

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 6 March 2013.

PRESENT

Cllr D McVicar (Chairman)
Cllr A R Bastable (Vice-Chairman)

Cllrs	Mrs C F Chapman MBE	Cllrs	Ms C Maudlin
	Mrs R B Gammons		B Saunders
	Ms A M W Graham		P Williams
	K C Matthews		

Members in Attendance:	Cllrs	P N Aldis	
		Mrs A Barker	Chairman of the Council
		A D Brown	Deputy Executive
			Member for Sustainable Communities - Strategic Planning and Economic Development
		I Dalgarno	Deputy Executive
			Members for Sustainable Communities - Services
		D Jones	
		T Nicols	
		A Shadbolt	Chairman of Development Management Committee
		J N Young	Executive Member for Sustainable Communities - Strategic Planning and Economic Development

Officers in Attendance:	Mr P Cook	–	Head of Transport Strategy and Countryside Access
	Mr R Fox	–	Head of Development Planning and Housing Strategy
	Mr L Hannington	–	Principal Minerals and Waste Planning Officer
	Mr B King	–	Principal Transport Planner - Transport Strategy Team
	Mr S Mooring	–	Corporate Policy Advisor (Climate Change)
	Ms A Myers	–	Landscape Officer
	Mr J Partridge	–	Scrutiny Policy Adviser
	Ms S Wileman	–	Service Development Manager
	Mr J Woods	–	Access Development Team Leader

SCOSC/12/92 **Members' Interests**

- Cllr Mrs F Chapman MBE declared an interest in relation to Item 09 (Planning Guidance of Wind Energy Development in Central Bedfordshire) as a trustee of the Marston Vale Trust.
- Cllr Matthews declared an interest in relation to Item 08 (Land Rear of Central Garage [Cranfield] Development Brief) as he was a Member of the Cranfield Lower School Board of Governors.

SCOSC/12/93 **Chairman's Announcements and Communications**

There were no announcements or communications.

SCOSC/12/94 **Petitions**

No petitions were received from members of the public in accordance with the Public Participation Procedure as set out in Part D2 of the Constitution.

SCOSC/12/95 **Questions, Statements or Deputations**

The Scrutiny Policy Adviser informed the Committee that representations from two residents of Cranfield had been circulated to them at the meeting for consideration during Item 08. A further statement had been provided from Cllr S Clark in relation to the same item. In addition to these representations there were a further six persons registered to speak who would be invited to comment during the relevant item.

One speaker was invited to address the Committee at this point raising several questions in relation to the Local Area Transport Plan (LATP) for Biggleswade and Sandy that in summary related to:-

- The process for agreeing the LATP and who was responsible for taking it forward.
- Aspirations for the roundabout in Sandy at the Junction of Bedford/ St Neots/ Sunderland Roads and the High Street.
- Traffic surveys and monitoring of traffic and congestion along New Road to the Tesco Store and what 'monitoring the situation' along New Road meant.
- Whether there remained a focus on the Junction of New Road with the High Street.
- Proposals for writing to the Highways Agency regards the Junction with the A1 and the need for clarity regards statements that had been made on engagement with the Highways Agency.
- How local residents could demonstrate the importance of providing a right hand turn lane into Tesco from New Road.
- Whether the emphasis on cycle journeys was appropriate.

The Chairman requested that the speaker provide a written copy of their questions to the Scrutiny Policy Adviser so that officers could provide a written response within 5 clear working days. It was agreed that this response also be provided to local Ward Councillors.

RESOLVED

That officers provide a written response to the issues raised by the resident within 5 clear working days and that this response also be circulated to the Ward Councillors.

SCOSC/12/96 Call-In

The Panel was advised that no decisions of the Executive had been referred to the Panel under the Call-in Procedures set out in Appendix "A" to Rule No. S18 of the Overview and Scrutiny Procedure Rules.

SCOSC/12/97 Requested Items

No items were referred to the Committee for consideration at the request of a Member under Procedure Rule 3.1 of Part D2 of the Constitution.

SCOSC/12/98 Land Rear of Central Garage (Cranfield) Development Brief

The Chairman invited three public speakers to address the Committee in relation to this item. The speakers raised several issues, which in summary included:-

- The difficulty that residents of Flitt Leys Close currently experienced in relation to parking as a result of several existing businesses. Despite previous efforts to resolve these issues in conversation with the Council and the Police the issues had not been resolved.
- The amount of litter that was often present on Flitt Leys Close.
- Children currently played in the road on Flitt Leys Close, the additional traffic would create significant problems regarding safety without significant remodelling to the roads.
- Narrow access to Flitt Leys Close already created a hazard and prevented access to emergency vehicles.
- There was an inadequate level of off-road parking in the area.
- The delivery of a lower school on the proposed site was unsustainable and would lead to significant traffic congestion. It was suggested that there was under-capacity in other schools in the area, which could be used to accommodate need rather than providing another lower school as part of this development.
- It was not clear why the proposed site for the lower school had changed from that on which it was proposed originally.
- Traffic Management solutions would not address the concerns relating to access.

In response to these issues Cllr Young stated that he was conscious of the parking concerns in the area and that these needed to be mitigated. A new development provided the opportunity to address some of these concerns. Cllr Young also stated that neither of the options presented to the Committee could be implemented without a detailed transport plan that would be provided alongside a planning application. Members needed to remember that the area had been allocated for housing in the adopted Development

Strategy. If the Development Brief were not adopted the Council would have less control over the development of the site.

Cllr McVicar commented that whatever the recommendation agreed by the Committee the access to this area may need to be considered. Cllr McVicar also reminded the Committee of their recommendations to Executive on this Development Brief at their previous meeting. In response to a question from a Member it was also clarified by the Chairman that the site had been allocated in the Development Strategy for housing and a school "if required".

In response to the issues raised by the public speakers and the submissions provided by residents and Cllr S Clark the Committee discussed the following issues in summary:-

- Concerns that the entrance through Flitt Leys Close was considered to be unsuitable and a traffic management scheme was unlikely to mitigate concerns relating to congestion. In response Cllr Young stated that the Development Management Committee would make a decision as to the suitability of the access once a planning application had been submitted. The site was considered suitable by Full Council to be allocated for development. It was important that the Overview and Scrutiny Committee did not seek to act as the Development Management Committee in relation to this matter.
- Whether the developer could be asked to reconsider the proposed access and exit to the site and present a revised Development Brief. In response Cllr Young stated that this was not possible. Mr R Fox also stated that the Council's Highways Officers had advised that the "access was acceptable" to serve the additional housing, a lower school and a primary care facility. If the Council chose not to adopt the Development Brief it would have less control over the development of the site.
- Concerns that the two options presented to the Committee were the same as they both referred to the provision of a new Lower School. In response Mr R Fox stated this was a typo and if the Committee agreed the option that did not include a lower school all references would be removed.
- Concerns that the Council might agree a Development Brief that it knew would lead to problems of accessibility.
- Concerns regarding the high proportion of negative responses that had been received in relation to the proposed Development Brief.
- A decision had not been taken by developers in relation to the provision of a lower school as part of the development. Costings had been requested in relation to several options relating to the development.
- Concerns that the proposed site of the Lower School had been altered since the development was agreed to be included in the Local Development Framework, subsequently making the development unsuitable. The proposed site for a lower school was considered to be particularly unsuitable and would result in serious traffic concerns.
- Concerns regarding the location of the school playing field.

In response to the issues raised by Members Cllr Young commented that this Development Brief adhered to the Council's adopted policies in relation to not providing parking at schools and encouraging people to walk to school. The

Council should not seek to contradict its adopted policies. If the Council chose not to adopt the Development Brief then the Council would be obliged to grant a planning application when it was submitted. Cllr McVicar further reminded the Committee of their previous recommendation in relation to this Development Brief and the impact that not adopting the Brief would have on any subsequent planning application and potential traffic management schemes.

Cllr Bastable proposed (seconded by Cllr Graham) that both Development Brief options be rejected and that the Executive be informed it was the view of the Committee that they could not support either option. The Committee voted on this proposal and voted five in favour and four against.

RECOMMENDED TO EXECUTIVE

That the Sustainable Communities Overview and Scrutiny Committee does not support the adoption of the Development Brief for Land Rear of Central Garage (Cranfield) as technical guidance.

SCOSC/12/99 Planning Guidance on Wind Energy Development in Central Bedfordshire

Mr S Mooring introduced a report that set out proposed technical Guidance Note 1 on wind energy development in Central Bedfordshire. In addition the importance of the guidance as a material planning consideration was highlighted. The guidance did not refer to specific sites and referred only to wind energy. Guidance relating to alternative forms of renewable energy would be developed over the next 12 months.

The Chairman invited a speaker to address the Committee. The speaker raised several issues, which in summary included:-

- Concerns that Guidance Note 1 was not in accordance with the Council's own Development Strategy or national planning policy including the National Planning Policy Framework (NPPF), the Overarching National Policy Statement for Energy (EN1) and the National Policy Statement for Renewable Energy Infrastructure (EN3).
- Concerns that the Council could not adopt Guidance Note 1 without considering other alternative sources of renewable energy, which effectively appear to be ruled out by this Guidance.

In response Mr S Mooring stated that there were no references in Guidance Note 1 that ruled out other forms of renewable energy. Guidance Note 1 did set out where the Council might ask for mitigation measures in the event of wind developments being provided in Central Bedfordshire. It was also commented that the document highlighted sensitivity of landscape and other factors relating to wind farm developments. In those areas deemed high or medium sensitivity an onus was placed on developers to design schemes that do more to mitigate these impacts. Under the NPPF the Council would have to approve applications if its impacts were (or can be made) acceptable.

Members who were not on the Committee raised concerns that Guidance Note 1 was disappointing and seemed to suggest that Central Bedfordshire was not supportive of wind development. In response Mr S Mooring

commented that Guidance Note 1 identified some areas that are seen as having some potential for wind generation.

The Chairman invited Cllr Nicols to make a presentation to the Committee with regards to Guidance Note 1. Cllr Nicols referred to several specific concerns regards the document that were in summary as follows:-

- Cllr Nicols felt that Guidance Note 1 was an overt attempt to block wind turbines in Central Bedfordshire for political reasons and in particular it could damage the emerging Development Strategy.
- The Guidance Note was based on national planning policy that did not yet exist.
- The Guidance Note would prevent any wind turbines being developed in Central Bedfordshire. The Guidance Note was not, as was required by the NPPF, a “positive strategy to promote energy from renewable and low carbon sources”.
- The Guidance Note did not assist all parties involved in the renewable energy development process (para 1.1 refers).
- The Council should wait until the remaining series of notes had been produced to guide development of renewable energy (para 1.2 refers) rather than adopting this Guidance Note now in isolation.
- The purpose of any proposals outside of the least sensitive geographic areas having to argue their case (para 1.6 refers).
- The subjective nature of the statement relating to the impact of wind farm developments (para 2.1 refers).
- It was inappropriate to refer to the European Landscape Convention (2000) as there were several documents contained within this Convention that the Council would not consider adopting (para 2.6 refers). It was also considered inappropriate to refer to guidance produced by Natural England as it was unlikely that this would be applied to all documents contained in the Local Development Framework (para 2.7 refers).
- Whether the summaries of the content of the NPPF, EN1 and EN3 were appropriate as they failed to summarise a large amount of the content of those documents (paras 2.9 to 2.11 refer).
- It was inappropriate to refer to guidance from the Scottish Natural Heritage as this body skewed evidence against development of wind energy (para 2.13 refers).
- The emerging Central Bedfordshire Development Strategy (Policy 58 – Landscaping) should refer to no growth being permitted within an Area of Outstanding Natural Beauty (AONB).
- The visualisation of wind turbines against existing tall structures in Central Bedfordshire was inappropriate and should be removed from the Guidance Note (para 6.14 refers).

Cllr Nicols also raised the following points relating to national issues regarding the need for more positive wind guidance:-

- The 50% reduction by 2025 of the level of Gigawatts (GW) energy produced per annum in the UK from current energy sources.
- The inefficiency of exploiting gas and shale gas as a method of energy production in the future.

- Changes in energy costs depending on the time of day at which it is received by the user.
- Legal requirements being introduced to monitor energy usage.

In response Cllr Young stated that he would take Cllr Nicols' concerns on board as part of the consultation on Guidance Note 1, particularly the potential for impact on the Core Strategy. Cllr Young did not feel that the Guidance Note precluded wind energy development but promoted development in areas that would be impacted least. In response to a question Mr R Fox commented that the Council was not open to challenge if the Guidance Note was not implemented by March 2013, this was interim technical guidance and not a Supplementary Planning Document.

In response to the issues raised by the public speaker and the further issues raised by Cllr Nicols the Committee discussed the following issues in detail:-

- Whether a consultation had been completed on Guidance Note 1. Cllr Young confirmed that the consultation had been completed but the views of Members would be taken into account.
- There should be further safeguards included in the document other than the landscape character assessment, such as noise. It was suggested that Guidance Note 1 should provide further clarity on the impact of noise and how this might effect the areas that that might be suitable for potential wind development. In response Cllr Young stated that as a result of the consultation further guidance in relation to noise was being provided. The Council would include whatever guidance was available at the time in relation to noise.
- Whether the guidance on noise imposed a distance from properties for wind development to be deemed suitable. In response Cllr Young stated that guidance was yet to be published, once it was published the Council would take it on board.
- The Council should develop the series of renewable energy guidance notes so that they could be considered together rather than developing one at a time.
- The visualisation of wind turbines against existing tall structures in Central Bedfordshire was unrepresentative and should be removed from the document.
- The document should be rebalanced so that it was more supportive of wind energy in Central Bedfordshire.
- Why the Council had only undertaken a four-week consultation on Guidance Note 1. In response Mr R Fox commented that four-weeks was the statutory minimum for a plan of this nature, given the number of responses that were received and in order to fit into the committee timetable this duration of consultation was felt to be appropriate.

RECOMMENDED TO EXECUTIVE

That the Guidance Note on Wind Energy Development in Central Bedfordshire be adopted subject to the consideration of the detailed comments as contained in the Minutes of the meeting, including those of Cllr Nicols, and specifically comments relating to:-

1. **the importance of including further guidance on noise disturbance and proximity to housing;**
2. **the removal of the drawing to visualise wind turbines against existing tall structures in Central Bedfordshire;**
3. **the need to rebalance the Guidance Note such that it was more supportive of wind energy**

SCOSC/12/100 Outdoor Access Improvement Plan

Cllr Dalgarno introduced a report that set out the proposed Outdoor Access Improvement Plan for Central Bedfordshire. In addition to setting out the principles of the plan Cllr Dalgarno also drew attention to the consultation responses that had been received.

In response to the report Members queried and discussed the following issues in detail:-

- The purpose of providing clarity in relation to activities that were permitted on open land.
- Whether allotments could be included in the Plan, it was noted that Town and Parish Councils were responsible for the provision of allotments on request.
- Whether money from the Sustainable Transport Fund could be used to provide footpaths in Caddington/Slip End. Mr P Cook clarified that this funding had been provided for very specific projects, it could not be used for the schemes suggested.
- The benefit of placing information boards on pathways.
- The process through which support could be provided by the local authority to deliver suitable “healthy spaces” that were identified in local areas. Mr J Woods commented that the Council would seek to identify potential sites and seek contributions to support their allocation as a Healthy Space.
- The means by which a community could ask for the designation of an area as a “local greenspace”. Further information could be provided in the future to provide clarity on this process. Cllr Young indicated that some areas had been allocated in the Development Strategy as local greenspace.

RECOMMENDED TO EXECUTIVE

That the Outdoor Access Improvement Plan be adopted.

SCOSC/12/101 Local Area Transport Plan Programme for 2013/14 and 2014/15

The Chairman invited a speaker to address the Committee. The speaker commented that Henlow Parish Council has previously submitted a wish list of six schemes to be included in the Arlesey and Stoffold LATP. The Parish Council was disappointed that their proposed schemes had not been included and particularly disappointed that the following schemes were not included:-

1. the painting of arrows on the road at a junction of the High Street and the A507; and
2. the addition of further traffic calming measures on Church Road.

The speaker commented that these schemes would cost very little and sought a response from officers regarding their omission from the LATP.

In response Mr B King stated that a prioritisation framework had been used to determine those schemes across Central Bedfordshire that should be included in the LATPs. The schemes proposed by the Parish Council were not included in the LATP as they were not considered as high a priority in comparison to other schemes across the Plan area. However, during 2013/14 the Parish Council could apply for Rural Match Funding to deliver these schemes if they were willing to contribute to the cost of the schemes. All Town and Parish Councils would be invited to apply for a share of £376k that would be available to deliver schemes in 2014/15. Cllr A Brown commented that Members should be aware there were a lot of schemes that did not make it into the LATPs.

In response to the issues raised by the speaker and the further information provided by Mr B King in relation to the report Members queried and discussed the following issues in detail:-

- Assurances were sought that the Council had indeed sent a letter from Mr D Bowie (Head of Traffic Management), which Town and Parish Councils were told had been sent. Mr P Cook stated that he would look into this and clarify whether a letter had been sent to Town and Parish Councils. Mr B King stated that the letter relating to the Rural Match Funding had not yet been sent.
- Cllr Matthews suggested that Town and Parish Councils had been misled over the time at which the Rural Match Funding would become available.
- Concerns relating to the impact of the impact of the Tesco development on traffic in Sandy.
- The need to look again at proposals for Caddington to determine whether changes were necessary in light of recent developments.

RECOMMENDED TO EXECUTIVE

That the Sustainable Communities Overview and Scrutiny Committee supports each of the LATPs and the associated programmes of integrated transport schemes to be delivered in these areas.

SCOSC/12/102 Minerals and Waste Local Plan

Cllr Young informed the Committee that in addition to the draft Minerals and Waste Local Plan and the modifications presented therein further modifications were required in light of advice that had been received on a facility at Elstow South. Cllr Young would seek delegated authority from the Executive to make further minor amendments as a result of advice.

In response to a question from a Member Mr L Hannington commented that during external examination the inspector received assurances that there was no uncertainty regarding the delivery of the facility at Rookery Pit South. The

proposed facility at Elstow South had therefore been removed as it was no longer considered necessary.

RECOMMENDED TO EXECUTIVE

- 1. That the modifications set out in the report be approved for publicity and consultation.**
- 2. That the Director of Sustainable Communities, in consultation with the Executive Member carry out such minor changes as may be necessary prior to the public consultation and submission of any representations received by the Inspector.**

SCOSC/12/103 Work Programme 2012/13 and Executive Forward Plan

RESOLVED

That the Sustainable Communities Overview and Scrutiny Committee work programme for 2012/13 be endorsed.

(Note: The meeting commenced at 2.00 p.m. and concluded at 5.12 p.m.)