repeated. The Neighbourhood Plan has no credibility and is only supported by a handful of Councillors with no understanding of planning or finances. The Localism Act was supposed to give the power to local people but in the Caddington Neighbourhood Plan's case a handful of people have tried to impose unsustainable development on us. Chaulington is in the greenbelt and there is nothing "exceptional" about this site. Central Bedfordshire Council, Caddington and Slip End Parish Council must admit they have made a huge mistake and get rid of Chaulington from the draft Development Strategy. The Plan has no soundness, no credibility and neither does anyone who supports it. On behalf of the local residents of Caddington and Slip End I want to ensure that the true voice of the people is heard and request to be kept informed at all stages of the Development Strategy so that I can represent the people who have signed this petition that IS the consensus of the Village. Chaulington is not the vision for local people and I want to ensure that if this plan progresses to Central Government they know it... Kind Regards ~~Mrs Christine Smith~~
10 Hyde Road Caddington Beds LU1- 4HE Mobile: ~~01462 441405~~

Petition delivered by hand by ~~[redacted]~~

Received on behalf of Central Bedfordshire Council by:

Name: *Benjamin Tracy*.....

Signature: *[Signature]*.....

Date: *26 Aug 2014*.....

Time: *09:06 am*.....

Applicants' additional letter



CBRE Limited
Henrietta House
Henrietta Place
London W1G 0NB

Switchboard +44 (0)20 7182 2000
Fax +44 (0)20 7182 2001
Direct Line +44 (0)20 7182 2782

rebecca.maxwell@cbre.com

Your Ref CB/14/02515/OUT

16 October 2014

Adam Davies
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
Bedfordshire SG17 5TQ

Dear Adam

**CB/14/02515/OUT - CHAUL END VEHICLE STORAGE CENTRE
DEVELOPMENT MANAGEMENT COMMITTEE LATE SHEETS SUPPLEMENTARY
COMMENTS**

Having had sight of the report to committee (published online on 9 October 2014), we have a number of points to make on behalf of General Motors (GM) regarding the above application submission. We would request that these comments are included on the 'late sheets' in advance of the Development Management Committee meeting on 22 October 2014.

The comments provided herewith do not present additional information, but seek to add clarity and respond to recent information, by way of reference to the application material already submitted.

I address each key point in turn under the relevant headings below.

Draft Recommended Conditions

Should CBC be minded to approve the outline application, the committee report contains 23 recommended conditions. GM is in broad acceptance of the recommended conditions but would like to put forward the following suggested alterations, for the purposes of clarification and consistency. Where alteration to the wording of conditions is proposed, this is provided as tracked changes on the conditions list accompanying this letter.

Condition 3 – Construction Environmental Management Plan

This condition should be flexible enough to allow for the event that the proposals may be brought forward in phases, potentially by different developers. Suggested wording is included in the enclosed conditions list.

Condition 4 – Surface Water Drainage Scheme

Greater flexibility should be added to allow for consideration of a scheme which may differ from the indicative surface water drainage strategy contained within the Flood Risk Assessment, submitted as part of the application. Suggested additional wording is included within the enclosed track-changed conditions list.

Condition 5 – Remediation Strategy

A Preliminary Risk Assessment, as identified at point 1 of the condition as drafted, has already been undertaken as part of the outline planning application supporting material. GM therefore considers that this reference is unnecessary and should be removed, as per the suggested alterations in the enclosed list.

Condition 8 – Noise Attenuation

The inclusion of a minimum external noise level to be achieved for external areas of the site is considered inappropriate as this is outside of the control of GM, likely arising from the nearby M1 and other external sources. This reference should therefore be removed, as identified on the enclosed amended conditions list.

Condition 9 – Plant and Machinery Noise

Greater clarity is required to relate the requirements of this condition to the operation and occupation of the proposals, rather than the construction stages. Suggested wording is included within the enclosed conditions list.

Condition 10 – Soil Capping and Gas Protection

The first sentence of the third paragraph should include reference to the 'Local Planning Authority', as identified on the enclosed tracked changes conditions list.

Condition 12 – Highways Works

The requirements of this condition are provided for in the draft Section 106 Agreement, which also addresses the need for a Section 278 agreement and appropriate funding. Therefore, this condition should be removed so as to avoid duplication.

Public Right of Way Enhancements

The Caddington and Slip End Neighbourhood Steering Group is in the process of preparing a Neighbourhood Plan for the two Parish Council areas. As part of this emerging plan, proposals are being drafted for the provision of a 'Heritage Greenway', which envisages the enhancement and alteration of existing public right of way (PROW) through the parish areas. The Heritage Greenway proposals are also mentioned within the emerging Central Bedfordshire Council Development Strategy, shortly due for examination. The proposals are in draft and are being brought forward through emerging planning policy which is yet to undergo examination and be formally adopted.

The Heritage Greenway proposals are acknowledged by GM and referenced within the outline planning application. Reference to the Heritage Greenway is also made within the officer report to the Development Management Committee concerning the outline planning application and proposed Section 106 planning obligations. However, it should be noted that the Section 106 planning obligations and proposed off-site works relate to the connectivity strategy of the outline application proposals and concern the enhancement of existing PROW in the local area, to improve pedestrian and cycle connectivity between the site and Caddington village.

- 3 -

It is acknowledged that the PROW enhancements and planning obligations proposed could be utilised to assist in delivery of the Heritage Greenway proposals. However, the obligations and proposals are essentially divorced from this and upgrades to existing PROW (e.g. XG5/4/20 and CAD/3/10) would be provided in the event that the Heritage Greenway proposals were not forthcoming. The Section 106 contributions would effectively assist CBC in achieving some of the objectives of its action plan contained within the Outdoor Access Improvement Plan for Central Bedfordshire (2013-2031).

Petition

You have made us aware of a petition of approximately 800 signatures, which has been logged as a formal objection to the emerging Central Bedfordshire Council Development Strategy. However, the petition identifies the proposed allocation of the application site and includes reference to the proposals brought forward in the outline planning application. It is therefore appropriate to address this petition as part of the consideration of the outline planning application by the Development Management Committee.

The petition was accompanied by a covering note, which we understand forms the basis upon which signatures were collected for the petition. We have therefore sought to identify and address inaccuracies raised in this cover note, relevant to the application proposals, and address these in turn.

Planning Merit

The petition cover note states that there is no planning merit in the 'Chaulington' proposals.

The merits of the outline planning application proposals are numerous and identified throughout the submitted planning application material. These are largely identified by reference to the very special circumstances set out at section 6.0 of the Planning Statement, namely:

- The improvement and enhancement of a previously developed site within the Green Belt;
- Highways enhancements and safety improvements to Chaul End Road and associated junctions;
- Enhancement of existing PROW between the site and Caddington and connections to the surrounding PROW network;
- Provision of a community bus service;
- Opening up of the Green Belt for enjoyment of the public, where accessibility does not currently exist;
- Improvement and long term management of the woodland and botanical interest of the wider site; and
- Contributing towards meeting a pressing housing need within the Central Bedfordshire Council area.

In addition to the above, the proposals provide on-site facilities and services which are of benefit to the local community.

Historic Use of the Site

The petition cover note states that local authority records confirm the site was used as an industrial landfill site.

GM acknowledges that there are records of the site having been identified as a potential site for the disposal of inert material. However, there is no evidence of this activity having taken place and the geo-environmental assessments undertaken as part of the planning application have not identified any suggestion of this activity having occurred.

The recommended conditions provide sufficient scope for further assessments during detailed design stage and subsequent construction phases of the proposals. Should any potential contamination or pollutants be discovered, appropriate remediation and mitigation plans will be prepared and implemented.

Sustainable Location

The cover note to the petition states that the location of the development is not sustainable and is isolated.

A sustainable connectivity strategy has been developed as part of the outline application proposals, which seeks to address any concerns relating to sustainability and connectivity. The provision of the community bus and PROW enhancements, along with highways enhancements and traffic calming provide greater pedestrian and cyclist connectivity to Caddington and beyond. This will enable the future residents of the development to access the facilities and services of Caddington and the wider area by sustainable transport modes, as well as the proposals having the ability to provide complimentary services and facilities on-site.

It is considered that the proposals meet the provisions of the National Planning Policy Framework at paragraph 17, which states one of the core planning principles as focussing, "*significant development in locations which are or can be made sustainable.*"

Utilities Provision

The petition cover note states that utilities need to get to the site and questions where the money is for electric, gas, telecommunications, foul and fresh water provision.

A Utilities Capacity Assessment is submitted with the outline planning application, which identifies the location of, and existing capacity in utilities around the site. This also identifies where further enhancement works may be required and this has been a consideration of the development proposals. The cost of alteration and extension of existing utilities has been considered and discussed with utilities providers, which will be funded in part by those developing the site and by the utilities providers themselves.

Schools and Other Essential Services

The petition cover note states that the site is isolated from grocery stores, schools and other essential services and questions where the money is for these services.

In addition to the provision of community facilities and meeting specific non-financial needs, the developer will provide financial Section 106 planning obligations to the value of £3,268,351.68 to mitigate the impacts of the outline planning application proposals. This will provide for enhancements to education and health services, sport and recreation provision, libraries, police and waste services, and off-site enhancements to PROW and Green Infrastructure. The list of planning obligations and associated contributions are identified in the officer's report to committee, which will be phased through the Section 106 Agreement to mitigate impacts at the point they arise, in accordance with regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).

Upgrades to Roads and Paths

The cover note accompanying the petition states that there needs to be money provided for the upgrading of roads and paths to provide safe access to and from Caddington.

The outline application proposals include off-site highways works to provide a new footway and cycleway linking the site to the Luton-Dunstable Guided Busway, enhancements to key road junctions at either end of Chaul End Road, reduced speed limits and traffic calming measures. As well as opening up existing PROW within the site, the proposals include Section 106 contributions towards enhancements to the wider existing PROW network, between the site and Caddington. In addition, the proposed community bus will provide an alternative sustainable transport mode, further connecting the site to the local area.

The proposed connectivity strategy is set out within the Transport Assessment, submitted as part of the outline planning application.

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Protection of Water Sources

The petition cover note states that the site is located in a 'sensitive infiltration area' and that money is required to prevent ecological damage.

It is presumed that the cover note is referring to part of the site which falls within a groundwater Source Protection Zone (SPZ), as identified within the Phase 1 Environmental Assessment, within the Environmental Statement submitted as part of the outline planning application.

The Flood Risk Assessment submitted as part of the outline application sets out an outline drainage strategy. This identifies measures to protect the groundwater SPZ through the use of interceptor tanks, which will filter surface runoff before it infiltrates into the ground. In addition, the Site Investigation undertaken as part of the outline application sought to assess any potential pollutants or contaminants in the locations of the potential drainage systems, and found no substances of concern.

In addition, referring to the prevention of other ecological damage, the outline application proposals have been designed to minimise any impact on ecological or naturalistic features on the site or in the surrounding landscape. Further, the proposals include ecological and biodiversity enhancements, such as raising the wildlife value of the woodland buffer to that of 'County' level. Details of how the proposals respond to the wider landscape are contained within the submitted Landscape and Visual Impact Assessment and the ecological enhancement proposals are contained within the submitted Landscape and Biodiversity Management Plan, as well as mitigation and enhancement proposals for protected species in the submitted Environmental Statement.

In addition, the developer will be providing financial contributions as part of S106 planning obligations to offset any impact of the proposals on Green Infrastructure.

Napier Park

The petition cover note states that development was proposed on a site owned by GM and that this underprovided for facilities and services.

The Napier Park site was sold by GM in 2004, prior to any redevelopment proposals being prepared and brought forward. GM was therefore not party to the design and development of the proposals, nor any negotiations regarding planning obligations and financial contributions.

You have made us aware that a number of signatures have subsequently been removed from the petition at the request of the signatories.

Summary

Since the planning application was submitted and following feedback from respondents and from CBC Officers, the proposals have been tested in the market and GM is confident that the development as proposed is viable and that the innovative Community Trust model will provide long term benefits for the development and the two parishes of Caddington and Slip End.

I trust that this letter and enclosure provides useful clarification on recently emerging matters and information.

I would be grateful if the above and enclosed could be included as part of the 'late sheets' submitted to the Development Management Committee.

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Yours sincerely

A handwritten signature in blue ink that reads "Rebecca Maxwell". The signature is written in a cursive style with a small flourish at the end.

**REBECCA MAXWELL
ASSOCIATE DIRECTOR**

Additional third party representation

ISSUE WITH PLANNING APPLICATION FOR “CHAULINGTON” DEVELOPMENT

These are notes to provide detail to the verbal objection to be presented at the Development Management Meeting on 22 October 2014 by XXXX.

SUMMARY

The additional traffic created by the Chaulington development has been a key concern to local residents. The most critical traffic issue is known to be the junction of Chaul End Road (on which the development lies) and Luton Road in the village of Caddington. General Motors have used a traffic direction split which assumes that the vast majority of traffic generated by the development will turn right towards the A505 Hatters Way and not left towards Caddington village. I believe this direction assumption is fundamentally wrong – it significantly under-estimates the impact of the development on traffic levels and congestion at that junction and means that the mitigation plans proposed within the application will prove totally ineffective. I believe that approval of the application should be deferred until the traffic flows have been thoroughly re-assessed and enhanced mitigation plans for the junction put in place.

MY CREDENTIALS

I have lived at Chaul End Village, a hamlet immediately north of the proposed development, for fifteen years. Like the development, Chaul End Village also lies on Chaul End Road. I am very familiar not only with my own traffic habits but also those of my neighbours. In many ways Chaul End Village is a microcosm of Chaulington – but with just 14 houses rather than 325, making it 23 times smaller!

THE ISSUE

The application assumes that the vast majority of traffic generated by the development will turn right towards the A505 Hatters Way, with only a small level of additional traffic turning left along Chaul End Road into Caddington village. As an example, the application predicts that of the 134 vehicles that will leave the development in the 8am-9am peak morning hour, 115 (86%) will turn towards Hatters Way and only 19 (14%) will turn towards Caddington. All the transport modelling and plans for mitigation have been based on that assumption which I believe is fundamentally incorrect.

I believe the majority of traffic movements to/from the development will travel via Caddington because:

- 1) Local services are located there; newsagent, local supermarket, hairdressers, fast-food outlets, pubs, doctors and schools
- 2) Traffic destined for the M1 south will travel via Caddington to join the motorway at J10 or J9. This avoids some of the daily southbound congestion incurred by turning

right and joining at J11. (I know this from daily commuting to London myself, and from my neighbours' routes).

- 3) The route via Caddington is the easiest by which to reach rail services at Luton Airport Parkway or Luton Central, and is usually the route taken to reach Luton town centre, since it avoids the daily congestion on the A505 Hatters Way.

To confirm this hypothesis and to support my comment on the application, I counted the vehicle movements from Chaul End Village between 8am-9am on the morning I posted my comment. Six vehicles left the village, and ALL SIX turned left towards Caddington. So, six vehicles from a hamlet of fourteen houses, and yet the application predicts that just nineteen vehicles will take that route from a development of 325 houses, twenty-three times bigger. I know my survey lacks the scale required for statistical significance, but it is, nevertheless, a fair illustration of just how ludicrous the traffic direction assumption in the application is.

Of course, not 100% of vehicles will turn towards Caddington, but I believe that a fair estimate would be 70% south to Caddington, 30% north to Hatters Way. If that was assumed, it means the additional traffic going through Caddington would be five times the level assumed in the application.

THE GM POSITION

General Motors have known that the road junction in Caddington is their biggest traffic issue to manage. How convenient for them, then, to assume that most traffic heads in the opposite direction!

Their Transport Assessment appears to use the traffic destinations of the traffic currently using Chaul End Road as a basis for predicting the traffic flows from Chaulington. This is nonsense, because those vehicles come from origins which have also used other routes to reach alternative destinations, and so cannot be used as a predictor for journey movements from Chaulington.

The resulting traffic movements therefore look very odd.

- 1 Only five of the 134 vehicle movements from Chaulington in the morning peak hour take the route to join the M1 at J11 (and remember that's the route GM claim Chaulington drivers will use to access the M1); and yet a new development like Chaulington is likely to attract a large percentage of young professional people with workplaces to the south and in London.
- 2 32 vehicles of the 134 take the route towards Houghton Regis (turning onto Poynters Road at the Skimpot Road/Dunstable Road roundabout). That is because drivers from other start-points currently use Chaul End Road as a cut-through to Houghton Regis and can thereby avoid the centres of Dunstable or Luton – but this is not likely to be a significant destination for Chaulington residents.

THE HIGHWAYS DEPARTMENT POSITION

Highways Department did challenge the very-skewed trip direction assumptions after the publication of the Scoping Report of the application, many months ago. At the time, Dave Ager, from CBC Highways said:

“There is a concern about the distribution of traffic. [It] assumes 80% of traffic heads north to the A505.....80% is a substantial proportion and more analysis is required before that can be accepted. It is not clear from the base flows where the 80% comes from, nor does the base flow diagrams seem to support this level of split. More detailed calculations or an alternative method are required. To date this has still not been addressed.”

However, the final response to the full application from Highways simply says “The accuracy of the Transport Assessment is accepted”.

I outlined the issue, using very similar content to that I have used above, as a “comment” in response to the application. That comment was not referred to by Highways in their response; nor was it commented upon by General Motors in their ‘response to objections and comments’ document, despite them responding to many other comments on other topics – strange, that!

I found Highways simple acceptance of the Transport Assessment astonishing and so made direct contact with Dave Ager of Highways over the past week. He continues to support the directional split used by GM, stating:

- 1 “various Route Planner programmes on the internet, to destinations you have specified, all identify the route via Hatters Way.”
- 2 “taking the route via Hatters Way demonstrates that while the distance is longer the journey time is shorter than going to the same destination via Caddington.”

But satellite navigation programmes usually select major routes. The argument I am making is based not on what the computer says should happen, but on what actually happens.

- 3 “While I accepted that the split may be 20% towards the village I also accepted that there may be some rat running and as a result I asked for a sensitivity test. This sensitivity test increased the split up to 30% towards the village.....”

In fact the results of that sensitivity test do not appear to have been reported properly in the Transport Assessment, with both the base traffic level table and the extra sensitivity traffic level table both show EXACTLY the same results. Even if it was properly reported, that would in no way model the impact of 70% traffic going through Caddington, which is what I predict.

- 4 “While there is an improvement proposed at this junction that will slightly increase its capacity, it would be counter-productive to promote a junction improvement which would cater for a heavier flow as this would only make the route more attractive above that of the desired route.”

I find that argument baffling – ok, so let the congestion get worse, and then that’ll discourage people from going that way. I guess it’s tough luck on the local people who actually need to use the local services in Caddington!

MY PROPOSAL

I believe that the assumptions of traffic flow from the new development are fundamentally flawed. I believe the traffic flow directions should be properly re-considered, maybe including a traffic survey on vehicle movements to/from Chaul End Village as a guide; and then the plan for mitigation at the Caddington junction should be revised.

My over-riding concern is that, when the direction assumptions prove radically incorrect in the years to come, a very different mitigation plan will be required which will result in significant taxpayer expenditure; whereas if the plan was revised before planning approval was granted, this would be a GM-expense.

Given the Highways position, I imagine it is now very unlikely you will take any action from my comments or presentation. However, I would like my argument to be formalised on record. Then, in the years to come, we'll see who was correct.

Applicants' additional Non-Technical Supplementary Note



Non-Technical Supplementary Note

Review of Development Impact on Chaul End Road / Luton Road / Dunstable Road Junction

Planning Application reference CB/14/02515/OUT

Introduction

This note provides a review of the potential highway impacts at the Chaul End Road / Luton Road / Dunstable Road Junction for the above referenced application, following a member of the public having queried the trip distribution modelled in the Transport Assessment (TA) submitted in support of the Outline Planning Application (OPA).

The TA for application ref: CB/14/02515/OUT, as submitted on 25th June 2014, assessed the likely impacts of the development based upon two distributions.

The analysis undertaken in the TA suggests that:

- in the AM peak hour 86% of the trips leaving the site are likely to travel north along Chaul End Road. This pattern is almost exactly the same for trips travelling to the site with 86% of trips originating north of the site;
- in the PM peak hour the analysis shows that 84% of the trips leaving the site are likely to travel north along Chaul End Road. This pattern is almost exactly the same for trips travelling to the site with albeit with a slightly higher 87% of trips originating north of the site

The TA also included a sensitivity test that assumed that 30% of traffic generated by the development would route via Chaul End Road (south) via Caddington Village and so would impact upon the Chaul End Road / Luton Road / Dunstable Road Junction. This is considered to be a realistic worse-case scenario given that:

- A high proportion of likely jobs and main retail attractors lie to the north (or east of the site) and would be accessed via A404 Hatters Way;
- Journey time databases suggest that trips seeking to access the M1 would route north via Junction 11;
- The TA proposes junction improvements at the Chaul End Road /Hatters Way junction that would reinstate the right turn from Chaul End Road making access to Luton via the north quicker than now;
- The provision of a community bus would provide a non-car option for people wishing to access local schools to the south of the site (at Caddington and south Dunstable)

Review of Operation of Chaul End Road/ Luton Road / Dunstable Road junction

Surveys undertaken in December 2013 and repeated in June 2014 revealed that there is some existing queuing and delay at the Chaul Ed Road / Luton Road / Dunstable Road junction during the AM and PM peaks. This is as reported in the TA and is restricted to the minor (Chaul End Road arm).

A mitigation scheme has been identified. The objectives of the scheme are primarily environmental, providing a raised table to be built in materials sympathetic to the village and aimed at reducing traffic speeds. However the scheme also had some traffic benefits since it incorporated minor widening of the Chaul End approach in order to provide an increased two lane queuing area. It was also considered that by reducing the speed of through traffic on Luton Road that this would make it easier for traffic to exit Chaul End Road since it would be easier to judge gaps in the traffic. The modelling



work within the TA (and the further work reported below) has been undertaken using the DfT approved Junctions 8 package which is able to assess the benefits associated with the local widening but does not take into account the benefits of reduced speed.

The modelling work provided within the TA showed that the proposed improvement scheme would more than mitigate the impacts of the proposed development i.e. the junction with the proposed mitigation would perform better in the future than if no development occurred but no improvements were undertaken. This was on the basis of a 30:70 split of development traffic to/from the south.

Notwithstanding the fact that we believe the sensitivity test assuming 30% of traffic generated by the development would route via Chaul End Road (south) via Caddington Village represents a robust (worse case) sensitivity test, given the concerns raised regarding the assumed distribution, we have revisited traffic impacts based upon an alternative distribution. Further assessment has shown that even with a much higher assumption of traffic routing to and from the south the proposed improvement scheme would mitigate the impacts of the development. With a 60:40 distribution i.e. 60% of traffic from the south the junction operates in a very similar manner to the 'Do nothing' situation (No development /no improvement scheme).

All the additional tests are for 2024 including full allowance for background growth. They have also been based upon the December 2013 traffic flows which were higher than the June 2014 flows. The tests therefore present very much a worst case in terms of the likely future operation of the junction. The testing has been undertaken for the AM peak only since this was the worst case in terms of the operation of the junction and the potential impacts of the development. The technical data behind the additional testing can be provided if required.

Review of Trip Distribution

We have also reviewed the potential distribution of trips to and from the development based upon the updated origin-destination data have been collected from the 2011 Census, which was not available at the time that the TA was undertaken. This showing a workplace distribution for residents in MSOA Central Bedfordshire 033 (where the proposed development is located) as shown in Table 1. In order to simplify the analysis we have considered only the main destinations, but these account for 91% of the total trips recorded, presenting all discarded destinations less than 1% in any output area. Only driver trips have been considered.



Place of work	Car/van driver	% of total	Scenario	
			1	2
Luton	497	27%	Both	Both
St Albans	336	18%	North	South
Central Bedfordshire	333	18%	North	North
Dacorum	131	7%	Both	South
Welwyn Hatfield	95	5%	South	South
Milton Keynes	49	3%	North	North
Watford	38	2%	North	South
North Hertfordshire	30	2%	North	North
Hertsmere	28	1%	North	South
Bedford	25	1%	North	North
Three Rivers	25	1%	North	South
Barnet	25	1%	North	South
Harrow	20	1%	North	South
Aylesbury Vale	18	1%	North	North
Stevenage	16	1%	North	North
Hillingdon	16	1%	North	South
Westminster	12	1%	North	South
Brent	11	1%	North	South

Table 1: Distribution of Workplaces based on 2011 Census

Two routing scenarios have been identified.

- Scenario 1 assumes that vehicles will use the access that is recommended by route planners. When the difference in time is negligible for both routes, an even split (50-50) has been assumed.
- Scenario 2 assumes that drivers intuitively head north or south according to the relative location of their final destination, thus ignoring any advice by route planners or any personal experience – this can be considered a worst case and is unlikely to occur in practice.

Table 1 also identified the route choice assigned to each destination for these two scenarios and Table 2 (below) summarises the overall outcome with the proportions adjusted to reflect 100% of trips.

	Scenarios	
	1	2
Northbound	76%	42%
Southbound	24%	58%

Table 2: Potential Trip Distribution based on Census

The above analysis suggests that the sensitivity test distribution used in the assessment provides a reasonable basis for analysis. Scenario 2 presents a very worst case which is most unlikely to occur in practice.

In interpreting these figures it should also be noted that most of the longer distance commute trips will occur outside the 0800-0900 and 1700 to 1800 peak periods considered within the assessment. These will include trips to London which would use the M1 and which might choose to route via Junction 10 and also most trips to Luton Parkway for the onward commute by rail. These trips will



tend to depart before 8:00 and to arrive back home after 7:00 when overall flows on the network are less.

Most trips to Caddington i.e. stopping in the village (excluding to the schools in the am peak) will take place outside the main peaks. The exception would be pass-by trips where someone stops off at the shops en route.

Conclusions

The mitigation proposed at Caddington i.e. the junction improvement is proportional to the impacts of the development proposed. Its main aim is to reduce speeds but will also improve the operational capacity of the junction.

It is considered that the sensitivity test distribution considered in the TA (30 south:70 north) is realistic.

Even if a much higher distribution of traffic to the south were considered (60:40) the impacts of the development would still be mitigated. Such a distribution is considered to be unrealistic.

The proposed community bus will further mitigate the impacts of the development on this junction by providing an alternative to the car for trips to the local schools and to the village at peak times.

Item 7 (Page 109 - 148) – CB/14/01726/OUT – Land at Campton Road and rear of Robert Bloomfield Academy Shefford, SG17 5BJ

General Matters

Due to formatting issues with paragraphs 5.2-5.5 and 6.4, which prevented all the text being visible, a replacement report has been circulated and attached to the Agenda as Supplementary Item. The correction to the formatting is the only change to the report.

Additional Consultation/Publicity Responses

An additional consultation response was received from a member of the public who wished to attend the Committee but due to work commitments was unable to. The comments raised by the member of the public were objecting to the proposal on the basis of traffic on Ampthill Road. In particular concerns were in relation to traffic in the morning and afternoon when schools start and finish, speed restrictions are not adhered to, the development will add to traffic through the village and there have already been car accidents. Concerns were also raised in relation to whether the existing town facilities can take a further influx of new residents, following the two recent developments in Shefford.

Additional Comments

Additional Information received from Applicants –

In an attempt to address the second reason for refusal, relating to the sustainability of the site and the education provision, the applicant is offering part of the site (measuring 43m x 61m) to Shefford Lower School. This piece of land is to be gifted to the school to be used as playing fields. A revised Illustrative Masterplan has also been provided by the Applicants showing a possible site layout with 120 dwellings and the land to be gifted to the school (Plan No. AR_001E). The applicant is of the opinion that this additional land would allow for further expansion of the lower school. The school is also seeking a £40,000 contributions towards the fencing of this land.

The Council's education officer's views have been sought on the proposal, which confirms the original objection to the proposal still stands. In basic terms, the recommended size of a 600 place lower school is 23,800m² to 26,500m²; the existing school site is 19,095m². The additional piece of land proposed by the applicant would only provide 2,623m², leaving the site short 2,082m² of the lower limit.

The second reason for refusal is considered to remain justified, however should Councillors consider that the offer from the applicant would address the second recommended reason for refusal; this piece of land could be secured through a S106 agreement.

In attempt the address the third reason for refusal, relating to the provision of a S106 agreement, the applicant has submitted a Unilateral Undertaking. This document has not been considered by the Council's legal department and as such would need further consideration. If the Committee were minded to approve the proposal, it could resolve to grant the application, subject to agreeing an acceptable S106 agreement.

Additional/Amended Conditions

None

**Item 8 (Pages 149-168) – CB/14/03080/OUT – Former BTR site
London Road, Dunstable.**

Correction to report

1. Section 2, paragraph 2. Page 162.

Remove the first sentence and replace with:

Policy H4 of the South Bedfordshire Local Plan does not identify a specific target level of affordable housing, though there is an indicative target level stated in the supporting text of the policy of 20%. Policy 43 of the emerging Development Strategy for Central Bedfordshire identifies a specific affordable housing target of 30%.

Amendment to report

1. Section 5, paragraph 2. Page 164.

Remove this paragraph and table and replace with:

Following further discussion with the applicant, they have requested that the total contribution be reduced by £38,669.28. This reduction is supported by the viability assessment which has been verified and accepted by Officers. This has resulted in a reduction in the health contribution by £28,319.28 and the removal of the Police contribution as these contributions had not been justified and evidenced.

The amended table of agreed contributions has been set out below. The agent has confirmed the applicant would still be willing to agree an uplift mechanism. The contributions will be spent within Caddington and Dunstable, dependent upon meeting the tests for obligations.

Category	Contribution
Education	£246,588.72
Health	£31,680.72
Leisure, Recreation & Open Space and GI	£107,370.00
Community Facilities	£36,150.00
Waste Management	£4,800.00
Total	£426,741.02

***Item 9 (Page 169 - 194) – CB/14/01589/FULL – The Pig And Whistle,
40 Brook Street, Stotfold, Hitchin, SG5 4LA***

Additional Consultation/Publicity Responses

None

Additional Comments

None

Additional/Amended Conditions/Reasons

None

***Item 10 (Page 195 - 208) – CB/14/02071/FULL – 79 & 81 Broad Street,
Clifton, Shefford, SG17 5RP***

Additional Consultation/Publicity Responses

None

Additional Comments

None

Additional/Amended Conditions/Reasons

None

***Item 11 (Page 209 - 228) – CB/14/03260/FULL – Land Adj to The
Harrow, 80 Woodside Road, Woodside***

Additional Consultation/Publicity Responses

None

Additional Comments

The front section of the unauthorised fencing has now been removed in compliance with the Enforcement Notice. The remaining fencing around the site does not require planning permission as it comprises permitted development under Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Additional/Amended Conditions/Reasons

None

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