

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



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

15 September 2015

Dear Councillor

DEVELOPMENT MANAGEMENT COMMITTEE - Wednesday 16 September 2015

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

(i) Late Sheet

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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

16 SEPTEMBER 2015

Item 6 (Pages 15-52) – CB/14/05007/OUT – Land at the West of Mill Road, Cranfield.

Additional Consultation/Publicity Responses

Cranfield University/ Airport: The Officer Report stated in the Consultee section that the Airport still had concerns regarding the attenuation ponds in terms of bird strike. The Airport are concerned that their position has not been accurately reflected in the Officer Report stating that *'The airport remains concerned around the possible impact of floodlighting that may be proposed for the sports pitches within the scheme, and continues to be concerned regarding the nature and design of the proposed attenuation ponds. To-date, no information has been provided to the Airport to make an assessment as to whether these concerns can be satisfactorily addressed'*

Additional Comments

Cranfield University/ Airport comments

The applicant has undertaken some further work on bird strike and the impacts from the attenuation pond and this information was forwarded to the Airport manager. This concluded that the proposed attenuation pond would not lead to an increased bird strike risk. In addition to this, the detailed design of the attenuation pond would form part of the SuDs condition and future reserved matters application for landscaping as the application is outline only, with all matters reserved except access; and therefore the Airport would be consulted on any future reserved matters application and would have the opportunity to comment accordingly.

In terms of the floodlighting, the provision of the land for the football pitches forms part of the S106 package in terms of off-site leisure provision, to the rear of the existing football club which has floodlights serving the existing pitches. However, a further detailed application would be required for the provision of the football pitches on this land – this would provide details in terms of any necessary floodlighting. The Airport would be consulted on such a proposal and would therefore have the opportunity at that time to comment accordingly.

S106 update

There has been a slight alteration to the education contribution as this should be based on net dwellings. The agreed figures are therefore:

Middle School - £528,668.16

Upper School - £648,322.56

Health: The applicant has agreed the need for a health contribution. There has been some discussion regarding the requirement for the contribution provided to include the cost for purchase of land and buildings as the applicant has identified that the land for a new health centre within Cranfield is already under the ownership of the NHS. Taking this on board the applicant is therefore willing to provide a contribution of £481 per dwelling. This would provide an overall contribution of £110,524.20 (based on 230 dwellings). It is considered that given the position of the land this would be an acceptable position and would be CIL compliant.

Additional/Amended Conditions/Reasons

None.

Update on 5 Year Housing Land Supply

As referred to in the report the latest position is that we still do not have a 5 year housing land supply.

Item 7 (Pages 53-86) – CB/15/01362/OUT – Land off Chapel End Road, Houghton Conquest.

Additional Consultation/Publicity Responses

Leisure Officer (regarding contributions)

The MUGA should address the outdoor sporting requirements

A local area for play or LAP is 100sqm with 3 pieces of equip for 3-6yr olds so is not sufficient for 125 dwellings. The Leisure Strategy has moved away from the LAP/LEAP/NEAP age breakdown and tries to create a play facility/ies that serve all ages of children.

If the developer is proposing only one on-site play area then its content will need to be sufficient in quantity and wide enough in age-specific equipment to serve the whole development. (As a guide a LEAP was triggered at 50dwgs; and a LAP at 15dwgs). I would be seeking a play area of approx. 500-600sqm with 4 pieces of equipment for 3-6 year olds plus 7 pieces of equipment for 6-12 yr olds, with safety surfacing and ancillary facilities part of the scheme.

Headteacher Houghton Conquest Lower School.

The school has accommodated previous smaller developments within the village but that this has challenged the school as families have needed much additional support than anticipated.

Also as the school has an Outstanding Ofsted graded pre-school we have plans to expand and are willing to provide new places on our site.

My other question concerns the potential nursery/forest school, this terminology does not really state correctly (is too vague) - what exactly the developer intends. A forest

school facility is something that the current school and Early Years children could access which we would really value and appreciate whilst a nursery is in direct competition to an existing well run council supported setting. 'A Forest School is an innovative educational approach to outdoor play and learning.' The philosophy of Forest Schools is to encourage and inspire individuals of any age through positive outdoor experiences.

Our school would become a Forest School if we had the facility implied by the developer as well as the training of members of staff. Another school suggests something different again. We need more clarity.

Additional Comments

Updated S106 Schedule of contributions.

Sustainable Transport

- £5,000 towards a Traffic Regulation Order (TRO) to reduce the speed limit to 30mph for the extension of the 30mph speed limit adjacent to the site entrance further north on Chapel End Road.
- £44,000 towards the provision of two bus shelters in the vicinity of the site.

Education

- Lower School Contribution – Houghton Conquest Lower School expansion - £288,050
- Middle School Contribution – Marston Vale Middle School expansion - £289,848
- Upper School Contribution – Wooton Upper School expansion - £355,430.40

Leisure

- Contributions will be sought to provide additional gym equipment for Flitwick Leisure Centre. The agreed amount will be proportionate to the anticipated level of use resultant from this development.
- The proposed MUGA is considered to address the outdoor leisure requirements.
- The revised Local Area for Play in accordance with the comments above.
- The addition and enhancement of footpaths links within the adjacent Howard Pierce Wood either through agreed sum or an agreed implemented scheme as the developer's cost.
- Contributions sought to enhance nearby Conquest Wood due to increased usage arising from the development. Contributions sought are:
 - Conquest Wood path improvement works – 20mm granite dust x 2m wide x 1025m long @ £4.75 lin/m = £4869.
 - Replace 5 existing wooden benches costing £300 each to guarantee long term and minimal maintenance seating areas.
 - Installation of 2 new picnic tables costing £500 each.

Waste Management Contribution

£46 per dwelling towards equipping all new residential properties with kerbside and domestic waste/recycling containers.

Additional/Amended Conditions/Reasons

None.

Update on 5 Year Housing Land Supply

As referred to in the report the latest position is that we still do not have a 5 year housing land supply.

Item 8 (Pages 87-100) – CB/15/02304/FULL – 52 Clifton Road, Henlow.

Additional Consultation/Publicity Responses

Completed comments from Henlow Parish Council:

Henlow Parish Council object to the above planning application for the following reasons:

- a) The dwellings to plots 1, 2 and 3 are very close to Clifton Road, and would have an adverse impact on the street scene.
- b) Because of objection a) HPC is concerned whether or not adequate sight lines can be achieved to the highway.
- c) Concern has been expressed that the minimum standard gardens cannot be provided or meet the design guide.
- d) Because of points a), b) and c) made Henlow Parish Council feels that the development may be better served if properties on plots 1 - 3 are 2 bedroomed instead of 3 bedroomed.

Additional Comments

None.

Additional/Amended Conditions/Reasons

Revised condition 10.

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 3176 01 Rev A, 3176 02, 3176 03 Rev B, **3176 07 Rev B**, 3176 08 Rev A, 3176 09 Rev D, 3176 10 Rev C, 3176 11 Rev B, 3176 16 and 3176 17

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

Item 9 (Pages 101-114) – CB/15/01897/FULL – Fen End Industrial Estate, Fen End, Stotfold, Hitchin.

Additional Consultation/Publicity Responses

Comments from Waste Services

I have previously been in touch with Mr Power regarding the bin storage proposal. He has proposed a pedestrian access onto Fen End Road in order to allow the collection crew access to the bins.

It is not clear how he intends to implement parking restrictions on Fen End Road in order to allow the crew to move bins on the road to facilitate collections. I am not sure if he is authorised to do this either?

The bin store must be no more than 10 metres from the middle of the highway in order to meet our maximum pull distance requirements. The only workable solution I can see is to have the store relocated at the side of Plots 7&8 nearest Fen End road to prevent future issues with collections.

Alternatively the developer can look to remove responsibility for all waste collections from the Council and put in place a private waste collection scheme for the life of the development. This would need to be in the form of a formal agreement removing liability from the Council. The ongoing cost of this would be met privately between the collection company and the residents.

- Revised Surface Water Drainage Strategy BE732-5T SW strategy 11-09-15 received 15/09/15

Comments from SuDS Team on the revised information relating to surface water drainage –

The information provided by Struan Power regarding Fen End (dated 14th September) would address our initial concerns raised over the feasibility of discharging surface water.

The proposal to outfall into an IDB regulated watercourse at a restricted rate is preferred and will be subject to further correspondence between the applicant, planning authority and the IDB to ensure requisitioning of sewers through third party land will be feasible. We are also pleased to see that consideration has been given to overland flows and flood mitigation during extreme events.

Upstream drainage components should still be incorporated into the proposal, giving a site-wide approach to drainage, and to provide additional control with regards to the quantity and quality of surface water run-off. These must be based on sustainable principles in accordance with the Council's adopted SuDS SPD. We therefore endorse the proposed use of permeable surfaces and attenuation planters and would also strongly encourage greater consideration be given to integrating drainage within the landscaped areas of the site.

We therefore recommend that conditions be applied to secure the detailed design, correct installation and long term maintenance and management arrangements. This is to ensure flood risk will not be increased to the site or adjacent land as a result of the development going ahead (para 103 of the NPPF) and also to ensure the system will continue to function as designed for the lifetime of the development which it serves (written ministerial statement ref:CWS161). i.e.:

a) No development shall take place until the detailed design and associated management and maintenance plan for the proposed surface water drainage for the site, based on sustainable principles and a site specific assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority.

b) The approved drainage system shall 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.

c) No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority that the approved scheme has been checked by them and has been correctly and fully installed as per the approved details.

- Revised site layout and Tree and Landscaping plans received 14/09/15. PL05 rev A, LP02C to satisfy the concerns of the Highways' Officer. The access road has been widened and it can now be demonstrated that a 7.21m long panel van can turn within the site for services/deliveries. The landscaping plan has been amended accordingly.

Comments from Highway Officer on revised plans

The existing is an industrial unit with a double width access taken from Fen End close to the junction with Astwick Road. The proposal is for ten, two bedroom apartments and associated parking provision both vehicular and cycle. The cycle/walking officers have some concerns relating to the cycle parking provision which due to the location of the long stay parking provision, is not overlooked and is 'open' sided and fronted.

The refuse storage/collection provision has been passed onto waste management and I do not believe the location is favourable. It is probable that the refuse vehicle will block the road on collection days, due to the heavy on street parking, however this is a temporary issue that occurs elsewhere and can be discounted as an issue. The waste manager has stated that the drag distance for the paladins should be 10.0m from the storage point to the centre of the road for collection; it is 17.0m. It is also probable that the refuse operatives will not be able to get the paladins between the parked vehicles or down/up the full height kerbs. The footpath may also need to be widened to accommodate an operative dragging a paladin clear of the grass.

The only way forward to overcome this is for the waste vehicle to park at the adjacent building access so that the paladins can be taken to the vehicle using the dropped kerb and open access but this will temporarily block the access to the adjacent

industrial unit and greatly increases the drag distance. This and the cycle parking not being overlooked is not a highway reason for refusal but please be aware that it is likely to cause conflict, the refuse may not be collected and the cycle parking may not be used.

To provide a adequate turning area for a service/delivery vehicle a visitor parking space has been 'lost'. I am willing to accept this loss to enable vehicles to turn and leave the site in forward gear rather than vehicles reversing from the access, between parked vehicles and so close to the junction with Fen End/Astwick Road. It would also be beneficial for those that have more than two vehicles and those that have only one/no vehicle to have only one bay per dwelling as allocated, along with the visitor parking and the other ten bays unallocated.

Recommended conditions are set out below.

Additional Comments

Letter from DLP dated 14 September send by email to Cllr's Matthews, Shingler, Brown, Berry, Blair, Clark, Collins, Dixon, Ghent, Janes, Johnstone, Young and Nicols.

A copy of the letter is appended to the Late Sheet.

Given the above comments from the SuDS Team, refusal reason No. 4 has been overcome and no longer applies.

Additional/Amended Conditions/Reasons

Additional drawing numbers to be included - BE732-5T SW strategy 11-09-15, PL05 rev A, LP02C

Recommended Conditions relating to drainage.

a) No development shall take place until the detailed design and associated management and maintenance plan for the proposed surface water drainage for the site, based on sustainable principles and a site specific assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority.

b) The approved drainage system shall 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.

c) No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority that the approved scheme has been checked by them and has been correctly and fully installed as per the approved details.

Reason: In order to ensure appropriate drainage of the site in accordance with the NPPF and the adopted Sustainable Drainage Supplementary Planning Guidance Document (May 2015).

Recommended conditions relating to highways..

1. No building shall be occupied until the widened junction of the proposed vehicular access with the highway has 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.

2. Before the access is first brought into use, a triangular vision splay shall be provided on each side of the new access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the highway into the site along the centre line of the anticipated vehicle path. 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 widened access, and to make the access safe and convenient for the traffic which is likely to use it.

3. Before the premises are occupied all on site vehicular areas shall be surfaced in a stable and durable materials in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits

4. Before development commences details of the keep clear hatching/signage/demarcation on the road opposite plots 3 and 4 and the visitor parking bays shall be submitted to and approved in writing by the local planning authority and the development shall not be occupied until the hatching/signage/demarcation has been constructed in accordance with the approved details.

Reason: To avoid vehicles parking in the service/delivery vehicle turning area, resulting in vehicles reversing into the close proximity of a junction and to indicate the on site visitor parking provision

Item 10 (Pages 115-126) – CB/15/02290/FULL – 32-34 Silver End Road, Haynes, Bedford.

Additional Consultation/Publicity Responses

No further updates.

Additional Comments

No further updates.

Additional/Amended Conditions/Reasons

No further updates.

Item 11 (Pages 127-138) – CB/15/02652/FULL – Land off Bedford Road, Marston Moretaine, Bedford.

Additional Consultation/Publicity Responses

None.

Additional Comments

Legal Position Update:

It has been confirmed from the Councils legal department that the Local Authority should seek from Barratt Homes a letter confirming that, on the grant of the new Planning Permission for 39 units that they will comply with the original S106 and not try to subdivide out the provisions relating to the replaced 36 units. The letter should also contain an assurance that the relevant arrangements are in place for the provision of the affordable housing. Verbal confirmation of this has been given from the applicant, that the letter is in progress and that they intend to honour the obligations contained within Section 106 Agreement relating to planning applications MB/06/00593/OUT & CB/11/01708/REN if they decide to implement this consent. Subject to the receipt of a satisfactory letter:

Need to amend the recommendation to:

That Planning Permission is approved subject to the conditions set out within the main report.

Additional/Amended Conditions/Reasons

None.

Item 12 (Pages 139-154) – CB/15/02172/FULL – 145 Bedford Road, Marston Moretaine, Bedford.

Additional Consultation/Publicity Responses

Two additional letters of correspondence received from 128 Bedford Road, Marston Moretaine, and one further letter of objection from 1 Lake View, Marston Moretaine.

Both objectors had previously written in and the concerns are covered within the main report. The issues that were raised largely related to the officers recommendation in relation to traffic/parking impact and flooding issues. The letter from 128 Bedford Road was accompanied by photographs of newspaper cuttings dating back to 1980, which identify 155 and 157 Bedford Road as having flood damage. The additional letter from 1 Lake View disputed the officers report statement that the property was not within Flood Zone 2 or 3. Since receiving this information the Local Authority maps have been checked and the Environment Agency website to reaffirm this position, neither of which show the application site within Flood Zone 2 or 3. There is a condition attached to the recommendation which would ensure that surface water drainage was attenuated.

Additional Comments

None.

Additional/Amended Conditions/Reasons

Amendment to condition 9:

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL01 C, PL02A, PL03, PL04, PL05A, PL06A, PL07A, PL08, PL09, PL10, PL11A, PL12A.

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

Change required as minor inconsistencies between the block plan and the elevation detail on plots 1, 2 and 4.

Item 13 (Pages 155-170) – CB/15/00275/OUT – Prebendal Farm, Grove Road, Slip End, Luton.

Additional Information

The agent has provided Members with a Supporting Statement which is provided as an appendices at the end of this Late Sheet. Members should note that the Caddington and Slip End Neighbourhood Plan has not been submitted to Central Bedfordshire and therefore has zero weight in the determination of the planning application.

Additional Comments

Site Location

Members are advised that the 'corrugated roofed, open barn building' has now been removed from the site and as such, the site does not contain any permanent buildings.

Amended Reasons

Amendment to reason 1 due to a typing error, shown in bold.

1. The site lies within the South Bedfordshire Green Belt, where permission will not be granted except in very special circumstances for development for purposes other than those uses listed in paragraphs 89 & 90 of the National Planning Policy Framework. No very special circumstances have been established in this case to outweigh the harm to the Green Belt. The harm would comprise harm by reason of inappropriateness, harm by reason of impact on openness, harm to the character and appearance of the area and **encroachment** into open countryside. The proposal is therefore contrary to the National Planning Policy Framework (NPPF) and policy 36 of the Development Strategy in Central Bedfordshire, revised pre-submission version June 2014.

Item 14 (Pages 171-182) – CB/15/02666/FULL – 226 Heath Road, Leighton Buzzard.

Amendments

Summary of Recommendation: Reference should have been made to policy BE8 and not BE6 as referred to in this paragraph. Amendment as follows:

“The proposed development would be situated within a predominantly residential location and would provide a dwellinghouse with a suitable level of amenity for future occupiers without adverse impact on the local residential amenity or prejudicial impact on highway safety and would have no adverse impact on the areas special character, in accordance with policy BE8 & H2 of the South Bedfordshire Local Plan Review, policies 43 & 58 of the emerging Development Strategy for Central Bedfordshire and the NPPF.”

Furthermore it has been recognised that the site is located outside of the designated Area of Special Character which is located to the west side of Heath Road. As such references made to policy BE6 of the South Bedfordshire Local Plan Review in paragraphs 2.3 & 2.5 within section 2 are omitted. However the relationship of this site to the areas special character is still a relevant consideration and these paragraphs have been updated accordingly below:

- 2.3 Furthermore the property is adjacent to a designated Area of Special Character. The proposal would not give rise to an over-intensive level of development, in a way which would unacceptably harm the adjacent area of special character. The proposal would not result in the loss of substantial garden space as the footprint has been significantly reduced since the previously withdrawn so in this respect the development is compliant.
- 2.5 The proposed development would complement the general heterogeneous character of the area made up of varying plot and building sizes. Viewed within the wider context of the site, the development would conform with policies BE8 & H2 of the South Bedfordshire Local Plan Review, policies 43 & 58 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

Additional Consultation/Publicity Responses

1. 4 Shenley Close (26/08/15) – Comments in summary, that the modern design is out of character with the surrounding area and the excavations would have an impact on trees, landscaping and wildlife. Inappropriate access on busy road.
2. 14 St Leonards Close (02/02/15) – Comments that a covenant is attached to properties within the locality preventing digging, excavation and further building. Appreciates that this is not a planning matter but requests that the applicant is made aware.
3. Leighton Linlade Town Council (14/09/15) - The Committee reviewed applications received up until Friday, 4 September 2015. RESOLVED to recommend to Central Bedfordshire Council that no objection be made to the following applications: CB/15/02606 226 HEATH ROAD

Additional Comments for Other Considerations

Deed of Covenant

A resident has raised awareness that a deed of covenant was attached to the deeds of properties within Heath Road restricting development restricting development which consists of digging, excavation and further building. This deed is accepted as a legal requirement for the land owner to respond to prior to commencement of any works and an informative can be attached to the decision notice highlighting this matter, however it is not a material planning consideration.

Additional Informatives

1. The applicant is advised that a deed of covenant was attached to the deeds of properties within Heath Road restricting development which consists of digging, excavation and further building. This deed is accepted as a legal requirement and the applicant is advised to respond to this covenant prior to commencement of any works and may wish to seek legal advice in this respect.

2. Preliminary demolition work on the buildings should be undertaken with care, especially when removing the roof tiles of the garage, and if any bats or evidence of them is discovered, work will stop and Natural England contacted for advice, and if necessary, a licence will be obtained before work proceeds. Prior to any tree surgery or felling work that may be required on the dying oak along the eastern boundary, the ivy should be removed from it and any hidden cavities inspected beforehand to look for any evidence of roosting bats.

Item 15 (Pages 183-230) – CB/15/02223/OUT – Former site of Windy Willows Nursery, Sundon Road, Houghton Regis.

Additional Comments

A new government policy statement relating to intentional unauthorised development and Green Belt protection was published on 31 August 2015. This Committee item does not relate to unauthorised development. The policy statement is relevant to this Committee item in so far as the statement reiterates NPPF policy that inappropriate development in the Green Belt should be approved only in very special circumstances. In this respect, the policy statement does not alter national Green Belt policy or the weight attached by Officers to the material considerations set out in the Committee report.

Amended Conditions

Replace Condition 4 with the following text:

“Prior to the first occupation of the development a scheme of highways improvement works has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details regarding improvements to footways/cycleways, including connectivity to establish shared footways/cycleways to the existing urban area of Houghton Regis to the west. The submission shall also include a timetable for the implementation of any necessary works. The works shall be carried out in accordance with the agreed timetable.

Reason: To ensure that the proposed highways improvement works are appropriate and proportional to the mitigation required and are constructed to adequate standard and that public rights of way are protected, enhanced and promoted as part of the development in accordance with Policy R14 of the South Bedfordshire Local Plan Review and Policies 23 and 43 of the emerging Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014. These details are required prior to occupation of the development in order to establish sustainable transport routes to the existing settlement.”

Item 16 (Pages 231-240) – CB/15/02818/FULL – 45 Meadow Walk, Henlow.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions/Reasons

None.

Item 17 (Pages 241-292) – CB/15/00979/FULL – Land adjacent to and to the north west of Vauxhall Motors, Luton Road, Chalton.

Additional Consultation/Publicity Responses

1. CBC Tree and Landscape (07/09/2015):

Refers to the revised landscape plan and the applicant's letter received 1 September 2015. Tree and Landscape are satisfied with the indicated changes.

Additional Comments

1. A new government policy statement relating to intentional unauthorised development and Green Belt protection was published on 31 August 2015. This Committee item does not relate to unauthorised development. The policy statement is relevant to this Committee item in so far as the statement reiterates NPPF policy that inappropriate development in the Green Belt should be approved only in very special circumstances. In this respect, the policy statement does not alter national Green Belt policy or the weight attached by Officers to the material considerations set out in the Committee report.

2. Revised landscape concept plan and letter (received 1 September 2015) in response to the comments of CBC Landscape and Network Rail have been submitted by the planning agent. The revised landscape concept plan changes the proposed planting species but does not amend the layout of the site or the general landscape strategy. The letter can be summarised as follows.

- The scheme has been co-ordinated with Highways England planting proposals forming part of the M1 J11a works.
- The relocation of the HV electricity cable along the realigned Luton Road and parking requirements represent a constraint to providing additional planting adjacent to the road corridor.
- Following the previous request for better co-ordination with the SUDs element of the scheme the typical water retention levels of the proposed attenuation ponds were established and reed planting introduced as appropriate to tie in with these levels.

- Landscape has been concentrated around the perimeter of the development rather than within the car parks as this maximizes its screening potential and also allows better growing conditions to increase the chances of trees reaching maturity.
- The level of Birch tree planting proposed has been reduced.
- Elder planting within hedgerows is omitted in favour of Dog Rose.

Additional/Amended Conditions

Recommended Conditions 7 and 19 are amended to refer to the revised Landscape Concept Plan – 01 Rev L (received 1 September 2015) in place of the previous Landscape Concept Plan (Revision J).

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Cllr Ken C Matthews,
142B High Street,
Cranfield,
Bedford,
MK43 0EL

Ref: NSO/SP/BE732/3
Date: 14 September 2015

ken.matthews@centralbedfordshire.gov.uk

Dear Cllr Matthews

Re: Fen End Industrial Estate – Demolition of the existing industrial unit and construction of 10 no.2 bed flats with associated parking and landscaping (Ref CB/15/01897/FULL)

I write with respect to the above application, submitted to your Council in May, which is intended to bring about a productive reuse of an outworn industrial building and facilitate much needed housing as well as acknowledged improvements to the local environment. Upon receipt of the Committee report, there are a number of matters which I would like you to be aware and take into consideration.

Throughout the course of this application, our clients have consistently sought to address any issues raised in order to demonstrate that this is an acceptable scheme. The proposed layout has been altered to address the concerns of the Highways Officer and we are pleased to inform that any such objections have been removed.

The Committee report cites four reasons for the recommendation of refusal, on which we have the following comments

1. The site is allocated for employment which should be safeguarded

Firstly the site is, and has been, vacant for a considerable amount of time. The site has been advertised for sale or rent since 2006 and, despite several attempts to bring the site back into a viable use, planning applications to vary the types of employment use have either not been supported by the Council or have been subject to limits on such things as the hours of operation, which has made the premises unattractive to potential users.

Whilst Officers appear to want to retain the site for employment, realistically this is unlikely give the limits that have been imposed. As such, this application represents an opportunity to bring the site back into an acceptable use that would not only improve the visual amenity and has widespread local support from neighbours and the Town Council, but also will contribute much needed housing and make efficient use of redundant land.

Fen End Industrial Estate is identified as a Key Employment Site with the Site Allocations Development Plan, for which Policies E1 and CS10 seek to safeguard. The Council's Local Plan is out of date and is contrary to the National Planning Policy Framework (NPPF), which takes precedence in this instance. The NPPF is clear in that it states, at Paragraph 22:



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'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities'

It has been established over many years that the site is available and it can only be concluded that there is no reasonable prospect of it being used for employment in the future given that the building is unsuitable for reuse and with no clear demand it is unlikely ever to be redeveloped.

This application responds to current market signals in that it is capable of utilising redundant employment space to deliver much needed housing. The site is sustainable and, in the absence of a demonstrable five year housing land supply, this application should be approved.

2. The proposed development would result in a harmful visual impact on the character and appearance of the surrounding area

The proposed scheme has been influenced by discussions with the Council during previous applications. The proposal for flats, rather than houses, is considered the most appropriate given the location and also given the need for more small dwellings in the town.

The existing site is vacant, overgrown and dilapidated. The proposed development would improve the visual amenity of the site and surrounding area by redeveloping an unsightly building.

The proposed scheme would not be unduly prominent, rather it is a substantial improvement to the development in situ and it would act as a statement of good design in this location. Again I refer to local support for the scheme.

3. The proposal would result in a significant impact from noise from the adjacent industrial units

Acoustics consultants Cass Allen have revisited site in order to carry out further detailed surveys as per the Officer's request, to establish a "worst case" position in terms of alleged noise intrusion.

In line with a 2011 survey, it was found that the site corner adjacent to Meadowcroft and Fen End itself is the point where the proposed façade is exposed to the highest potential noise levels from adjoining business uses. The consultants have now demonstrated that appropriate internal noise levels that meet WHO standards can be achieved in this "worst case" location; it stands to reason that if this is the case then the rest of the site can be developed using similar or lower performance acoustic treatments.

The survey found that average and maximum noise levels have not changed significantly over the last 4 years, since the initial survey was undertaken. In general, average noise levels at the site are relatively low with the occasional high level maximum noise event. In any event the design of the development has largely be dictated by these individual noise events (such



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as delivery lorries arriving). Analysis of the survey data suggests that it will be necessary to provide acoustically upgraded glazing systems for the “worst case” units as well as some form of mechanical ventilation system. Meeting the appropriate standards can be governed by planning condition and we would expect such conditions to be added as a matter of course.

This is not an exceptional solution for such flats and there are no fundamental reasons for which to refuse the application on noise grounds; any such impacts can and will be mitigated in order to protect the amenity of future occupants of the properties.

4. It has not been demonstrated that surface water management can be properly maintained for the lifetime of the development

Following comments from the Council, our client has commissioned further work to address the matters raised. Anglian Water has confirmed that there are no records for any adoptable surface water sewers near the site and the need to construct a new sewer, and possible requisition of a sewer through third party land, may be required in order to drain the site.

However, on-site attenuation can be provided in the form of underground crates, whilst numerous tests have been undertaken and the proposed design allows for porous, paved car parking spaces, connecting to the surface water system. This constitutes the best form of sustainable drainage solution for this site and is a workable solution. As such, there are no fundamental issues with regards to drainage that cannot be overcome – such works would also be required if the site were ever to be redeveloped for employment uses, however the cost of such work would again be likely to mean that such redevelopment would never take place.

With reference to the above, we invite you to consider that there are in fact no fundamental reasons to refuse this planning application. The site is deliverable, developable and available for redevelopment now. The proposed scheme would deliver much needed housing whilst making the most efficient use of redundant employment land that is not likely to be used for employment in the foreseeable future. It is a sustainable site, has local support from neighbours who have indicated that they would prefer to see the site redeveloped – and who have never raised complaints about noise from the rest of the industrial estate – and, in any area where there is a need for further housing and a shortfall in the five year housing land supply.

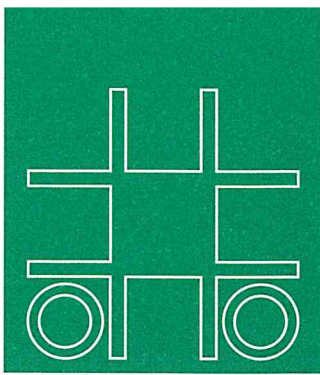
It is for these reasons we respectfully request the application be approved or, at the very least, the decision be deferred to allow your Officers time to consider the further information which we have submitted.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Struan Power', written over a light blue horizontal line.

Struan Power BSc(Hons) MA MRTPI
Senior Planner

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Statement in Support of Planning Application Reference 15/00275/OUT

You may be aware that this application for the redevelopment of Prebendal Farm yard is scheduled for presentation to your Planning Committee on 16 September. One of the main drivers for this redevelopment has been the Neighbourhood Plan, prepared by Slip End and Caddington Parish Council's which has now reached an advanced stage of development.

Within the Plan this site is promoted for redevelopment, albeit that it sits within the current Green Belt boundaries, and because of this we feel it is important to explain what we consider to be the special circumstances that need justifying the removal of this site from the Green Belt.

Both Prebendal Farm and its immediate neighbour, Woodside Farm, have been owned by a single family for several generations and both were run by brothers up until the death of one some years ago. At that time the farms were amalgamated into a single holding and operated from Woodside Farm.

Part of the case we would make in support of this planning application is around the viability of the farming operation & ensuring its long term future through investment in modern machinery.

This amalgamation has brought several undoubted economies by doing away with any need to duplicate resources or operations that are an integral part of the agriculture business. However, the doubling of the land holding into a single entity also requires a high level of investment in manpower and machinery to successfully farm the land; because of this it seems reasonable to introduce a degree of lassitude to allow the farm to realise assets to generate capital. Prebendal Farm yard is one such asset that currently adds very little to the value of the farm so we would plea that allowing this relatively small village site to be redeveloped will let the current owners reinvest back into the business of farming, allowing this local family run business to remain in operation for the undoubted benefit of Slip End and the surrounding area.

Of course, farm land is farm land and this farm could be operated by anyone with the correct expertise. The relationship between Prebendal Farm, Woodside Farm and the local family, however, should not be dismissed lightly because of the effect on the community that such relationships bring, a fact that adds more weight to the case for special circumstances.

The role of the Neighbourhood Plan in the promotion of this site for housing needs also to be understood to ensure that the weight of that evidence is fully balanced, especially as that Plan is now reaching a point where it will be formerly lodged with this Council and will then be a material consideration in any planning matters that affect Slip End and Caddington.

The Plan has been some three years in the making and has been subjected to several consultation processes along the way with officials and local residents. The intention of the Plan has always been to promote a responsible agenda of growth for this small area, recognising the pressures on the other parts of Central Bedfordshire and the adjoining Borough of Luton.

In doing this the Plan has promoted several similar sites, both large and small, where development could be accommodated without any adverse effects on the community or the local environment but as the village is constrained with the Green Belt, the arguments for special circumstances will apply equally to each.

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The case then is which parts of the village can accommodate expansion (into the Green Belt) with the least impact. The Neighbourhood Plan recognises that the answer 'none' is simply not viable. The remnants of Prebendal Farm sit on the edge of the village but the land is very close to the centre and the village development extends along the frontage of Grove Road opposite the site and to its south.

Separating the land from Grove Road is a range of original farm buildings (stables?) that are now used as retail premises with parking in the original yard and the farmhouse that is now let to tenants.

The yard itself is separated from the productive fields by some remnant hedging and spoil heaps and is used for open storage of materials and vehicles. It has very little value therefore in promoting or extending the ethos of the Green Belt, having none of the landscape, environmental or aesthetic characteristics you would normally associate with the Green Belt and for this second reason, we believe that these special circumstances should contribute to the removal of this site from the Green Belt.

As part of the Council's Development Strategy (DS) there is a 'Call for Sites' process which then takes a broad view of the potential impact of each option. The Neighbourhood Plan would seem to pre-empt this by nominating land ahead of the Development Strategy. However, such an assumption would be wrong as the Neighbourhood Plan seeks to inform rather than pre-empt by adding substantially to the selection process and by promoting smaller sites that are specifically exempt from the 'Call for Sites' (under 15 units). These smaller sites form a substantial element of new housing in the area and the Neighbourhood Plan is the ideal forum for them to be promoted, with the support of the local community.

A third element of the Neighbourhood Plan that adds substantial weight in support of the case for special circumstances is that a key element of the Plan is the provision of a Heritage Greenway to run from Pepperstock to Caddington and beyond and that Greenway requires the cooperation of land owners.

Part of the route crosses land owned by the family as part of the Woodside Farm/Prebendal Farm land holding and they have worked alongside the various stakeholders to agree several footpath diversions and access rights to make the Greenway a reality.

The Neighbourhood Plan plays a critical and crucial role in the growth of Slip End and the improvement of the immediate environment and the implementation of infrastructure to support the village and the surrounding area. An intrinsic part of the Plan is the strategy of growth this role should be considered a key plea to see this site removed from the Green Belt.

In summary we feel that the promotion of this land for small scale development with housing is given support and weight by these main factors:

1. To allow investment in the local rural economy for the benefit of the community
2. To continue to promote local employment in farming and other allied businesses locally
3. The promotion of this site for development within the Neighbourhood Plan and the support that development will give to delivering the goals of that plan
4. The role of the Neighbourhood Plan in allowing small sites such as this to continue to make a meaningful impact in the deficit of new housing
5. The redevelopment of this land which is very central to the village would allow the re-use of a derelict site that adds nothing to the integrity or value of the Green Belt

I would hope that our case has been properly explained and that you will appreciate the role the owner has played in bringing the Neighbourhood Plan forward and will continue to do for the village. I think it is worth recalling that the site has been promoted by the Neighbourhood Plan, rather than by a Developer or the owner and as such it is presented to you at Committee with no objections from the Parish Council, local residents or any other statutory consultees – a rarity and indeed one that reinforces the fact that this proposal should be supported by your Committee.