

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

**This meeting  
may be filmed.\***



**Central  
Bedfordshire**

**please ask for** Helen Bell  
**direct line** 0300 300 4040  
**date** 11 September 2014

## **NOTICE OF MEETING**

### **DEVELOPMENT MANAGEMENT COMMITTEE**

Date & Time

**Wednesday, 24 September 2014 10.00 a.m.**

Venue at

**Council Chamber, Priory House, Monks Walk, Shefford**

Richard Carr  
**Chief Executive**

To: The Chairman and Members of the DEVELOPMENT MANAGEMENT COMMITTEE:

Cllrs K C Matthews (Chairman), A Shadbolt (Vice-Chairman), P N Aldis, R D Berry,  
M C Blair, A D Brown, Mrs C F Chapman MBE, Mrs S Clark, K M Collins,  
Ms C Maudlin, T Nicols, I Shingler and J N Young

[Named Substitutes:

L Birt, D Bowater, Mrs B Coleman, I Dalgarno, R W Johnstone, D Jones and  
B J Spurr]

All other Members of the Council - on request

***MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS  
MEETING***

**N.B. The running order of this agenda can change at the Chairman's  
discretion. Items may not, therefore, be considered in the order listed.**

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# AGENDA

1. **Apologies for Absence**

Apologies for absence and notification of substitute members

2. **Chairman's Announcements**

If any

3. **Minutes**

To approve as a correct record, the Minutes of the meeting of the Development Management Committee held on 27 August 2014.

(previously circulated)

4. **Members' Interests**

To receive from Members any declarations of interest including membership of Parish/Town Council consulted upon during the application process and the way in which any Member has cast his/her vote.

## REPORT

Item	Subject	Page Nos.
5	<b>Planning Enforcement Cases Where Formal Action Has Been Taken</b>	7 - 12

To consider the report of the Director of Sustainable Communities providing a monthly update of planning enforcement cases where action has been taken covering the North, South and Minerals and Waste.

## Planning and Related Applications

To consider the planning applications contained in the following schedules:

**Planning & Related Applications - to consider  
the planning applications contained in the  
following schedules:**

Item	Subject	Page Nos.
6	<p><b>Planning Application No. CB/14/02490/OUT</b></p> <p><b>Address :</b> Millbrook Proving Ground, Station Lane, Millbrook, Bedford MK45 2JQ</p> <p>Outline application with details of main access routes only for the development of four separate sites within the existing Millbrook Proving Ground site boundary for a total of up to 24,900 mA2 (gross) commercial floorspace (Use Class B1 a, b and c); creation of new vehicular access points at sites 2, 3 and 4 and improvements to existing main site access point to provide new access at site 1.</p> <p><b>Applicant :</b> Millbrook Proving Ground Ltd</p>	13 - 50
7	<p><b>Planning Application No. CB/14/02084/OUT</b></p> <p><b>Address :</b> Marston Park North, Marston Moretaine, Bedford, MK43 0LE</p> <p>Outline Planning Permission with all matters reserved: Development of up to 50 dwellings (falling within use class C3) circa 0.8 hectares of employment related development for uses falling in use classes B1, D1 and D2; a local centre of circa 0.13 hectares to include a range of retail and commercial uses falling within use classes A1/A2/A3/A4/A5 0.7 hectares of school playing field land; associated infrastructure including the principle of access from gold furlong (the primary street serving the existing Marston Park development), and its approved access road spur; internal access roads, pedestrian footpaths and cycle routes including improvements to the pedestrian connection linking through to Stewartby Lake, car and cycle parking, utilities and drainage, landscape works and ground remodelling.</p> <p><b>Applicant :</b> O&amp;H Q7 Limited</p>	51 - 72

- 8      **Planning Application No. CB/14/02713/FULL**      73 - 94
- Address :** Home Farm, 1 High Street, Wrestlingworth, Sandy  
SG19 2EW
- Conversion of existing barns (with partial demolition) and construction of new dwellings to form 7 new dwellings.
- Applicant :** County Land & Development Ltd.
- 9      **Planning Application No. CB/14/02714/LB**      95 - 102
- Address :** Home Farm, 1 High Street, Wrestlingworth, Sandy,  
SG19 2EW
- Listed Building: Conversion of existing barns (with partial demolition) and construction of new dwellings to form 7 new dwellings.
- Applicant :** County Land & Development Ltd.
- 10      **Planning Application No. CB/14/02134/FULL**      103 - 114
- Address :** Land at Chapel Close, Clifton, Shefford SG17 5YG
- Retrospective: Retention of post and rail fence and gate, hardstanding and low level emergency lighting column associated with existing pumping station.
- Applicant :** JVD Developments Ltd
- 11      **Planning Application No. CB/14/03214/FULL**      115 - 122
- Address :** 62 Nottingham Close, Ampthill, Bedford MK45 2FZ
- Two storey side extension including change of use of amenity land.
- Applicant :** Ms H winter & Mr E Bartlett
- 12      **Site Inspection Appointment(s)**
- Under the provisions of the Members Planning Code of Good Practice Members are requested to note that Site Inspections will be undertaken on Monday 20 October 2014.

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**Meeting:** Development Management Committee  
**Date:** 24<sup>th</sup> September 2014  
**Subject:** Planning Enforcement cases where formal action has been taken  
**Report of:** Director of Sustainable Communities  
**Summary:** The report provides a monthly update of planning enforcement cases where formal action has been taken.

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**Advising Officer:** Director of Sustainable Communities  
**Contact Officer:** Sue Cawthra Planning Enforcement and Appeals Team Leader  
(Tel: 0300 300 4369)  
**Public/Exempt:** Public  
**Wards Affected:** All  
**Function of:** Council

#### **CORPORATE IMPLICATIONS**

##### **Council Priorities:**

This is a report for noting ongoing planning enforcement action.

##### **Financial:**

1. None

##### **Legal:**

2. None.

##### **Risk Management:**

3. None

##### **Staffing (including Trades Unions):**

4. Not Applicable.

##### **Equalities/Human Rights:**

5. None

##### **Public Health**

6. None

##### **Community Safety:**

7. Not Applicable.

**Sustainability:**

8. Not Applicable.

**Procurement:**

9. Not applicable.

**RECOMMENDATION(S):**

**The Committee is asked to:**

1. **To receive the monthly update of Planning Enforcement cases where formal action has been taken at Appendix A**
- 2.

**Background**

10. This is the update of planning enforcement cases where Enforcement Notices and other formal notices have been served and there is action outstanding. The list does not include closed cases where members have already been notified that the notices have been complied with or withdrawn.
11. The list at Appendix A briefly describes the breach of planning control, dates of action and further action proposed.
12. Members will be automatically notified by e-mail of planning enforcement cases within their Wards. For further details of particular cases in Appendix A please contact Sue Cawthra on 0300 300 4369. For details of Minerals and Waste cases please contact Roy Romans on 0300 300 6039.

**Appendices:**

Appendix A – Planning Enforcement Formal Action Spreadsheet



## Planning Enforcement formal action (DM Committee 24th September 2014)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
<b>1</b>	CB/ENC/10/0037	Land at 6 Sutton Road, Potton, SG19 2DS	Enforcement Notice - siting of mobile home for independent residential accommodation	31-Aug-12	01-Oct-12	01-Dec-12			Not complied	Mobile home not now occupied. Further prosecution and fine 28/8/14.
<b>2</b>	CB/ENC/10/0172	Land at 10-12 High Street, Shefford. SG17 5DG	Enforcement Notice - construction of an unauthorised wooden extension	19-Jun-13	19-Jul-13	19-Aug-13			Part compliance	Some work has taken place but not completed. Further action to be taken if structure is not completed in compliance with planning permission CB/11/00047/FULL
<b>3</b>	CB/ENC/11/0267	Land and grain store building at White Gables Farm, Blunham Road, Moggerhanger. MK44 3RA	Enforcement Notice 4 - change of use of land and grain store building to storage of materials and vehicles for haulage business	20-Nov-13	20-Dec-13	20-Jan-14	Appeal received			Await outcome of appeal.
<b>4</b>	CB/ENC/11/0402	Land adjoining Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	2 Enforcement Notices 1 - unauthorised encroachment onto field 2 - unauthorised hard standing, fence and buildings	15-Oct-12	12-Nov-12	10-Dec-12			Not complied	Direct action to be taken
<b>5</b>	CB/ENC/11/0499	Land at Erin House, 171 Dunstable Road, Caddington, Luton. LU1 4AN	Enforcement Notice - unauthorised erection of a double garage.	03-Sep-13	01-Oct-13	01-Dec-13	Appeal dismissed	27-Sep-14		Appeal dismissed, compliance extended to 27/9/14. Appeal to High Court against appeal decision dismissed, LDC application refused. Check compliance 27/9/14.
<b>6</b>	CB/ENC/11/0613	Land at Taylors Nursery, Taylors Road, Stotfold, Hitchin. SG5 4AQ	Enforcement Notice - change of use of the land for siting of a mobile home for residential purposes.	14-Nov-13	14-Dec-13	14-Jan-14 & 13-Apr-14			Not complied	Planning application CB/13/04323/FULL refused.
<b>7</b>	CB/ENC/12/0079	Woodstock Cottage, 44 High Street, Flitton, MK44 5DY	Listed Building Urgent Works Notice - works to Listed Building	04-Feb-14	11-Feb-14				Partial compliance	Some work has taken place, further cutting back vegetation and thatch to be done.
<b>8</b>	CB/ENC/12/0098	Land at 22-28 Station Road, Arlesey	Two S215 Notices - Untidy land storage of materials and motor parts	(1) 15-May-13 (2) 4-Sep-14	(1) 15-May-13 (2) 4-Oct-14	(1) 12-Jun-13 (2) 4-Nov-14				Prosecuted and fined. Check compliance with further Notice 4/11/14

## Planning Enforcement formal action (DM Committee 24th September 2014)

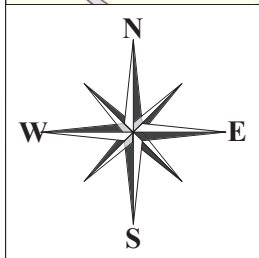
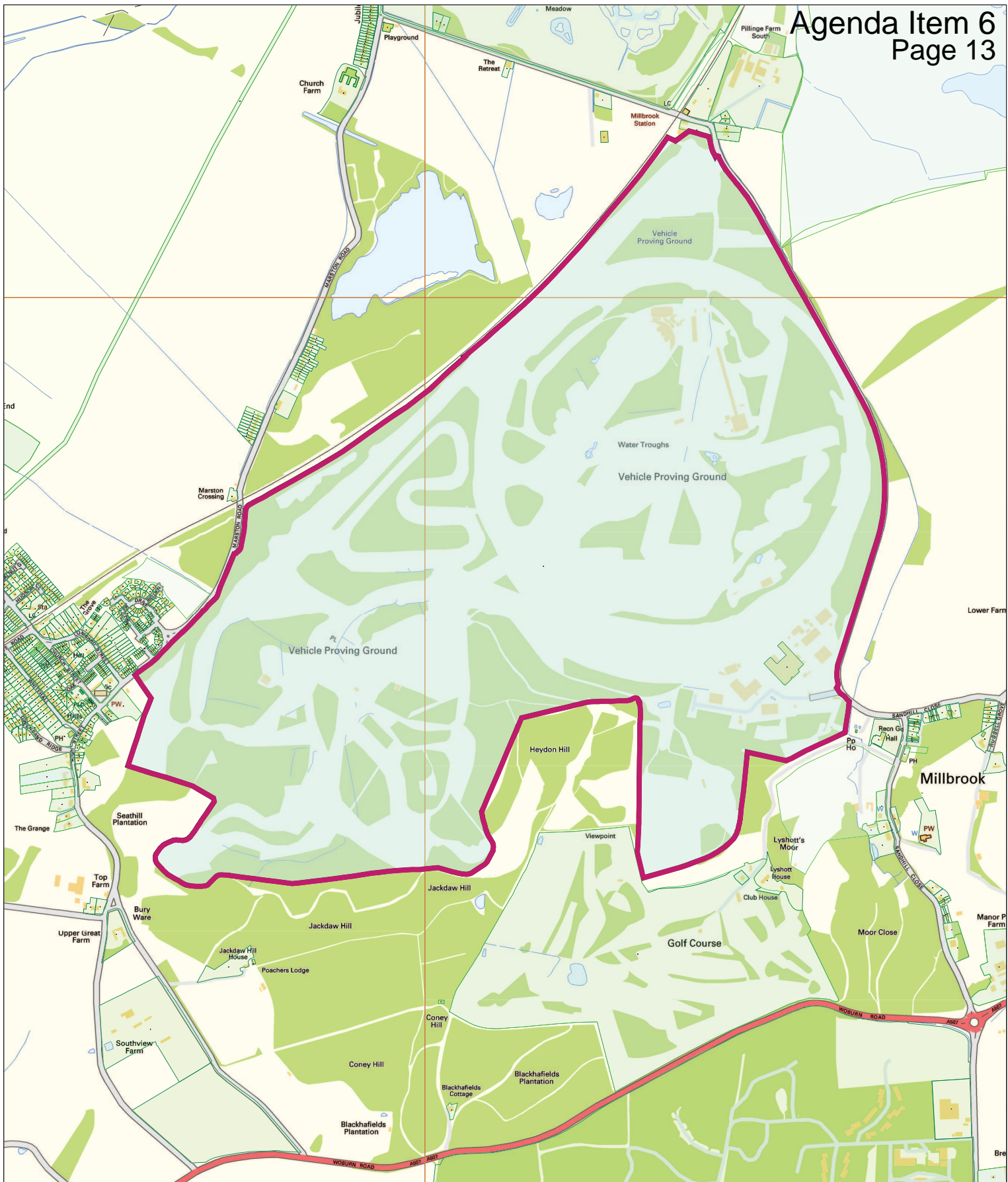
	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
<b>9</b>	CB/ENC/12/0161	Hawthorns, Leighton Road, Eggington, Leighton Buzzard, LU7 9NE	Enforcement Notice, change of use to a mixed use of agriculture and the sale and storage of motor vehicles	7-Jul-14	8-Aug-14	10-Oct-14	Appeal submitted 7/8/14			Await outcome of appeal
<b>10</b>	CB/ENC/12/0199	Plots 1 & 2 The Stables, Gypsy Lane, Little Billington, Leighton Buzzard LU7 9BP	Breach of Condition Notice Condition 3 SB/TP/04/1372 named occupants	15-Oct-12	15-Oct-12	12-Nov-12				Occupied temporarily, await outcome of appeal for Kingswood Nursery - Hearing adjourned to Dec 2014
<b>11</b>	CB/ENC/12/0330	Land to rear of The Farmers Boy PH, 216 Common Road, Kensworth, Dunstable LU6 2PJ	Enforcement Notice - raising and levelling of the land by the importation of waste material	08-Aug-12	10-Sep-12	10-Nov-12	Appeal dismissed 19/7/13	19-Sep-13	Part complied	Level reduced in part. Waste being removed. Continue to monitor for full compliance.
<b>12</b>	CB/ENC/12/0504	Land adj to Mileway House, Eastern Way, Heath and Reach	Enforcement Notice - use of land for siting of storage containers	03-May-13	03-Jun-13	03-Sep-13		01-Apr-14	Partial compliance	Full compliance is underway and being monitored.
<b>13</b>	CB/ENC/12/0599	Millside Nursery, Harling Road, Eaton Bray, Dunstable, LU6 1QZ	Enforcement Notice - change of use to a mixed use for horticulture and a for a ground works contractors business	01-Sep-14	02-Oct-14	02-Jan-15				Check compliance 2/1/15
<b>14</b>	CB/ENC/12/0633	Land at Plot 2, Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	Enforcement Notice - construction of timber building and the laying of hard standing.	17-Jan-13	14-Feb-13	14-Mar-13			Not complied	Costs of direct action to be obtained, await joint site visit.
<b>15</b>	CB/ENC/13/0276	Land at Motorcycle track, south of, Billington Road, Stanbridge	Breach of Condition Notice - No more than 7 motorcycles shall use the track at anyone time	09-Apr-14	09-Apr-14	09-May-14			No further breaches	Continue monitoring site
<b>16</b>	CB/ENC/13/0336	The Stables, Dunstable Road, Toddington, Dunstable, LU5 6DX	2 Enforcement Notices - Change of use from agriculture to a mixed use of agriculture, residential and retail sales and building works for commercial purposes	11-Jul-14	15-Aug-14	15-Oct-14	Appeal submitted 14/8/14			Await outcome of appeal
<b>17</b>	CB/ENC/13/0412	Land at 19a High Street South, Dunstable. LU6 3RZ	Enforcement Notice - Change of use offices to bedsits	20-Jan-14	20-Feb-14	20-Aug-14				Check compliance 20/8/14. Declined to determine LDC application .

## Planning Enforcement formal action (DM Committee 24th September 2014)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
18	CB/ENC/13/0413	Land at the rear of 37 Church Street, Clifton, Shefford SG17 5ET	Enforcement Notice - summer house, terrace, pond and swimming pool.	09-Dec-13	10-Jan-14	10-Mar-14	Appeal submitted			Await outcome of appeal
19	CB/ENC/13/0492	Land at Long Lake Meadow, High Road, Seddington, Sandy, SG19 1NU	Enforcement Notice - change of use of the land to a gypsy and traveller site	06-Mar-14	06-Apr-13	06-Jun-14	Appeal split decision	05-Nov-14		Appeal decision - Enforcement Notice varied, check compliance 5/11/14. LDC granted on part of site.
20	CB/ENC/13/0596	14 Sutton Avenue, Biggleswade, SG18 0NZ	S215 Notice - untidy front garden	30-Jun-14	29-Jul-14	29-Aug-14				Check compliance 29/8/14
21	CB/ENC/14/0006	Plot 1, Magpie Farm, Hill Lane, Upper Caldecote, Biggleswade, SG18 9DP	Breach of Condition Notice - Condition 6 planning permission ref: MB/05/01478/FULL and CB/13/01378/VOC	27-Jan-14	24-Feb-14	24-Mar-14	Appeal submitted			Await outcome of appeal - Hearing 19/8/14
22	CB/ENC/14/0070	9 Russell Crescent, Maulden, Bedford, MK45 2AY	Enforcement Notice - change of use of the land from residential to a mixed use for residential and the commercial maintenance and repair of motorcycles	06-Jun-14	08-Jul-14	08-Sep-14				Check compliance 8/9/14
23	CB/ENC/14/0166	59 Russell Way, Leighton Buzzard, LU7 3NF	Untidy Land - S215	09-May-14	11-Jun-14	11-Aug-14				Appeal received by Magistrates Court, await Hearing.
24	CB/ENC/14/0206	24 Cherry Trees, Lower Stondon, Henlow, SG16 6DT	Enforcement Notice - two storey extension	01-Sep-14	02-Oct-14	02-Jan-15				Check compliance 2/1/15
25	CB/ENC/14/0273	Paradise Farm, The Causeway, Clophill, Bedford, MK45 4BA	Enforcement Notice - change of use from agriculture to a mixed use for agriculture and siting of a mobile home	26-Jun-14	28-Jul-14	28-Sep-14				Check compliance 28/9/14
26	CB/ENC/14/0305	The Annexe, 33 The Mount, Aspley Guise, Milton Keynes, MK17 8DZ	Breach of Condition Notice - Condition 4 MB/06/01638/FULL annexe not to be used other than ancillary to the main dwelling.	04-Jul-14	04-Jul-14	04-Oct-14				Check compliance with Breach of Condition Notice 4/10/14.

## Planning Enforcement formal action (DM Committee 24th September 2014)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
<b>27</b>	CB/ENC/14/0306	Garage at Hinton Walk, Houghton Regis, Dunstable, LU5 5RB (Garage 1)	S215 Notice -untidy land	13-Aug-14	13-Sep-14	13-Oct-14				Check compliance 13/10/14
<b>28</b>	CB/ENC/14/0309	10 Russell Crescent, Maulden, Bedford, MK45 2AY	Enforcement Notice - change of use to a mixed use of residential and commercial gymnasium and studio	09-Jul-14	09-Aug-14	09-Oct-14				Check compliance 9/10/14
<b>29</b>	CB/ENC/14/0340	The Harrow, 80 Woodside Road, Woodside, Luton, LU1 4DQ	Enforcement Notice - erection of fencing to form a secure means of enclosure on the Land	01-Sep-14	01-Oct-14	01-Nov-14				Check compliance 1/11/14
<b>30</b>	CB/ENC/14/0351	105 High Street South, Dunstable, LU6 3SQ	Enforcement Notice - the erection of a second storey rear extension	13-Aug-14	13-Sep-14	13-Dec-14				Check compliance 13/12/14
<b>31</b>	CB/ENC/14/0376	6 Denbigh Close, Marston Moretaine, Bedford, MK43 0JY	Enforcement Notice - change of use of the Land from a residential dwelling to a mixed use of office and residential	13-Aug-14	12-Sep-14	12-Dec-14				Check compliance 12/12/14
<b>32</b>	CB/ENC/14/0378	25 High Street, Sandy, SG19 1AG	Enforcement Notice - the installation of roller shutters	13-Aug-14	12-Sep-14	12-Oct-14				Check compliance 12/10/14
<b>33</b>	CB/ENC/14/0381	Garage at Hinton Walk, Houghton Regis, Dunstable, LU5 5RB (Garage 1)	S215 Notice -untidy land	13-Aug-14	13-Sep-14	13-Oct-14				Check compliance 13/10/14
<b>34</b>	CB/ENC/14/0391	113 Camberton Road, Linslade, Leighton Buzzard, LU7 2UW	Enforcement Notice - change of use of amenity land to residential garden	01-Sep-14	02-Oct-14	02-Nov-14				Check compliance 2/11/14



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Date: 10:September:2014

Map Sheet No

Application No:  
CB/14/02490/OUT

Scale: 1:15000

Millbrook Proving Ground, Station Lane, Millbrook, MK45 2JQ

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**Item No. 6**

<b>APPLICATION NUMBER</b>	<b>CB/14/02490/OUT</b>
<b>LOCATION</b>	<b>Millbrook Proving Ground, Station Lane, Millbrook, Bedford, MK45 2JQ</b>
<b>PROPOSAL</b>	<b>Outline application with details of main access routes only for the development of four separate sites within the existing Millbrook Proving Ground site boundary for a total of up to 24,900 m<sup>2</sup> (gross) commercial floorspace (Use Class B1 a, b and c); creation of new vehicular access points at sites 2, 3 and 4 and improvements to existing main site access point to provide new access at site 1</b>
<b>PARISH</b>	<b>Millbrook</b>
<b>WARD</b>	<b>Cranfield &amp; Marston Moretaine</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Bastable, Matthews &amp; Mrs Clark</b>
<b>CASE OFFICER</b>	<b>James Clements</b>
<b>DATE REGISTERED</b>	<b>30 June 2014</b>
<b>EXPIRY DATE</b>	<b>29 September 2014</b>
<b>APPLICANT</b>	<b>Millbrook Proving Ground Ltd</b>
<b>AGENT</b>	<b>DLP Planning Consultants</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Loss of amenity – excessive light; overdevelopment – scale of development exceeds original concept; overearing – site , 3 &amp; 4 large obtrusive buildings close to road; highway safety grounds – continuous traffic through Millbrook Vilage; Design – Modern industrial buildings with flat roofs out of keeping with area; impact on landscape – protected views from Millbrook and ridge.</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Approve</b>

**Summary of Recommendation**

The proposal is in accordance with chapters 1, 4 , 7 , 10, 11 & 12 of the NPPF and Core Strategy and Development Management Policies CS2, CS9, CS10, CS16, DM3, DM11, DM13 & DM16. While there would be some harm to the open countryside this would be outweighed by the economic and employment benefits of the B1 units. A robust Transport Assessment and Travel Plan have been submitted with the application and the proposal is acceptable with regard to sustainable transport and highway safety. There would be no undue harm to residential amenity or heritage assets.

**Site Location:**

The application site is at Millbrook Proving Ground (MPG) which covers an area of some 270ha of land, within open countryside and land designated as an Area of Great Landscape Value. MPG is located on, and to the north of, the northern slope of the Greensand Ridge, between the settlements of Millbrook, Marston Moretaine and Liddlington. The site is wholly within the Forest of Marston Vale. The topography slopes significantly from the southern boundary of the site on the

Greensand Ridge to the northern boundary which is on relatively flat land on the Vale.

Millbrook Proving Ground is designated as a 'safeguarded Key Employment Site' under Policy E1 of the adopted Site Allocations DPD. The Proving Ground is subject to Policy DM11 (Significant Facilities in the Countryside) of the Central Bedfordshire (North) Core Strategy (2009).

Millbrook Proving Ground was originally developed in 1968 (opening in 1970) by Vauxhall (General Motors) on former agricultural land. The facility was the first of its kind in Britain, designed to be capable of accommodating all forms of vehicle testing off public roads, with over 70km of test track. Substantial new development took place during the 1980s and 2000s to expand the work undertaken at the site. The existing operations include: Engine test & development; exhaust emissions and fuel consumption; climatic and environmental test capabilities; advanced propulsion, charging and fuelling; vehicle durability, measurement & safety; military vehicle testing; system and component testing and consulting & training.

The site is extensively wooded amounting to approximately 80ha - approximately 30% - of the site. Over 30,000 trees have been planted by MPG.

The site shares a common boundary to the east and north east with Millbrook Village and Station Lane to Millbrook Station. Marston Vale Country Millennium Park is located to the north of the Proving ground. To the north west the Proving Ground shares a boundary with the Marston Vale (Bedford-Bletchley) trainline, Marston Road, Liddlington and Liddlington Village. To the west the site is adjacent to High Street and Broughton End Lane. To the south the site boundary runs along the Greensand Ridge and shares a boundary with Millbrook Members Golf Club and Public Bridleways BW19 and BW4 (Greensand Ridge Walk).

The main entrance to the Proving ground is located approximately 200m from residential properties at Millbrook Village (Sandhills Close); approximately 110m from Millbrook Conservation Area. A secondary access used for event days is located approximately 400m to the south of Millbrook Station.

The application includes four redline sites across the Proving Ground including an area to the south of the existing main industrial/office buildings (to the south west of the main access); an area of land between Station Lane, Millbrook; an area to the west of the secondary access and an area to the south east of Marston Road level crossing, Liddlington. All the sites are within the MPG boundary

The site includes a County Wildlife Site (Heydon Hill) which is in the southern part of the Proving Ground. The whole site is within Flood Zone 1 (lowest risk).

### **The Application:**

Outline planning permission is sought with all matters reserved except for access. The access matters include the main access routes for the development of four separate sites within the existing Millbrook Proving Ground site boundary for a total of up to 24,900 m<sup>2</sup> (gross) commercial floorspace (Use Class B1 a, b & c); creation of new vehicular access points at sites 2, 3 and 4 and improvements to existing main site access point to provide new access at site 1.



A B1 use is on that is by definition appropriate in a residential area. The Town and Country Use Classes Order 1987 (as amended) states that:

**Class B1. Business**

Use for all or any of the following purposes—

(a) as an office other than a use within class A2 (financial and professional services),

(b) for research and development of products or processes, or

(c) for any industrial process,

being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit;

**Extent of development**

All the proposed units across the four sites would be 2-storey and a maximum of 12m in height.

**Site 1** (south west of main access) - 3 units:

Unit 1, 2 & 3 - 2,400 m<sup>2</sup>

**Site 2** (to the west of Station Lane Millbrook) -

Unit 1, 2 & 3 - 1,200 m<sup>2</sup>

**Site 3** (to the west of the secondary access to the south west of Millbrook Station)

Unit 1 - 6000 m<sup>2</sup>

Unit 2 - 3,600 m<sup>2</sup>

**Site 4** (to the south of Marston Station and level crossing)

Unit 1 - 4,500 m<sup>2</sup>

The suite of reports and documents submitted with this outline application include:

Materplan;

Design & Access Statement;

Standard Economic Appraisal

Flood Risk Assessment / Drainage Assessment

Transport Assessment

Tree Survey & arborocultural Briefing Note;

Travel Plan;

Phase I Ecological Report

Land Contamination Assessment

Heritage Statement

Statement of Community Involvement

The applicant has stated there are no plans to develop speculatively and that all of the sites will be purpose built for specific tenants. The target market will be companies operating in the same business areas as MPG, which would benefit from co-location.

## **RELEVANT POLICIES:**

### **National Planning Policy Framework (2012)**

1. Building a strong competitive economy
4. Promoting sustainable transport
7. Requiring good design
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

### **Core Strategy and Development Management Policies (2009)**

- CS2 - Developer Contributions
- CS9 - Providing Jobs
- CS10 - Location of Employment Sites
- CS16 - Landscape and Woodland
- DM1 - Renewable Energy
- DM2 - Sustainable Construction of new buildings
- DM3 - High Quality Development
- DM11 - Significant Facilities in the Countryside
- DM14 - Landscape and Woodland Policy

Policy E1 - Site Allocations DPD

### **Minerals and Waste Local Plan:**

Waste Strategic Policy WSP5: Waste Audit

### **Supplementary Planning Guidance**

Design in Central Bedfordshire

### **Development Strategy for Central Bedfordshire (2014)**

1. Presumption in favour of sustainable development
2. Growth strategy
6. Employment land
7. Employment sites and uses
19. Planning obligations and the Community infrastructure levy
23. Public Rights of Way
26. Travel Plans
28. Transport Assessments and Travel Plans
43. High quality development
44. Protection from environmental pollution
45. The Historic Environment
46. Renewable and low carbon development
47. Resource efficiency Adaptation
49. Mitigating flood risk
50. Development in the Countryside
51. Significant facilities in the Countryside and Green Belt

(Having regard to the National Planning Policy Framework, limited weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in October 2014.)

### Planning History

Extensive planning history - most recent and relevant:

<b>Case Reference</b>	<b>CB/14/01602/ADV</b>
Location	Millbrook Proving Ground, Station Lane, Millbrook, Bedford, MK45 2JQ
Proposal	The replacement of the existing brick planter site entrance signage with a new set of signage each side of main entrance. A pair of silver/white sets of 4 curved monoliths 1.5m high (max) and 8.71m long with a logo in blue and green on raised stainless steel on the largest monoliths. The sign will be illuminated using ground based led strip light uplighters. These replace the existing illuminated signage.
Decision	Advertisement - Granted
Decision Date	09/06/2014

<b>Case Reference</b>	<b>CB/14/00740/SCN</b>
Location	Millbrook Proving Ground, Station Lane, Millbrook, Bedford, MK45 2JQ
Proposal	Screening Opinion (EIA): B1 Employment development
Decision	Pre-application Advice Released
Decision Date	21/03/2014

<b>Case Reference</b>	<b>CB/12/01845/FULL</b>
Location	Millbrook Proving Ground, Station Lane, Millbrook, Bedford, MK45 2JQ
Proposal	The construction of a 3 bay vehicle garage/workshop and associated parking area.
Decision	Full Application - Granted
Decision Date	13/07/2012

<b>Case Reference</b>	<b>CB/12/01579/FULL</b>
Location	Millbrook Proving Ground, Station Lane, Millbrook, Bedford, MK45 2JQ
Proposal	Erection and retention for 3 years of a temporary workshop building and a temporary office building
Decision	Full Application - Granted
Decision Date	27/06/2012

<b>Case Reference</b>	<b>CB/11/04114/NMA</b>
Location	Millbrook Proving Ground, Station Lane, Millbrook, Bedford, MK45 2JQ
Proposal	Non-material amendment: to planning permission MB/00/01287/FULL minor changes to block LL as previously approved.
Decision	Non-Material Amendment - Granted
Decision Date	13/12/2011

<b>Case Reference</b>	<b>CB/11/02655/FULL</b>
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Location	Millbrook Proving Ground, Station Lane, Millbrook, Bedford, MK45 2JQ
Proposal	Erection of single storey extension to cafeteria
Decision	Full Application - Granted
Decision Date	26/09/2011

<b>Case Reference</b>	<b>CB/11/02848/PAPP</b>
Location	Millbrook Proving Ground, Station Lane, Millbrook, Bedford, MK45 2JQ
Proposal	Pre-Application Advice: Changes to 2007 approved application.
Decision	Pre-application Advice Released
Decision Date	07/09/2011

<b>Case Reference</b>	<b>CB/09/00664/FULL</b>
Location	Millbrook Proving Ground, Station Lane, Millbrook, Bedford, MK45 2JQ
Proposal	Full: Variation of condition 1 on planning permission 06/00422/FULL to enable permanent retention of an events facility.
Decision	Full Application - Granted
Decision Date	08/06/2009

<b>Case Reference</b>	<b>MB/06/00422/FULL</b>
Location	Millbrook Proving Ground Ltd, Station Lane, Millbrook, MK45 2JQ
Proposal	Full: Erection of building for use as temporary events facility
Decision	Full Application - Granted
Decision Date	08/05/2006

<b>Case Reference</b>	<b>MB/06/00424/FULL</b>
Location	Millbrook Proving Ground Ltd, Station Lane, Millbrook, MK45 2JQ
Proposal	Full: Creation of hardstanding for vehicle parking in connection with vehicle conversions.
Decision	Full Application - Granted
Decision Date	17/05/2006

<b>Case Reference</b>	<b>MB/08/00244/FULL</b>
Location	Millbrook Proving Ground, Station Lane, Millbrook, Bedford, MK45 2JQ
Proposal	Full: Erection of 1.5 metre high fence following demolition of Scout Hut
Decision	Full Application - Granted
Decision Date	16/06/2008

<b>Case Reference</b>	<b>MB/05/00961/FULL</b>
Location	Millbrook Proving Ground Ltd, Station Lane, Millbrook, MK45 2JQ
Proposal	Full: Construction of covered storage facility for barrelled fuels.
Decision	Full Application - Granted
Decision Date	03/08/2005

<b>Case Reference</b>	<b>MB/04/01851/FULL</b>
Location	Millbrook Proving Ground Ltd, Station Lane, Millbrook, MK45 2JQ
Proposal	Full: Installation of a 15 metre light weight lattice mast with 6 panel antennae and 2 dish antennae and three equipment cabinets.
Decision	Full Application - Granted
Decision Date	16/11/2004

<b>Case Reference</b>	<b>MB/03/02100/FULL</b>
Location	Millbrook Proving Ground Ltd, Station Lane, Millbrook, MK45 2JQ
Proposal	Full: Replacement of perimeter fence
Decision	Full Application - Granted
Decision Date	09/01/2004

<b>Case Reference</b>	<b>MB/01/00349/FULL</b>
Location	Millbrook Proving Ground Ltd, Station Lane, Millbrook, MK45 2JQ
Proposal	FULL: FORMATION OF TRACKS FOR TRACKED VEHICLE TESTING, INCLUDING INSTALLATION OF A SECTION OF PERIMETER FENCING
Decision	Full Application - Granted
Decision Date	11/09/2001

<b>Case Reference</b>	<b>MB/00/00428/FULL</b>
Location	Millbrook Proving Ground Ltd, Station Lane, Millbrook, MK45 2JQ
Proposal	FULL: ERECTION OF SINGLE STOREY OFFICE/WORKSHOP BUILDING, ADDITIONAL CAR PARKING AND TWO SECURE COMPOUNDS.
Decision	Full Application - Granted
Decision Date	30/05/2000

<b>Case Reference</b>	<b>MB/00/01287/FULL</b>
Location	Millbrook Proving Ground Ltd, Station Lane, Millbrook, MK45 2JQ
Proposal	FULL: Erection of 3 buildings to form offices, workshops and reception buildings, formation of car park extension.
Decision	Full Application - Granted
Decision Date	07/11/2007

**Representations:  
(Town & Neighbours)**

Millbrook Parish Meeting **Background:** Millbrook is a pleasant Bedfordshire Village, set in the “hilly” part of Bedfordshire just before it descends into the flat lands of the Marston Vale. It is mostly a Conservation Area within an Area of Great Landscape value.

The Test Track (Millbrook Proving Ground) is a large industrial site (spread over 700 acres and employing over 400 staff) which was built 50 years ago on the northern edge of the village for the purpose of testing vehicles built at Luton. Originally owned by General Motors, it is now a “stand alone” facility which has very recently changed ownership. The new owners are now seeking planning consent for additional industrial development.

Immediately to the south, the recently opened Center Parcs occupies a site of around 300 acres with guests and staff up to 5000 at any one time.

There is a very narrow road winding through the main part of the village. There is no contiguous footpath on either side of the road, necessitating crossing the road several times. Mid Beds District Council recognised this by the imposition of a weight limit (7.5 tons) and a width restriction (2 metres) some years ago.

**The Parish Meeting objects strongly to this planning application on the following grounds:**

This development will generate or exacerbate:

Continuous heavy traffic thundering through the village from early in the morning to late at night. Continuous noise and actual pollution. The buildings in Millbrook are old and some of them have limited foundations. They are not built to withstand the sort of repeated pounding that these lorries generate.

There is not now, nor has there ever been, a proper traffic strategy for MPG. None of the public roads that lead to the site are adequate for the type and volume of traffic using them. The scale of activity now taking place on the site was never envisaged when the test track was originally constructed.

There are several protected views from Millbrook itself and several vantage points on the Greensand Ridge. These views will be ruined if the development is allowed to proceed. The application is, by the way, misleading as it misplaces the position of the Greensand Ridge on the Internet plans, which gives a false reading of these views. Light Pollution. The views of some villagers are already completely ruined by the excessive light given off by the existing site. More development will mean more of the same.

The extra access off Station Lane (Site 4) is on the inside of a blind bend. This will cause additional traffic hazards to the Heavy Traffic which uses this route on a regular basis.

The position of the buildings on Sites 2 and 3 and 4 will mean large obtrusive buildings on flat land close to the road built on a place where we used to have trees screening the proving ground to hide it from view. Instead we will get modern industrial buildings, with flat roofs, totally out of keeping with the surrounding agricultural land.

Lidlington  
Parish  
Council

Lidlington Parish Council has considered this application, looking at Site 4 of the proposals which is the site within the parish of Lidlington and will have a direct impact on the village. The Parish Council has no comments relating to the other three sites in the application, but does wishes to object to this application in regards to Site 4 for the following reasons.

It must be remembered that this site is directly opposite a site that has been classified a designated 'quiet' site. Such development would have an adverse effect on the character of this.

The Parish Council are extremely concerned that the applicants have not fulfilled previous obligations relating to the site in general at Millbrook Proving Ground in particular regarding rights of way that had previously been documented would be delivered to ensure there was no loss of such an important route. All that appears to have happened is

that these previously promised routes have just been included again in this application.

The Parish Council feel that given the size of the overall Proving Ground site, an expansion should be done internally, not by starting to extend the site at the proposed location. There is a great concern in terms of creating a new highways access to this separate site, the road is dangerous as there has been a death on this road. The historical highways issues are well documented.

Local residents have had issues with sound and noise in particular major works through the night for sustained periods of time. The levelling of this area is highly likely to permit greater transmission of noise and dramatically increase the disturbance to households.

Given the site's extremely close proximity to the railway and given the agreed plans to upgrade the railway, there has been no information included within the application on how this will be properly managed, or what vital options in preserving the orderly living arrangements of villagers will be permitted after that major planning event. In considering this local application, it would be prudent of the local authority to seek the views of Network Rail as to their intentions regarding the well publicised intent to close as many railway/road crossings as is possible when the major infrastructure will take priority.

The building's size is a concern as there is no specific business use attributed to the proposal, given the internal space there is a possibility that the site could hold many hundreds of employees and necessitate additional unknown ad-hoc accesses to the site.

Their natural travel route would be through the village which already suffers with dangerous parking and narrowing roads along the High Street and Marston Road, additional vehicles would further impact on this problem.

The Parish Council has concerns regarding adequate infrastructure services. There is no water supply to the site, and we have difficulties ensuring constant water to all of the village. There are perpetual interruptions to Electricity many of which are attributed to the excessive demands of Millbrook Proving Ground. The broadband supplied to the village is inadequate and this site could absorb any potential improvement which CBC is currently managing

There is an existing outline planning permission for an employment site along Marston Road. Should this application be successful it may lessen the prospects for local employment on that existing identified site. It is far more likely to provide jobs for local people than the proposed "High Technology" specialist industry associated with the Proving Ground.

The Council would also like to submit comments with regard to the possibility that the application is either approved as it is felt important for some planning conditions to be applied, in such circumstances. It is

very important that conditions be included regarding a time-scale for the rights of way work to be extended and completed prior to any ground-works commencing, as well as conditions relating to noise and operation activity times.

Marston  
Parish  
Council

Having considered the matter, Marston Moreteyne Parish Council wishes to object to the above application based on the following reasons:

The proposal will generate additional HGV traffic movements together with ordinary vehicular traffic movements which will have an adverse and detrimental effect upon the village of Marston Moreteyne and its residents.

The road system within Marston Moreteyne already experiences a high proportion of HGV traffic bound for Millbrook Proving Ground. This application would create a cumulative effect to the detriment of resident's wellbeing and safety.

Marston Moreteyne Parish Council therefore feels that this application should be refused.

Neighbour  
Objections

**Amphill Park House:-** The four families who live at Amphill Park House are worried about the increase in traffic on the surrounding roads, the visibility of the new building and the increased noise from the enlarged proving ground.

**The Bungalow, Millbrook Road, Houghton Conquest:-** The lane past our property is the preferred access into MPG for HGVs and we don't feel the lane can take any more.

**Elizabethan Cottage** - There is an existing, documented problem of large numbers of oversized vehicles cutting through Millbrook Village (Sandhill Close) in order to access Millbrook Proving Ground and other commercial sites. The Village Rd (Sandhill Close) has a 66 width restriction in force between the A507 roundabout and the T junction with Station Lane. This restriction is continually ignored by oversized traffic. There is currently no enforcement of the width restriction either by the police or by physical measures. This planning application seeks to expand the commercial activity on the Millbrook Proving ground site, and will inevitably lead to an increase in all types of traffic. I am unable to support this application unless it includes physical measures to enforce the width restriction along Sandhill Close.

**Park Farm, Hazelwood Road** – traffic congestion concerns

**Manor Farm, Millbrook Road, Houghton Conquest:-** I wish to object to the proposal to further develop Millbrook Proving Ground. My objection is based on the issue of road access to the Proving Ground. The roads into the site are just not fit for purpose and are struggling to cope with the volume of traffic already accessing MPG.

**Manor Farm, Millbrook Road, Houghton Conquest:-** We farm the



land on either side of the narrow Millbrook Road/Houghton Lane and such are only too aware of the traffic problems along the lane. This is exacerbated every time an event is held at MPG.

This lane is extremely narrow and has many sharp bends which limit visibility of oncoming traffic in several places. There are already several accidents along the lane every year, mainly due to speed and poor visibility, the majority I guess go unreported but we help to remove several cars a year from our hedges and fields. In several places the edges of the road have caved in due to the heavy articulated vehicles, mainly car transporters and low loader lorries traveling into MPG, mounting the verges and crushing the tarmac. The resulting cracks and pot holes make it dangerous for car drivers and particularly cyclists to use the road safely. The white lines along the middle and edge of the lane have faded in places. The railway bridge is a particularly dangerous place, with the HGVs approaching in the middle of the road on a blind bend. There are no signs stating this. I have seen a low loader grounded on this bridge. The grass verges are cut infrequently. If this proposal were to go ahead I believe the verges should be cut back much more regularly to increase visibility around the bends. We have witnessed HGVs meeting on the lane and having to reverse up to get past each other. This is really unsafe!

There are two main issues with traffic going into the Proving Ground from the B530 Ampthill/Bedford Road: The car drivers, especially those attending events at MPG and don't know the dangerous and narrow lane drive too fast for the state of the road and become a danger to themselves and others on the lane. The HGVs are far too big for the size of the lane. This lane is not appropriate for this use! If this application was on any other new site I am sure that permission would be refused on the basis of poor access into the site; Since Centre Parcs has opened on the other side of the village there has been a notable increase in the number of delivery vans and small lorries using this lane too, my guess is they are making deliveries to Centre Parcs. The road cannot cope safely with the volume of traffic it carries at the moment. I strongly object to the further development of MPG. If you were to grant permission I hope that there would be a serious upgrade of this lane.

**Station House, Station Lane, Millbrook:-** Increase in traffic. Local road infrastructure inadequate. Width and weight restriction in Millbrook constantly flouted. Houghton Lane too narrow with soft verges and dangerous bends. Existing problems at junctions of Station Road/Marston Road & Station Road/Station Lane. Speed along Station Road excessive - traffic calming required. Proposed cycle path, road improvements and mitigation need to be in place before development can be considered. MPG need to look at another access from A507. Harm to views from Millbrook Conservation Area.

**54 Millbrook Village:-** significant increase in the developed area of the site. Large areas of trees along Station Road would be lost. Buildings will be highly visible. Road network not adequate. Development will increase traffic to the site. Wide vehicles illegally use Sandhills Close with a large proportion generated by MPG. Visual impact from village

and greensand ridge.

**6 Russell Grove, Millbrook:-** Unacceptable levels of traffic accessing the Proving Ground from all directions through our village. Any further development can only serve to make a bad situation worse. Drivers blatantly ignoring the width limit from the Woburn Road roundabout end or coming up the narrow, winding Houghton Lane, which is totally unsuitable for their vehicles. The proposed new access off Station Lane is on a blind bend, causing additional danger to traffic already using this busy road.

Harm to several protected views from Millbrook itself and several vantage points on the Greensand Ridge and these views will be ruined if the development is allowed to proceed. The position of the buildings on Sites 2 and 3 and 4 will mean the removal of the beautiful tree screen, originally planted to hide the track, and a haven for wildlife, to be replaced with utilitarian industrial buildings on flat land close to the road and visible from miles around. Out of keeping with surrounding agricultural land and traditional architecture and would be nothing but a gleaming new eyesore to all who know and love our area. Noise pollution from these industrial units it simply isn't possible to operate most industries so that neighbours don't constantly hear them and once a business is up and running, getting changes made is next to impossible.

The negative aspects of this proposed development far outweigh the likely benefits to the owners and prospective tenants of the site.

**5 Russell Grove:-** Objection - primarily because of the increase in road traffic it will bring. The current road system cannot support further traffic to the site and consideration must be given to an alternative access route to the site before further development is approved. The quantity of heavy lorries currently using local roads is disruptive and a safety issue a further increase will only exacerbate the current problems. Secondly increased business use will bring further noise and light pollution from the site. Thirdly the village sits within a conservation area and views from this site will be ruined by this development.

**57 Sandhill Close:-** Millbrook Village should be a quiet place in the heart of Bedfordshire. Traffic is limited to that which is less than 7.5 tons in weight and less than 2 metres wide. The previous Council imposed these limits because the road is unsuitable for heavier vehicles by reason of the road configuration and the lack of a full footpath. It is narrow and winding. These restrictions are not being observed by delivery and other vehicles who constantly use the road as a convenient shortcut. The police do not enforce the restrictions and neither do the Central Beds Council. as a consequence this village is both a dangerous and noisy place to be. Any development which increases this traffic, as this application seeks to do will exacerbate these problems.

The access for Site 4 is on a blind bend and will further add to the danger faced by these heavy vehicles. The proposed buildings on Sites 2, 3 and 4 are set at road level on a particularly flat site and will

necessitate the destruction of a carefully planted tree screen which in its present state does precisely the job it set out to do fifty years ago; it screen this ugly site from the road : if it is developed it will no longer do this.

There is no coherent access strategy for this site in its present form and until there is, no development should take place. None of the access roads, from the A507, from the B530 nor from the A421 is satisfactory until there is one from somewhere there should be no development at all. Millbrook Village is mostly a Conservation Area, this application should not be allowed to blight it in this manner.

**4 Butler drive:-** The addition of access site 4 to the western side of the Millbrook development will have a detrimental affect to the villages of Lidlington and Marston Moretaine. The access to this particular site will have a detrimental affect on the villages with increased levels of transport on roads which are inadequate to deal with such increase in traffic. Detrimental affect on the limited amenities that are currently available within the surrounding area.

Site 4 will be in close proximity to a railway crossing. As I am sure you are aware this railway line is earmarked for significant upgrades which will increase the frequency of trains. I would therefore raise the question with regard to increased levels of traffic within this area crossing an unmanned railway point with high speed trains. The commercial operation would be in close proximity to a residential development and would therefore affect the privacy of the residents of this agreed development waiting construction.

I note that the Millbrook site is classed as E1 use under the local plan for employment. The current main entrance to the site should be utilised for this purpose and was the Council's clear intention. A development to the western side has no relevance to the overall use to Millbrook with no existing buildings being present. Lidlington has not been identified as an employment area under the framework plan. However this proposed access site would incorporate Lidlington into this area. The proposed access site 4 to be excessive. Proposed access site 4 is not connected to Millbrook's activities in any way. The lack of any access across the site clearly shows this. This clear area of green land between the testing tracks and the residential village of Lidlington was obviously incorporated at construction to allow for a boundary between the activities at Millbrook and the adjacent village. Construction on proposed access site 4 is encroachment in to this space.

**56 Sandhills Close:-** Traffic. Sandhill Close has a weight and width restriction. This is not enforced and HGV's continually use this lane as a short cut to the Proving Ground. This weekend alone I counted over 50 car transporters using the lane in both directions for an event at Millbrook. Although unusually high there is continual oversized traffic using Sandhill Close outside of special events. This has been further intensified since the opening of Centre Parcs with a significant increase of goods vehicle traffic in excess of the weight and width. Any expansion of the site at Millbrook will require additional HGV traffic during the construction plus additional traffic once completed to support

the enlargement of the business conducted on site.

Noise. The current increased goods vehicle traffic has increased significantly noise in the village. Any expansion of the site at Millbrook will require additional HGV traffic during the construction plus additional traffic once completed to support the enlargement of the business conducted on site and therefore additional noise of goods vehicles ignoring the restrictions.

Access. Although the roundabout connecting the lane to the A507 has helped traffic flow through the village it has also encourages HGV's to use the lane as a short cut. On a too regular basis I cannot drive out of my driveway because of a line of HGV's queuing back to our property. This again will worsen if the Proving Ground is expanded.

Safety. The weight and width restriction should prevent large vehicles meeting on a tight set of bends mid lane. The lane has no continuous path for pedestrians who are forced to either cross multiple times or to walk in traffic. The increase in goods traffic associated with the construction and then the expanded business poses a real threat to safety for walkers, horse riders, cyclists and drivers.

Conservation Area. Presently the current MPG is discreetly screened within its current grounds. The proposed expansion includes a two story building that is on the boundary and is not in keeping with the local environment.

**Lyshott House, Millbrook:-** It is the visual and environmental impact of Site 1, given its proximity to both the Millbrook Village Conservation Area and to the the Greensand Ridge Walk and Bridleway (a valuable tourism and recreational amenity), which is of greatest concern. Sites 2 and 3, being distant from Millbrook Village itself, appear more appropriately situated. We also have significant concerns regarding traffic and the impact on local utilities, including adequacy of water pressure, which we understand will be raised in detail by other residents.

Further, the submitted plan 'Site 1 Proposed Illustrative Layout' makes no mention of the Greensand Ridge Walk, which it immediately abuts. The Greensand Ridge Walk (according to its Management and Development Plan, published by Central Bedfordshire Council "aims to provide a high quality, nationally promoted regional trail ...which will enable everyone to appreciate and enjoy these valuable and unique habitats and landscapes. ...It promotes the uniqueness of the Central Bedfordshire landscape, protecting the ecological, cultural and landscape features of the areas through which each stage of the walk passes through."

Site 1 is likely to be clearly visible from the centre of Millbrook Village and from the Greensand Ridge Walk, so it will interfere with the remarkable views cited in the Council's Conservation Area Appraisal as an outstanding feature of the village. bThe need to protect these areas is also enshrined within Policies DM 11 & 14 of the Central Bedfordshire Core Planning Strategy which supports the need to "conserve or enhance the landscape" and "ensure that the scale, layout and design" of applications should not adversely affect the countryside. The rare undulating vista in what was defined as an area of great landscape

value, which deserves protection within the County.

Noise and light pollution, particularly from Site 1, would be detrimental to wildlife and tranquility. Consideration needs to be given to the affect of these proposals on residential neighbours.

Currently there is an established wooded area within the MPGL boundary, which forms part of proposed Site 1. This is designated as part of the Forest of Marston Vale. It has not been hashed red, so does not form part of the 'key employment site', as it helps reduce interference and 'eyesore' from existing commercial buildings and illuminated car park. On this basis we suggest this area should be excluded from the proposed development within

Site 1, as it helps preserve the nature and tranquility of the Greensand Ridge Walk for users, including cyclists and horse riders, the safety of which could be compromised by noise from the proposed commercial buildings and busy car park. We suggest that any approved development

should be constrained by:

a) Limiting the scale and elevation of buildings, preferably to a single storey. b) Ensuring that design and materials used should to in keeping with the rural setting. c) Limiting the proximity of the buildings and car park for Site 1 to the Greensand Ridge Walk and Bridleway. Currently the proposed car park appears to occupy part of the yellow shaded area on inset Plan 38, so we suggest that any development should be scaled back to preserve the designated woodland and indeed to increase it to form a curtain/barrier. d) Limiting tree felling along the boundary and requiring further planting to help obscure any development from the elevated parts of village itself and from the Greensand Ridge Walk itself. We assume that privacy will be important to a Technology Park, so trust that this will suit all parties. e) Limiting floodlighting and noise pollution and from the new proposed buildings and car parks. f) Refer to Policy EMP10 of the Council's previous "Local Plan" and consider limiting use of new buildings within the curtilage of MPGL to occupation for educational and/or research purposes or similar. g) Improve vehicle restriction signage and ensure that vehicle width & weight limits within Millbrook Village are enforced. Heavy goods vehicles, mainly in transit to/from MPG, often disregard existing restrictions causing danger to pedestrians and other traffic. Any increase in traffic, which would undoubtedly occur from this proposed development, would only exacerbate this problem. h) Consider the need for access restrictions along Sandhill Close towards Millbrook Road, particularly over the railway bridge. The regular passage of wide car transporters and other HGV traffic to MPGL along this narrow, winding country road already causes a significant hazard. Alternatively, both the road and bridge will need widening, as without appropriate measures, the greater traffic flow to this site is likely to result in a foreseeable fatality or serious accident.

**27 Sandhills Close:-** Sandhills Close is an unsuitable road for use by HGVs etc . MPG cannot control the types of vehicles. It is increasingly difficult to cross the road due to the amount of traffic. Harm to conservation area and countryside. Traffic should be redirected from the A507 or A421.

**28 Sandhills Close :-** Excess traffic especially heavy lorries would make that problem worse. Furthermore the views from a conservation area to industrial units which would replace the current trees seems to defeat the point of conservation areas in the first place.

**29 Sandhills Close:-** Millbrook is a small and historically important village. My cottage was built in 1853 and like most of the dwellings in the village does not have the foundations to withstand the effects of heavy traffic passing through. Additionally, the road is narrow, winding and without pavements in places. Over the years the traffic has increased and little notice is paid by heavy lorries to width or weight restrictions. The developments of industries and new housing in the surrounding area is responsible for this increased traffic and I do not want more MPG or Stewartby developments to add to this problem. Please vote no to the MPG proposal.

**17 Sandhills Close:-** The roads around Millbrook are unsuitable for the traffic passing through now. There are many violations of the weight limit daily and, despite the bumps, a lot of speeding. This also occurs on the other road where car transporters take up three quarters of the road. The village has reached its limit of industrial/commercial development.

**12 Sandhills Close:-** how can even more be permitted/encouraged adding to the already inappropriate volume and size lumbering through this conservation area village?

**13 Sandhills Close:-** The development will generate heavy traffic that the buildings of millbrook cannot take , also additional pollution and noise created. It is an area of beauty not an industrial estate

### Consultations/Publicity responses

Highway Officer		No objection subject to conditions and s106
Sustainability Officer	Transport	No objection subject to conditions and s106
Public contamination	Protection	No objection subject to condition and informative
Network Rail		Concern raised and requested a risk assessment for the level crossings and a contribution
Ecology		No objection subject to conditions
Tree & Officer	Landscape	No objections subject to conditions
Strategic Officer	Landscape	Concern has been raised regarding the impact of site 1 & 4 on landscape character. Revised indicative plans have been submitted for sites 1 & 2 to demonstrate that

Environment Agency	Awaiting comments
Public Rights of Way Officer	Supports the provision of footpath/cycle path/bridleway
Sustainability Officer	Recommends SuDS for surface water management and 10% of energy demand to be delivered from low carbon or renewable sources to meet BREEAM 'excellent'
Conservation Officer	No objection
Forest of Marston Vale	Requested further information and are in ongoing discussions with MPG regarding mitigation measures

### Determining Issues

The main considerations of the application are;

1. Principle of development
2. Impact on the open countryside, landscape character & loss of trees
3. Design and conservation considerations
4. Residential amenity considerations
5. Sustainable Transport, public rights of way, highway safety & level crossings and parking considerations
6. s106 Legal Agreement
7. Archaeology
8. Ecology
9. Other issues

### Considerations

#### 1. Principle of development

Millbrook Proving Ground is a safeguarded E1 employment site in the site allocations DPD. The relevant core strategy and draft development strategy policies are as follows:

#### **Policy DM3: High Quality Development**

- All proposals for new development, including extensions will:
- be appropriate in scale and design to their setting.
- contribute positively to creating a sense of place and respect local distinctiveness through design and use of materials.
- use land efficiently.
- use energy efficiently.
- respect the amenity of surrounding properties.
- enhance community safety.
- comply with the current guidance on noise, waste management, vibration,

- odour, water, light and airborne pollution.
- incorporate appropriate access and linkages, including provision for pedestrians, cyclists and public transport.
- provide adequate areas for parking and servicing.
- provide hard and soft landscaping appropriate in scale and design to the development and its setting.
- incorporate public art in line with the thresholds determined by the Planning Obligations Strategy.
- ensure that public buildings are accessible for all, and comply with current guidance on accessibility to other buildings.
- respect and complement the context and setting of all historically sensitive sites particularly those that are designated.

### **Policy CS9: Providing Jobs**

The Council will plan for a minimum target of 17,000 net additional jobs in the district for the period 2001-2026.

In support of this target, approximately 77 hectares of net additional B1-B8 employment land will be identified for the remainder of the period 2010-2026. Land will be allocated through the Site Allocations DPD which will identify whether phasing is required. The AMR will inform when sites should be released to ensure a sufficient range, quantity and quality of land is available to cater for all employment sectors or, identify where there is a demand that cannot be met by available sites.

### **Policy CS10: Location of Employment Sites**

The Council will safeguard for future employment use the Key Employment Sites pending review by the Site Allocations DPD. Where sites are identified as 'not fit for purpose' in the ELR but are in sustainable locations, the Council will support mixed use schemes to help improve the balance of homes and jobs locally. Developments proposing small flexible units will be encouraged. However, where these sites are still occupied in part by existing users who would be displaced by redevelopment, alternative employment land will need to be available in the locality to allow them to relocate prior to redevelopment.

There will be a flexible approach to safeguarded sites which have been underperforming. The Council will support the employment generating redevelopment of these sites allowing for appropriate non B1 to B8 uses that provide for additional job creation. More efficient use and redevelopment of these sites for employment will be supported and encouraged.

Sites will be allocated in sustainable locations close to major transport routes that will include a mix of type and scale of premises, allowing for employment uses to fill any acknowledged gaps in the employment market or to meet demand for a particular use.

### **Policy CS16: Landscape and Woodland**

The Council will:

- Protect, conserve and enhance the Chilterns Area of Outstanding Natural



Beauty;

- Conserve and enhance the varied countryside character and local distinctiveness in accordance with the findings of the Mid Bedfordshire Landscape Character Assessment;
- Resist development where it will have an adverse effect on important landscape features or highly sensitive landscapes;
- Require development to enhance landscapes of lesser quality in accordance with the Landscape Character Assessment;
- Continue to support the creation of the Forest of Marston Vale recognising the need to regenerate the environmentally damaged landscape through woodland creation to achieve the target of 30% woodland cover in the Forest area by 2030;
- Conserve woodlands including ancient and semi-natural woodland, hedgerows and veteran trees; and
- Promote an increase in tree cover outside of the Forest of Marston Vale, where it would not threaten other valuable habitats.

#### **Policy DM14: Landscape and Woodland**

The Council will ensure that:

- the highest level of protection will be given to the landscape of the Chilterns AONB, where any development which has an adverse impact on the landscape will be refused;
- planning applications are assessed against the impact the proposed development will have on the landscape, whether positive or negative. The Landscape Character Assessment will be used to determine the sensitivity of the landscape and the likely impact. Any proposals that have an unacceptable impact on the landscape quality of the area will be refused.
- proposals for development that lie within the Greensand Ridge or the Flit Valley will be required to conserve or enhance the landscape. Any proposals that have an adverse impact on the landscape in these areas will be rejected unless there is a particular need for, or benefit arising from the proposal that would override this requirement.
- proposals for development within the Northern Marston Vale, the Forest of Marston Vale, Ivel Valley, the urban fringe around the major service centres and along the main road corridors will be required to provide landscape enhancement on or adjacent to the development site or contribute towards landscape enhancement in these areas.
- trees, woodland and hedgerows in the district will be protected by requiring developers to retain and protect such features in close proximity to building works. Tree Preservations Orders will be used to protect trees under threat from development. Any trees or hedgerows lost will be expected to be replaced.
- tree planting or contributions towards planting for the purposes of enhancing the landscape will be sought from new developments. Any planting for the purposes of mitigating the carbon impact of new development will be sought in line with government advice.

#### **Policy DM11: Significant Facilities in the Countryside**

Management plans, development briefs or masterplans agreed by the Council will be required prior to the significant expansion or redevelopment of the facilities at Cranfield University and Technology Park, Shuttleworth College, Millbrook Proving Ground and RAF Henlow and DISC Chicksands.

All proposals for significant development at these facilities will be assessed in terms of their:

- Impact on the open countryside;
- Provision of sustainable transport;
- Justification;
- Scale, layout and design - which must be appropriate to the establishment and its setting.

Planning applications that are considered acceptable against these criteria will be approved. Further major facilities that may be developed within the district with a similar level of importance in terms of employment or research will be considered under this policy'.

Policy DM11 of the Core Strategy and policy E1 of the Site Allocations DPD recognise the importance of Millbrook Proving Ground and provides support in principle for significant development, subject to assessment having regard to the above bullet points. Impact upon open countryside, provision of sustainable transport and scale, layout and design will be discussed below. With regard to the justification for the development, the applicant sites the economic and employment benefits of the proposal (outlined in the Standard Economic Appraisal Model) and the need to use sites on the periphery due to internal site constraints including topography and the health & safety constraints of a 24hr a day working testing facility. This is considered to be adequate justification for the proposed sites.

Both the supporting text and policy DM11 require the preparation of a Management Plan, Development Brief or Masterplan agreed by the Council prior to expansion or redevelopment. The applicant has undertaken its own masterplanning exercise and has held an exhibition at the Proving Ground (October 2013) and has had a number of meetings with Millbrook, Liddington and Marston parish councils/ parish meeting. While there are tangible benefits of carrying out a masterplanning exercise jointly with the Local Planning Authority, it should be noted that the applicant has entered into extensive pre-application discussions. It is considered that the applicant has carried out an acceptable level of masterplanning and consultation prior to submitting this application which, although not strictly in accordance with the wording of the policy, is in accordance with its intentions.

As will be discussed below, it is considered that in principle the proposal accords with policy CS16, DM3, DM11 & DM14 of the Core Strategy.

## **2. Impact on the open countryside, landscape character & loss of trees**

The proposal site is on land identified as Mid Greensand 6(b) and Marston Vale Clay 5(d) in the Mid Beds Landscape Character Assessment. The northern slope of the Greensand Ridge has a high sensitivity to change. The LCA states:

'This is the most prominent and visible section of the ridge- providing clear reciprocal views to and from the adjacent low-lying, flat land scape of the Marston and Wilstead Settled and Farmed Clay Vale (5d,5e)'.

**Site 1** (south west of main access)

The Landscape Officer initially raised concern due to the loss of a significant mature tree belt to the south east of the existing main access. This loss of which would mean that the three proposed units would be highly visible from Sandhills Close, Millbrook Church and the Greensand Ridge footpath.

Revised indicative plans have been submitted which demonstrate that the proposed units, parking areas and access road could be relocated to ensure the retention of a significant proportion of the mature tree belt. The indicative plans also show the planting of a new tree belt on the southern boundary of site 1 which would, in the medium to long term, further screen this site.

**Site 2** (to the west of Station Lane, Millbrook)

With regard to site 2, some concern has been raised regarding the loss of existing trees particularly due to the visibility splay. A revised indicative plan has been submitted showing that the units and car park could be set back further from the frontage which would ensure that landscape strip of 5m could be retained to screen the development. The Strategic Landscape Officer does not object to this site subject to detailed information at the reserved matters stage.

Revised indicative plans have been submitted for sites 1 & 2 to demonstrate that existing tree screening can be retained to mitigate the concern raised by the Strategic Landscape Officer. The Landscape Officer's comments will follow this report.

**Site 3** (to the west of the secondary access to the south west of Millbrook Station)

The unit would use the existing secondary access into MPG and would be set back some from the highway. The majority of existing tree coverage adjacent to the highway would be retained which would obscure the site. The Strategic Landscape Officer has no objection to site 3 subject to a satisfactory landscape scheme. The new planting and proposed wetland features could create valuable habitat.

**Site 4** (to the south of Marston Station and level crossing)

The site would be largely obscured from views to the north due to the retention of the majority of existing tree cover. The site can be seen from the ridge to the west of MPG, particularly from Folly Wood, Broughton Lane End which has a panoramic view of the Vale and looks down onto the site. The Landscape Officer is particularly concerned about the impact from this viewpoint because of the valuable contribution the site makes to the Forest of Marston Vale.

It should be noted that the majority of trees on site 4 will be retained. The trees that would need to be removed include those at the proposed access, access road, footpad of the building, servicing area and working areas. A SUDS system is proposed which would enhance ecology. The proposal site should also be seen in the context of patchwork of uses and buildings which are viewed from Folly Wood, which include: the MPG site (the straight, the large crescent-shaped exhibition centre, other testing facility buildings and part of the parabolic test circuit), Liddlington, the Stewartby chimneys, Bedford-Bletchley trainline and industrial development further towards Bedford (also any future development at Rookery B Pit). It should also be noted that much of the tree planting undertaken by MPG has been for the security of the proving ground and the trees have no formal protection.

The Landscape Officer has stated that if development was permitted here, a design with strongly recessive detailing would be required to minimise intrusion, particularly of the roof and lighting. If a highly screened development with exemplary roof detail were proposed, this would be more acceptable than a typical employment unit.

It should be noted that the application is outline with all matters reserved accept access. Appearance, landscaping, layout and scale is to be determined at the reserved matters stage. It is envisaged that the units will be bespoke, tailored for each individual user and each individual site, and would be of a very high quality design. The units would not be standard industrial buildings with steel cladding and could include features such as green roofs to reduce their impact.

While there would be harm to landscape character, this needs to be weighed against the economic, employment and sustainable transport benefits of the proposal. Development of the site is supported by policy DM11 and the location of the site are justifiable given that the main site is used for testing with few areas appropriate for significant development.

It is considered that much of the harm can be mitigated by the imposition of a design coding condition, to be agreed prior to the submission of reserved matters, to ensure a high quality design and landscaping, combined with a Landscape Character & Visual Impact Assessment (LCVIA). The applicant has confirmed that they would accept this condition. The proposal is therefore considered to be acceptable with regard to impacts upon landscape character.

### **Loss of trees**

The Tree Officer has no objection to the proposals and has confirmed that many of the existing trees are of a poor quality. A large proportion of the trees on site are relatively young and have been planted in the last 30 years and consist of primarily native species and all have the same age structure. There are some groups of older trees Black Poplar and Hawthorn that have been categorised as U (poor) condition. Almost all the trees on site have been surveyed as mixed groups primarily because of the number of trees, age and difficulty in access. None have been classified higher than C category. Notwithstanding this, the Tree Officer has confirmed that, where possible, existing trees should be safeguarded to ensure an adequate screening of the sites.

The development will require the removal of a large number of these trees. Not only within the building footprints but also for construction access around the buildings, new access tracks and parking areas. Because of the extensive wooded nature of the site, which up until now appears to have had no management e.g. thinning or formation of rides, it is considered that although the loss of the trees is regrettable it would be acceptable, mainly because as these relatively young trees (and new trees) mature they have the capability of providing areas of dense mature woodland in the future which with future management have the potential to provide very effective screening.

### **Forest of Marston vale**

The Forest plan and Cores Strategy Policy CS16 supports a figure of 30% tree cover across the Marston Vale by 2030. MPG currently has approximately 30% coverage which would be reduced by the development.

The Forest of Marston Vale have expressed regret regarding the loss of trees on the development sites. While it would be preferable to replace these trees on site, the MPG site has been extensively planted and there are few opportunities for further planting. Marston Vale have therefore requested a contribution to off-site tree planting (to be negotiated). An update will follow this report.

### **3. Design & conservation considerations**

The proposed use is B1 a,b & c. The application is for outline approval with only access to be determined and all other matters i.e. appearance, landscaping, layout and scale to be determined at the outline stage.

As discussed above, a design coding condition is proposed in this report, which combined with the Landscape Character Visual Impact Assessment will ensure that an acceptable design can be developed for each individual site and unit.

Millbrook Conservation Area is located approximately 110m from the main access. The Conservation Officer has no objection and has stated that the majority of the above ground heritage assets within the Proposed Development Area are buildings associated with the villages of Millbrook, Lidlington and the former Marston Moretaine. Most of these are tied into their village setting and derive their role and significance from it. The proving ground is a dominant feature in the area but is hardly perceptible within the landscape of Marston Vale as seen from the Greensand Ridge. Site 1 & 2 are closest to Millbrook Conservation Area and the reserved matters will need to ensure that the design and landscaping scheme retains as much existing planting as possible, combined with new planting, to ensure that the units are screened from views on Sandhills Close and Millbrook Church.

There would be no undue harm to Houghton Hall or Ampthill Park given their distance from the site.

### **4. Residential amenity considerations**

Concern has been raised regarding the impact upon residential amenity. A B1 use is one that is by definition appropriate in a residential area.

The Town and Country Use Classes Order 1987 (as amended) states that:

**Class B1. Business**

Use for all or any of the following purposes—

(a) as an office other than a use within class A2 (financial and professional services),

(b) for research and development of products or processes, or

(c) for any industrial process,

being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit;

The recent Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 permits a change of use from B8 to B1(c) (and vice versa) for up to 500msq without requiring formal planning approval. The development would be restricted by condition to a B1 use, for the avoidance of doubt to ensure the units could not be subdivided and used for a B8 use.

All four sites are a significant distance from existing residential properties. There would therefore be no undue harm to residential amenity with regard to loss of light, loss of privacy or overbearing impact. A planning condition will ensure that new lighting associated with the units is designed to restrict light spill.

Concern has been raised by a resident that the proposal would effect the 'designated quiet area' to the north of site 4 at Liddington. The origin of the 'quiet area' is not known and there is no such land use planning or environmental health designation in Central Bedfordshire. The reference may relate to character of the open countryside. It should be noted as discussed above, that a B1 use is compatible with residential uses.

Concern has also been raised regarding the impact the proposal, in particular site 4, would have on the outline consented B1 site on Marston Road, original planning ref no. MB/03/00165/OUT. The approval has been renewed several times. Most recently by CB/10/00036/REN (expires December 2015). The proposal is unlikely to affect its viability, given the likely different type of end user. The proposed development at Millbrook would not restrict any future renewal due to the increase in traffic generation.

**5. Sustainable Transport, public rights of way, highway safety & level crossings and parking considerations**

This proposal seeks to expand the existing facility at Millbrook Proving Ground to supplement existing operations. The site is located in the Marston Vale adjacent to Millbrook and Lidlington villages and 3.3km from Marston Moretaine village. Access to the existing site is off Station Road which currently has a 60mph speed limit. Millbrook village is within 1.65km from site 1, 1.25 km from site 2 and 400m from site 3. Lidlington village is 500m from site 4.

The sites are close to the railway stations of Millbrook and Lidlington, currently there is no footway to Millbrook station although beyond there is a link to Marston Moretaine and also to National Cycle Route 51 which links to Bedford and Milton Keynes. On the Marston side there is an existing footway on the

eastern side of the carriageway providing a continuous link from Lidlington village to the hamlet on the north side of the level crossing.

Regard has been given to site connectivity and new movement connections such as that along Station Road for sites 1 to 3 and Marston Lane for site 4.

The application considers that the development complies with CBC Local Transport Plan (LTP) policy that stipulates that the council is keen to encourage alternatives to car usage but recognises that in a district with a dispersed settlement pattern that many trips cannot be serviced effectively by public transport.

The application therefore takes advantage of the fact that the site is close to Lidlington and Millbrook stations with a travel plan that proposes measures to encourage non-car trips including the opportunity to provide courtesy connections to these local stations for pre-booked visitors. The LTP also seeks to encourage convenient access to stations, as a result of which the development proposes a footway/cycleway connection to Millbrook station. Currently there are no regular bus services and surveys of existing staff to the site have demonstrated that peak arrival times are between 0700 and 0800 with many arriving before 07.00. It is therefore considered that a conventional bus service would be unlikely to be able to meet these demands.

The site is considered to be within realistic walking and cycling times of Lidlington and Millbrook stations. Therefore a new walking and cycle link is proposed to Millbrook station with any locally based staff encouraged to walk and cycle. In 2011 a comprehensive internal survey of employee travel patterns was undertaken to inform a site wide travel plan and this has been used both to inform the trip generation and trip distribution data for this application but also the proposed travel plan.

The applicant then proposes to meet the obligations with regard to sustainable travel through a robust travel plan that encourages rail travel, improved links to Millbrook and encouraging more efficient car travel through car sharing. It also proposes a freight route strategy as required as part of CBC's freight strategy, a reduced speed limit on Station Road from Millbrook to north of Millbrook station and local road safety improvement on the bend on Marston Road including speed reduction measures.

In conclusion, the application is acceptable subject to the sustainable transport measures proposed although further detail will of course be required as to the nature of the improved walking and cycling infrastructure, the cycle parking proposed and the junction layout such that provision is made for pedestrians and cyclists to safely access the sites and cross any access roads. The Travel Plan is considered to be robust.

### **Public Rights of Way**

The proposed development includes a formal (surfaced and signed) bridleway link which would enable horse riders and cyclists from Marston Moretaine (and beyond) to gain safe access to the Greensand Ridge Walk, which in turn links to the new bridleways around the Center Parc site and further bridleway's into Steppingley and Flitwick. The new link would also allow horse riders from

Millbrook and Steppingley to travel to and enjoy the Forest Centre and County Park. The Footpath Officer has stated that this is a very important link which if formalised would bring huge benefits for all users. The demand for this link is significant and there is already a significant amount of use. A formalised route would improve safety.

The Pegasus Crossing in Millbrook allows safe crossing of the A507 for horse riders, but once south of the A507 their journey is limited to the Greensand Ridge Walk, this new formalised link would provide a safe route south to Marston Moretaine and in turn access to the bridleway network to Thrift Wood and onto Cranfield. The link would provide an alternative route for Greensand Ridge Walk users creating safe access to the Forest centre facilities.

### **Highway Safety**

This proposal has been the subject of considerable pre-application consultation which has included several site visits and meetings with the applicant's highway consultants, Matrix Transportation Planning Ltd (MTP). As a result the application is supported by a comprehensive and robust Transport Assessment (TA) that identifies likely traffic implications emerging from the development along with measures to mitigate any adverse traffic impacts.

The TA was based upon surveys of existing traffic generation and movement patterns from the existing proving ground to give an accurate prediction of the traffic flows and distribution of vehicles from the proposed sites which are to be centred around and work alongside the current automotive industries on the wider proving ground site. The highway authority considers that this is an acceptable approach to the TA and has greater value than simply relying on figures derived from the TRICS database.

Whilst the proposed B1 development is unlikely to generate HGV movements the applicants, being aware of local concerns regarding the movement of such vehicles, are intending to build upon the current proving ground HGV routing strategy that takes such vehicles away from the villages of Lidlington, Marston and the residential properties on Sandhill Close, Millbrook and onto the B530 then north toward the A421.

With regard to sustainable travel the proposal includes provision for a segregated foot and cycle link along the length of Station Road leading to the rail station at Marston, improvements to the footway between site 4 and the village of Lidlington and from the main site entrance leading toward Millbrook. These physical measures, secured through a S106 agreement but implemented under Highways Act provisions are complemented by a Travel Plan, the details to be agreed as part of any reserved matters application for each individual site.

Turning to access, although the application is for outline approval to establish the principle of the development for further research and development premises on the four sites identified, vehicle access is not reserved for subsequent reserved matters approval and therefore should be considered in detail.

Looking at each site individually and access arrangements specifically:

Site 1. This scheme proposes significant alteration to the access arrangements



to the wider Millbrook Proving Ground with the provision of a roundabout junction shown on illustrative plan 1459/PL03 issue F and in more detail on the MTP plan 001-01.

Whilst the principle of a roundabout is acceptable in this location the design indicated on the submitted plan has not been subject to a formal Road Safety Audit and therefore should not be taken as approved for the purposes of this application. Whilst the highway authority are content that an acceptable arrangement can be provided the scheme as prepared gives concern including insufficient deflection for vehicles travelling along Station Road from the north, the spacing of the approaches and tracking movements of larger vehicles making their way into the proving ground following the agreed HGV routing strategy from and to the east.

Site 2. Station Road. Simple junction access shown in detail on MTP plan 002-01.

This is a new access to be shared by three new B1 Units. The arrangement is acceptable in a highway context. Plan indicates provision of 2.4m x 215m visibility splays required because and appropriate for the speed limit.

Site 3. Station Road. Simple junction shown in detail on MTP plan 003-01

This is an existing access point serving as access to 'event day' activities. It will continue to act as access to event days and serve two new B1 units. The access arrangement including visibility splay provision is acceptable in a highway context although the need for a large radius kerb on the north side needs further justification.

Site 4. Marston Road. Simple junction shown in detail on MTP plan 004-01.

A new access serving a single B1 Unit. The access arrangement including visibility splay provision is acceptable in a highway context although the need for a large radius kerb on the south side needs further justification.

To summarise, the principle of the proposals are acceptable in a highway safety and capacity context. However the access arrangements as indicated on the submitted plans, in particular the arrangement for site 1 may need modification and further detailing to enable the actual works to be implemented, which will form part of a condition. The Highway Officer has recommended a number of conditions which are included in this report.

### **Level Crossings - Station Road & Marston Road, Liddlington**

Network Rail have raised concern with the proposed development and has stated:

'With reference to the protection of the railway, Network Rail has concerns regarding the additional impact of traffic on Station Road and Marston Road level crossings. From the application we understand that the proposed site access for developments 2 and 3 is on Station Road which leads to Mill Brook Level Crossing (full barrier crossing with CCTV) and this will increase the already high volumes of traffic and misuse. The proposed access for site 4 is

close to Marston Level Crossing which is an automatic half-barrier crossing. The additional traffic will risk blocking back over the level crossing and increase the risk of use.

A risk assessment for each crossing will be necessary, with contributions towards upgrades commensurate with that increased risk. Such upgrades may include the barriers at Marston Level crossing being updated to a full barrier or manually controlled crossing-obstacle Detector (MCB-OD). However in the longer term and to eliminate risks associated with the above crossings, Network Rail would seek to close the level crossings and replace with bridges. We would seek further talks with the developer and contributions through S106 to mitigate the risks as described above'.

The applicant undertook pre-application discussions with Network Rail and these issues and request for contributions were not raised. Further discussions are currently taking place with Network Rail and the outcome will be updated on the Late Sheet.

## **6. S106 Legal Agreement - Heads of Terms**

The contributions outlined in the draft heads of terms include the following:

- A contribution (quantum to be confirmed) is proposed to provide for the provision of a Bridleway/Cycleway linking Millbrook Station with proposed sites 2, 3, MPG main entrance and Millbrook village;
- A contribution (quantum to be confirmed) is proposed to provide for the improvement or enhancement, as necessary, of the existing footway on Marston Road, linking Site 4 access with Lidlington Village.
- A contribution (quantum to be confirmed) toward appropriate directional signage improvements in accordance with the agreed Freight Route Strategy.
- A contribution (quantum to be confirmed) to implement a Traffic Regulation Order (TRO) to appropriately manage vehicle speeds and on Station Lane, in accordance with the Council's accepted formula.
- A contribution (quantum to be confirmed) towards minor safety improvements on Marston Road/Station Road.

It is considered that the legal agreement should also include the requirement of a Landscape Management & Maintenance Plan. As discussed above there are also ongoing discussions with regard to a contribution towards tree planting within the Marston Vale. An update will follow this report.

The Draft heads of terms discusses contributions to the necessary highway/footway improvements, it is considered that these measures should be delivered by the developer through the necessary highway agreements rather than a contribution taken by the council as they are integral to the development going forward. The S106 should also include reference to the travel plan such that, "the promotion of sustainable travel associated with this development needs to be implemented in accordance with the approved travel plan submitted as part

of this application". The travel plan should also be added as an appendix to the s106.

## 7. Archaeology

The proposed development site does not contain any known archaeological remains; it is, however, in an area which has produced extensive evidence for occupation from the prehistoric period onwards. A ring ditch (HER 16566), probably a Bronze Age funerary monument is located immediately to the south west of Site 3 and an extensive Roman settlement site has recently been identified at the southern end of Rookery Pit to the north east with the site of Marston Pillinge medieval settlement to the north (HER 17305). These are heritage assets with an archaeological interest as defined by the National Planning Policy Framework (NPPF). The wider surrounding landscape contains substantial evidence for prehistoric, Roman, Saxon and medieval occupation.

The application includes a Heritage Statement (Albion Archaeology 13th May 2014) comprising a desk-based assessment which describes the archaeological context and potential of the proposed development site and the affects of the proposal on the significance of the heritage assets. Site 3 is identified as having moderate to high potential for the prehistoric and Roman periods and Sites 1, 2 and 4 as having moderate potential for these periods. The significance of any Bronze Age remains relating to the ring ditch (HER 16566) is described as moderate to high and for remains of any Iron Age or Roman settlement or landscape features as being low to moderate. For the later periods (Saxon to post-medieval) it is suggested that the site formed part of the agricultural landscape outside the known settlements of Millbrook, Lidlington and Marston Pillinge and though there is some potential for the survival of features relating to land division and agricultural activity, generally the potential for these periods is low to negligible. This assessment of the potential of the proposed development site to contain buried archaeological remains is reasonable, although aspects of Iron Age and Roman settlement have been identified as regionally important research topics in the published regional archaeological frameworks and should, therefore, also be considered of moderate to high significance.

Although this is an outline application and precise details of the development are not presently known, the main impact on any sub-surface archaeological remains the site may contain are identified in the Heritage Statement as arising from groundworks associated with building construction, infrastructure, service provision and landscaping. The proposed development is recognised as changing the landscape by removing some of the present woodland cover within the site and introducing a new and fairly substantial built element to the landscape. This is described as altering the perception of the landscape and views from the higher ground where Houghton House and Ampthill Castle are located. The Heritage Statement suggests that these changes in the landscape will not have a substantial affect on the setting of the designated heritage assets nor on the significance of those assets.

The proposed development will affect and change the setting of the designated heritage assets of Ampthill Castle, Houghton House and Ampthill Park by reducing the wooded element and introducing new built elements with a clear industrial quality. These changes will be particularly visible from Ampthill Castle and Ampthill Park. However, any changes to the setting of these heritage assets

will be fairly low key and will not hinder the understanding and appreciation of the contribution their settings make to the significance of the monuments. It will not amount to substantial harm to the significance of the designated heritage assets (NPPF paragraph 132). Therefore, I have no objection to this application on the grounds of its impact on the setting of designated heritage assets of Ampthill Castle, Houghton House and Ampthill Park.

Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (CLG 2012). Policy 45 of the Development Strategy for Central Bedfordshire (Revised Pre-submission Version, June 2014) echoes this and also requires all developments that affect heritage assets with archaeological interest to give due consideration to the significance of those assets and ensure that any impact on the archaeological resource which takes place as a result of the development is appropriately mitigated.

The proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to manage appropriately the impact of the development on archaeological remains. Because the details, including timetabling, of the development are not known at present and, consequently, the specific impacts on archaeology cannot be predicted, this will be most effectively achieved by a programme of archaeological resource management which includes the protection or investigation and recording of any archaeological remains encountered, the post-excavation analysis of any archive material generated and the publication of a report on the works. In order to secure this, a suitably worded condition is included in this report.

## 8. Ecology

The illustrative mastepan shows the retention of a degree of tree cover and also utilises an extensive SuDS network which in itself will provide opportunities for biodiversity enhancement, which is to be welcomed.

The Ecology Report from June 2014 does not identify any priority habitats as constraints to the development but acknowledges potential for protected species interest within the 4 sites. The report makes a number of recommendations for further species survey work together with appropriate timings.

As this is an outline application, the Ecology Officer has confirmed that planning conditions to require the necessary survey work will be acceptable. These studies will enable any potential impact on the species to be adequately mitigated for and consequently European Protected Species (EPS) licence applications if necessary.

A suitably worded condition has been included in the report to require reptile, dormice, bat and badger survey be undertaken to inform any reserved matters for final site layout and landscaping.

It is also noted that the Heydon Hill County Wildlife (CWS) lies within 150m of site 1 and is within the blue line of the Millbrook Technology Park Site boundary. This CWS has been recorded in unfavourable status due to inappropriate management. As the NPPF seeks to achieve a net gain for biodiversity through development securing an appropriate future management plan for this non-statutory site would be a true biodiversity benefit, especially as this site falls within the NIA to which para 12.36 of the emerging Development Strategy seeks '...opportunities to enhance nature conservation through development. The Ecologist has requested a condition requiring such a management plan.

## 9. Other issues

Liddlington Parish Council has concerns regarding adequate infrastructure services and have stated that there is no water supply to the site, and we have difficulties ensuring constant water to all of the village. There are perpetual interruptions to Electricity many of which are attributed to the excessive demands of Millbrook Proving Ground. The broadband supplied to the village is inadequate and this site could absorb any potential improvement which CBC is currently managing.

The concern regarding water and electricity is not in this instance a planning matter, given the outline status of the application, and is an issue for MPG and the relevant water/electricity provider to ensure there is adequate supply. The Council are committed to facilitating the improvement of broadband across the whole of the Central Bedfordshire area.

### *Human Rights issues*

No significant issues have been raised by this application.

### *Equality Act 2010*

No significant issues have been raised by this application.

## Recommendation

To authorise the Manager of Development Infrastructure to issue the grant of Outline planning PERMISSION subject to planning conditions outlined in the committee report and the completion of an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure highway/sustainable works to be undertaken by the applicant through a s38 or s278, a TRO, a travel plan and a landscape management and maintenance plan.

## RECOMMENDED CONDITIONS / REASONS

- 1 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall take place within each area approved as identified on drawing no. 1459/PL02 issue E until approval of the details of the appearance, landscaping, layout and scale of the development [and any other details required i.e. the landscaping adjoining it] within that area (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

**Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).**

- 3 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 2 Environ Report of September 2013, a further redevelopment strategy incorporating a remedial plan for asbestos and any other 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 remedial plan 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 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

- 4 No development shall take place on each phase until a written scheme of archaeological resource management; that includes post excavation analysis and publication has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved scheme.

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to secure the protection and management of archaeological remains which may be preserved in situ within the development site.

- 5 No development shall commence on each phase until a waste audit has been submitted to and confirmed in writing by the Local Planning Authority. The agreed details shall thereafter be carried out in full. The details to be submitted shall include:
- information on the anticipated nature and volumes of waste that the development will generate;

- where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development;
- the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities;
- any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete.

Reason: To ensure the development is in accordance with policy W5 (MWLP 2005)

**6 Prior to any reserved matters being submitted to the Local Planning Authority, a design code shall be submitted to and agreed in writing by the Local Planning Authority. The design code shall include:**

- **External materials and facing finishes for roofing and walls including opportunities for using locally sourced, recycled construction materials and green roofs;**
- **Sustainable design and construction, in order to achieve a minimum 'Excellent' BREEAM rating maximizing where appropriate passive solar gains, natural ventilation, water efficiency measures.**

**Landscaping and Ecology:**

- **Hard and soft landscaping strategy to include the protection where possible of the existing tree belts/screen;**
- **Landscape Character and Visual Impact Assessment;**
- **Minor artefacts and structures including floodlighting and boundary treatments;**
- **Design of the public realm;**
- **Conservation of flora and fauna interests;**
- **SUDS design.**

**Highways and Transport:**

- **Alignment, width, gradient and type of construction and materials proposed for all footways, cycleways, bridleways, roads and vehicular accesses to and within the site (where relevant) and individual properties;**
- **Cycle parking and storage;**
- **Landscaping and highway design to ensure the footway/cycle/bridleway mitigates an urbanising effect.**

**Reason: To ensure satisfactory comprehensive development and proper planning of the area.**

**7 Notwithstanding the details submitted on plan 1459/PL03 Issue H, development shall not commence until a detailed design and alignment**

of the roundabout at the main access has been submitted to and agreed in writing by the Local Planning Authority.

**Reason: In the interests of highway safety.**

- 8 The development hereby approved shall only be used for a use within Use Class B1 a,b or c and for no other purpose.

Reason: In the interests of residential amenity and to ensure the development is in accordance with policy DM11 and DM3 of the Core Strategy.

- 9 The buildings shall not exceed a maximum height of 12m.

Reason: For the avoidance of doubt and to ensure the development does not harm the open countryside.

- 10 **Notwithstanding the details shown on the submitted plans, development shall not begin on any phase until full engineering details of the vehicle access arrangements onto the public highway have been submitted to and approved by the Local Planning Authority and no development shall commence until the appropriate Highways Act agreement has been entered into.**

**Reason: To ensure the provision of an appropriate highway arrangement in the interests of highway safety.**

- 11 **No development shall begin on any phase until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include proposals for construction traffic routes, the scheduling and timing of movements, any traffic control, signage within the highway inclusive of temporary warning signs, the management of junctions to, and crossing of, the public highway and other public rights of way. The CTMP shall be implemented in accordance with the approved details for the duration of the construction period.**

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

- 12 No reserved matters development shall begin until details of pedestrian and cycle linkages between the sites and Millbrook village, Millbrook Station and Lidlington village have been submitted to and approved by the Local Planning Authority and no occupation shall take place until the approved works have been implemented in accordance with a timescale to be agreed.

Reason: To ensure the provision of appropriate facilities for sustainable modes of transport.

- 13 Any subsequent reserved matters application shall include the following;



- Vehicle and Cycle parking and storage in accordance with the council's standards applicable at the time of submission.
- Provision for service vehicles to park and turn within the land parcels.
- A Construction Traffic Management Plan detailing access arrangements for construction vehicles, routing of construction vehicles, on-site parking and loading and unloading areas.
- Materials Storage Areas.
- Wheel cleaning arrangements.
- HGV routing agreement.
- Travel Plan.

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times.

- 14 Reptile, dormice, bat and badger surveys shall be undertaken and submitted with each reserved matters application to inform the site layout and landscaping.

Reason: In the interests of protected species.

- 15 No development shall commence until a management plan for Heydon Hill County Wildlife Site has been submitted to and agreed in writing with the Local Planning Authority. The agreed details shall be carried out in full.

Reason: To ensure that the development has a net-ecological gain in accordance with the NPPF.

- 16 **No development shall begin on any phase until a scheme for external lighting has been submitted to and confirmed in writing by the Local Planning Authority.**

**Reason: To restrict light spill and protect the amenity of local residents and the character of the countryside**

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1459/PL01 Issue D, 1459/PL02 issue D, 1459/PL01.01, 1459/PL01.02, 1459/PL01.03, 1459/PL01.04, 1459/PL03 Issue J, 1459/PL04 issue F, 1459/PL05 issue F & 1459/PL06 issue E.

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

### Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. There is a duty to assess for Asbestos Containing Materials (ACM) during

development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

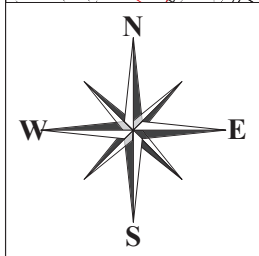
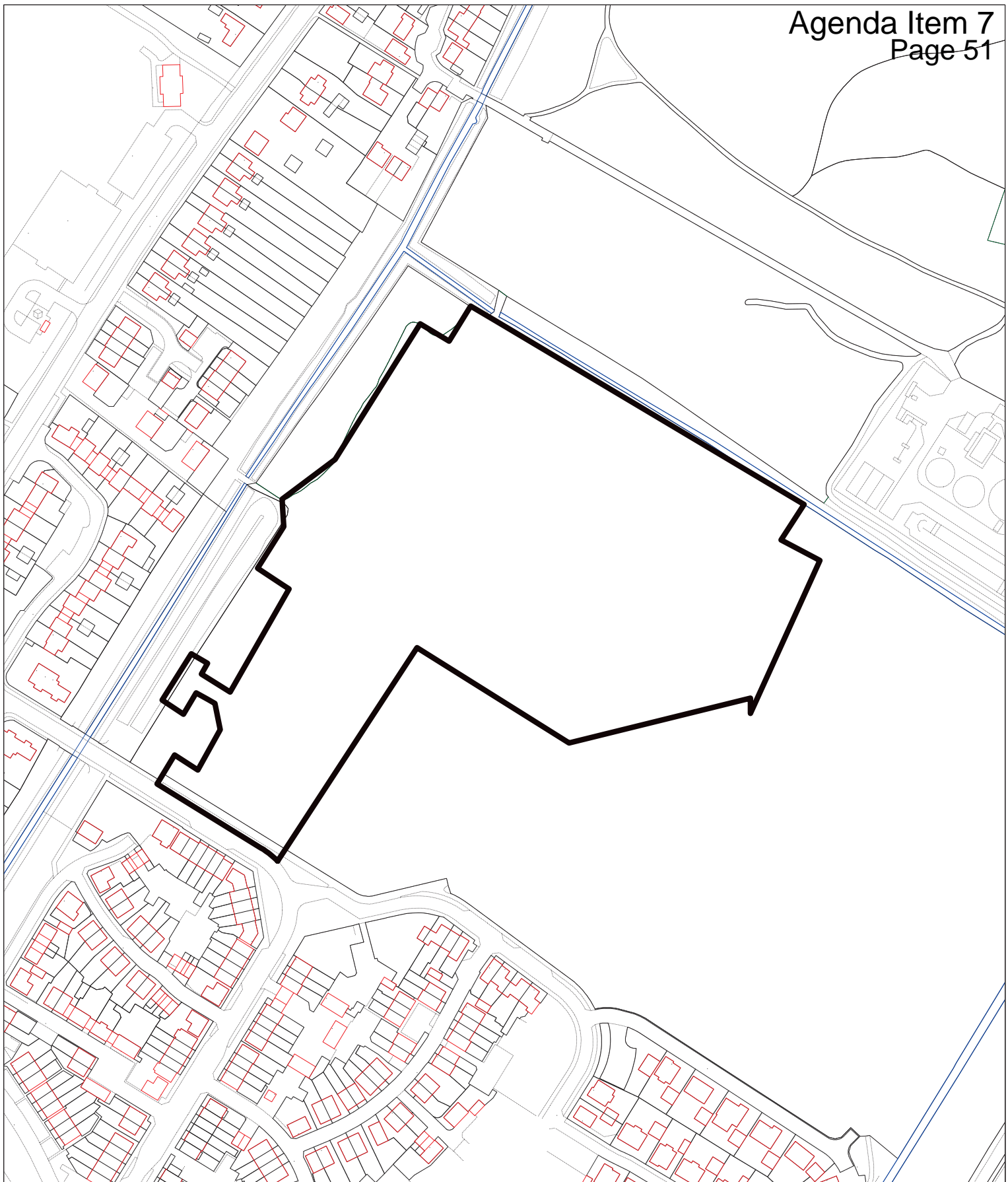
Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.

3. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

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

**Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.



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Date: 10:September:2014

Grid Ref: 499930,242061

Application No:  
CB/14/2084/OUT

Scale: 1:2500

Marston Park North, Marston Moretaine, Bedford, MK43 0LE

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**Item No. 7**

<b>APPLICATION NUMBER</b>	<b>CB/14/02084/OUT</b>
<b>LOCATION</b>	<b>Marston Park North, Marston Moretaine, Bedford, MK43 0LE</b>
<b>PROPOSAL</b>	<b>Outline Planning Permission with all matters reserved : Development of up to 50 dwellings (falling within use class C3) circa 1.23 hectares of employment related development for uses falling in use classes B1, D1 and D2; a local centre of circa 0.13 hectares to include a range of retail and commercial uses falling within use classes A1/A2/A3/A4/A5, 0.3 hectares of school playing field land; associated infrastructure including the principle of access from gold furlong (the primary street serving the existing Marston Park development), and its approved access road spur; internal access roads, pedestrian footpaths and cycle routes including improvements to the pedestrian connection linking through to Stewartby Lake, car and cycle parking, utilities and drainage, landscape works and ground remodelling.</b>
<b>PARISH</b>	<b>Marston Moretaine</b>
<b>WARD</b>	<b>Cranfield &amp; Marston Moretaine</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Bastable, Matthews &amp; Mrs Clark</b>
<b>CASE OFFICER</b>	<b>Annabel Robinson</b>
<b>DATE REGISTERED</b>	<b>30 May 2014</b>
<b>EXPIRY DATE</b>	<b>29 August 2014</b>
<b>APPLICANT</b>	<b>O&amp;H Q7 Limited</b>
<b>AGENT</b>	<b>David Lock Associates</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The application is a major and there is an objection from the parish council</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Approve</b>

**Summary of Recommendation:**

The site is considered acceptable as it accords with national and local planning policy documents. Although the site was allocated for commercial development, it is considered that a range of uses on this site would be considered a sustainable form of development. No significant harm would be caused to living conditions of future or adjacent neighbouring properties. It is considered that this scheme would form an associated development to the existing housing estate known as "Marston Park". The development is in accordance with policies CS2, CS7, DM3, DM4 of Central Bedfordshire Core Strategy and Development Management Policy Document, in

addition to this it is considered this would result in a sustainable form of development in accordance with the National Planning Policy Framework.

**Site Location:**

The site lies to the east of the village of Marston Moretaine. Along its western boundaries it adjoins existing residential areas off Bedford Road and Station Road. It adjoins the Marston Vale Millennium Country Park and Forest Centre to the east/southeast. To the northeast is Anglian Water sewage treatment works. The site area totals some 3.52 hectares and consists of an open field. The site forms part of the larger development known as Marston Park. Marston Park was consented for 480 dwellings, 3 hectares of B1 office land, a lower school, a community building, A1 facility, and associated infrastructure. This site forms the north east corner of the site, originally approved for B1 office use.

The site lies within the Settlement Envelope of Marston Moretaine and is allocated for mixed use in the Local Plan First Review, Policy H08(3A). The Council's Executive adopted a Development Brief in November 2005 to guide the future development of the site and the Council's consideration of planning applications, the development is accompanied by a Design Code.

**The Application:**

Outline planning permission is sought for the following:

Development of up to 50 dwellings (falling within use class C3) circa 1.23 hectares of employment related development for uses falling in use classes B1, D1 and D2; a local centre of circa 0.13 hectares to include a range of retail and commercial uses falling within use classes A1/A2/A3/A4/A5, 0.3 hectares of school playing field land; associated infrastructure including the principle of access from gold furlong (the primary street serving the existing Marston Park development), and its approved access road spur; internal access roads, pedestrian footpaths and cycle routes including improvements to the pedestrian connection linking through to Stewartby Lake, car and cycle parking, utilities and drainage, landscape works and ground remodelling.

All matters are reserved, the description includes the principle of using the approved spur road off Gold Furlong to access the site, however no details are provided of how this would be accommodated. Access, Landscape, Scale, Layout, and Appearance would be Reserved Matters.

**Relevant Policies:**

National Policy

National Planning Policy Framework (2012)

Local Policy

Central Bedfordshire Core Strategy and Development Management Policies (2009)

CS2	Developer Contributions
CS3	Healthy and Sustainable Communities
CS4	Linking Communities – Accessibility and Transport
CS5	Providing Homes
CS7	Affordable Housing
CS9	Providing Jobs
CS13	Climate Change
CS14	High Quality Development
CS17	Green Infrastructure
DM1	Renewable Energy
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM9	Providing a Range of Transport
DM10	Housing Mix
DM14	Landscape and Woodland
DM15	Biodiversity
DM17	Accessible Green spaces

Site Allocations (North) Development Plan Document (2011)

Planning Obligations Supplementary Planning Document (2009)

Design in Central Bedfordshire (a guide for development) (2014)

Marston Park Design Code

### **Relevant Planning History:**

MB/06/00593/OUT - Outline: Mixed use development comprising approximately 480 dwellings, 3 hectares of B1 employment use, primary school, local centre, community sports hall and other engineering operations (all matters reserved except means of access). - Granted

CB/11/01708/REN - Renewal of Planning Permission: Application MB/06/00593/OUT dated 07/10/2008. Mixed use development comprising approximately 480 dwelling, 3 hectares of B1 employment use, primary school, local centre, community sports hall and other engineering operations. - Granted

### **Consultation responses:**

Neighbours were written to and press and site notices were published. The responses are summarised below:

Marston Moretaine Parish Council	The Core Strategy & Development Management Framework identifies Marston Moretaine as a minor service centre and any development is expected to make provision for employment. Surrendering employment land which has been previously identified and received planning approval continually undermines the planning
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process.

It has to be recognised that marketing of this site was undertaken in a time of national recession. Given the recent upturn in the economic climate the Parish Council believes that the requirement for employment areas will improve. Together with impending improvements to broadband facilities in the village the Parish Council feels that now is the time to take a fresh approach towards marketing strategies together with a re-investigation of classes.

The Core Strategy & Development Management Framework states that any new housing allocation be limited to 100 dwellings. Application CB/12/0445/OUT granted permission for 125 dwellings at Moretaine Farm. The developer is currently undertaking community engagement for the development of the remaining land at this site which could see a further estimated 320 homes being constructed. Given this information, the Parish Council strongly believes that housing allocation for the village has more than been accommodated and as such objections to the proposal for up to 50 dwellings in this application.

Whilst it is accepted that the cordon sanitaire has been redefined due to improvements in assessment ability, the Parish Council would like to point out that this does not alter the reality of the proximity of the STW to the development site and any odour emanating from it.

It is therefore the Parish Council's wish that the application be refused.

Neighbours

2 residents have objected:

24 Watson Way, Marston (consolidation of 2 letters):

1. Planned road is too close to the bridge.
2. Planned access road has potential to create unwanted noise levels at all times of the day. Road should be constructed further along the main access road, i.e as far away as possible from Watson Way
3. Three storey level buildings will not enhance the general aesthetics of the design in its full form.
3. It is not clear that a full flood plain evaluation has been undertaken. Properties in Watson Way are within the



designated flood plain and it is questionable that concretising this area of land will be well drained by pipe work with drainage into Stewartby Lake. Recent heavy rainfalls resulted in localised flooding within the country park together with significant rising in water levels in the lake. What guarantees are there that the development will not create flood problems?

4. Increased traffic levels from proposed residential area, employment area and school, plus parking for the latter may have significant impact on current residents access to Watson Way and Longcroft. There is already a potential for an accident owing to the lineage of the boundary wall on the junctions of Bedford Road, Watson Way, Chapel Road. Basically it is difficult to easily see traffic moving off the roundabout, particularly when it is moving at speed!

5. Proposals are a significant departure from the original plan and should be referred to a full Planning Committee for consideration, rather than the decision be made by the Planning Officer.

6. It is unclear that the waste water plans will be sufficient protection from flooding. Reference the local flooding in the country park and significant water level rise during the winter months

7. Given the significant change of usage, there is likely to be a vast change in the level of noise over a 24/7 period compared to the original plan for employment provision.

8. Street lighting is likely to impact on the current ambience enjoyed by Watson Way residents.

9. Unclear if the bridge between Watson Way and the site (over Elstow Brook?) will be demolished, thus ensuring there will be no further footfall alongside and behind Watson Way.

10. Given the significant change of usage I think this application should a) go out to public consultation with detailed plans of type of buildings proposed, together with clarifications relating to walkways,; b) the matter should be placed before a full committee, rather than decided upon by the Director for Planning.

19 Gold Furlong, Marston Park:

I object to planning permission for Marston Park North for the following reasons:

Traffic - it would mean a substantial increase in volume of traffic, associated noise, speeding - has the survey taken in to account the new school set to open in 2015 and the increase in traffic this will also cause? Parking is already an issue along Gold Furlong and in my opinion this will add to it. Also if there is to be a connecting road between Gold Furlong and Station Road this will become a rat-run with an even bigger increase in traffic and the associated issues highlighted above.

The Habitat Survey appears to be incomplete yet work has already been started on the site - although the survey for newts is taking place as they spend most of the summer months in water should this not take place during the months that they actually inhabit dry land?

The Council consulted for a second time, with the revision that B2 and B8 uses were removed from the description, and 0.3 hectares of land would be secured for the provision of school playing field at the existing Marston Park Lower School Site.

**Consultee responses:**

Sustainable Transport	No comments received
Waste	No comments received
Play Officer	No comments received
Housing Development Officer	I would expect to see 35% affordable housing or 18 affordable residential units. I would like to see a tenure split of 63% Social/Affordable Rent and 37% Intermediate tenures such as Shared Ownership as per our SHMA. In this case we would like to see 12 units for affordable rent and 6 units for Intermediate tenure as per the updated SHMA of 2014. I would like to see the units dispersed throughout the site and integrated with the market housing to promote community cohesion & tenure blindness. I would also expect all units to meet the code for sustainable homes level 3 and meet all HCA design and quality standards. If these comments are taken on board, I would support this application.

However the historic s106 of this site and application had the old Mid Beds Affordable Housing Policy of 28% affordable housing this would therefore require 14 units of affordable housing. In this scenario would like to see a tenure split of 63% Social/Affordable Rent or 9 units and 37% Intermediate tenures such as Shared Ownership or 5 units as per our SHMA. I would like to see the units dispersed throughout the site and integrated with the

market housing to promote community cohesion & tenure blindness. I would also expect all units to meet the code for sustainable homes level 3 and meet all HCA design and quality standards. If these comments are taken on board, I would support this application.

Highways No objections, as all matters are reserved, no conditions. Supportive of the removal of B2 and B8 uses from the site.

Internal Drainage Board The surface water has been previously agreed, no objections.

Archaeology The proposed development is within an area identified as containing a cropmark complex (HER 15321), the remains of a later prehistoric and Roman settlement. This is a heritage asset with archaeological interest as defined by the National Planning Policy Framework (NPPF).

An archaeological field evaluation undertaken as part of the outline planning application for this site (MB/06/00593/OUT) confirmed the existence of an extensive Iron Age and Roman agricultural settlement. A condition on the outline planning consent required the investigation in advance of development of that part of the development site containing the identified remains of the settlement site. The investigation has been carried out and demonstrated that the site was an extensive and long lived (early Iron Age to late Roman) settlement. The present application site lies to the north of the excavated area.

The application includes an Archaeology Statement (Albion Archaeology 23/05/2014). This summarises the archaeological background and context of the site, in particular its relationship to the excavated Iron Age and Roman settlement. The Statement notes that the original evaluation only identified a small number of archaeological features within the application site comprising a small number of largely undated linear features and furrows, the remains of medieval cultivation. The site is outside the defined area of archaeological investigation. It concludes that the application site does not contain any remains relating to the Iron Age and Roman heritage asset and that the remains of medieval/post-medieval agricultural activity are of local interest which have been adequately investigated by the field evaluation.

The conclusions of the Archaeological Statement are reasonable. The proposed development will not have a major impact on any archaeological remains or on the significance of the heritage assets with archaeological

interest. Therefore, I have no objection to the application on archaeological grounds.

Environment Agency

The IDB have confirmed (to the EA) that this application is part of a larger development which is already substantially complete with outfalls to the adjacent watercourses. The reference to mains surface water disposal relates to connecting into pipe work which already has an outlet.

Therefore, we have no objection to this application and no further comment to make.

Public Protection

No objection subject to conditions.

Trees and landscaping

No objection to the proposals in principle.

Details will be required of additional landscape and boundary treatment, to include species, sizes and densities of planting.

Management plan for landscaping for areas of the development in the public realm.

Ecology

The submitted updated Phase 1 habitat survey has identified increased ecological interest within the site since the previous survey was undertaken in 2009. The site has remained uncultivated and this has enabled vegetation to mature which has resulted in improved habitat conditions for birds, reptiles, badgers and potentially otters. As such the report makes recommendation for further survey work to be undertaken prior to site clearance, therefore I recommend that any planning permission granted has conditions attached requiring further species surveys be undertaken for birds, badgers and commuting otters.

It is noted that a reptile survey is currently being carried out and this will inform a reptile mitigation plan which will likely involve translocating any reptiles off the site. The submission of this mitigation plan should also form a condition.

Anglian Water

No comments received

Economic Development

From an Economic development Perspective, I am content that the site has been marketed in line with the agreed process and there has been little interest in the site. Likewise, given the need to support a wider choice of employment opportunities in the area, I recognise and support the considering the site for a range of employment generating uses.

While the loss of approximately 1.5ha of employment land is somewhat disappointing I would suggest that if the site can successfully be brought forward for high density uses, such as B1 and B1c then this could provide for some form of equivalence of job opportunities arising from the site. Likewise given the need to consider a range of uses I would welcome D uses and other employment generating uses on the site. I must however, not caution on B8 and B2 uses, given both the access to the site and reflecting the now increased residential element, where the site is neither likely to be attractive to the B2 and B8 market due to any likely operational/ access restrictions.

Likewise, as the current plan sets out the employment uses will predominantly be at the rear of the site. While given the odour limitations this is understandable, this will reduce the attractiveness of the site to the market and as such consideration should be given to improving direct access to the employment uses or even bringing these more to the forefront of the site.

### **Determining Issues:**

The considerations in the determination of this application are:

1. The principle of the development
2. Layout and appearance
3. Impact upon existing neighbours and future living conditions
4. Traffic and parking
5. Drainage, flooding and sustainability
6. Other considerations
7. s106 and affordable housing
8. Conclusions

### **Considerations:**

#### **1. Principle of the development**

##### History:

This site forms part of a wider development known as "Marston Park". Marston Park was originally granted consent for 480 dwelling, 3 Ha of B1 employment land, a primary school, a local centre, a community sports hall and other engineering operations. The housing portion of the site is at approximately 200 legal completions and the school is constructed. The B1 employment land was subject to three years worth of marketing, which is in accordance with the stipulations set out within the Section 106 agreement.

This site was originally considered inappropriate for residential development due to the proximity to the Sewage Treatment Plant, a *Cordon Sanitaire* was drawn,

and agreed by Anglian Water and the Councils Public Protection Department. It was considered inappropriate for any uses which were residential. The B1 (office) use was to be located within this area. Since this original decision, additional work has been undertaken by the applicant in conjunction with Anglian Water which has reassessed the modeling used to impose this line. The line was originally drawn as a circle around the sewage treatment plant, has been redrawn to a fluid line, reflecting the topography of the site. The line has decreased, and moved closer to the treatment plant.

Use of the land for B1:

As the B1 site has been marketed for the last three years without a significant level of success, it is considered appropriate to consider other uses for the land. This development would increase the number of dwellings on Marston Park by up to 50 (Total Number 530), and decrease the amount of employment uses from 3 Hectares to 1.23 Hectares. In addition it is also proposed to use 0.3 hectares for an expansion of the land area associated with Marston Park Lower School.

The marketing of the B1 land was done in accordance with the provisions set out within the Section 106 for Marston Park, it was submitted quartley to Central Bedfordshire Council and it is considered that the applicant has explored the possibility of utilising this land for offices. It is considered appropriate to reassess the uses on this part of the site, to ensure that the entrance to Marston Park is not left undeveloped. The original application was made for B2 and B8 uses, which were not considered appropriate in 2006. This application was made to expand these use, however it has been again judged that this would not be appropriate. The application includes D1, and D2 uses, this would allow for potential uses such as:

**D1 Non-residential institutions** - Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court. Non residential education and training centres.

**D2 Assembly and leisure** - Cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations.

It is considered that uses within the D1/D2 category would have the potential to generate employment within the local area, in addition in general these uses are not considered to be as disturbing to local residential properties both in terms of noise generate and traffic movements.

It should be noted that the new proposal includes an expansion of the new Lower School site at Marston Park, to expand the playing field provision, this would be a D1 use, and is therefore considered in conformity with the general uses proposed on this site. By increasing the size of this school site, the site is future proofed for expansion, should addition housing in Marston Moretaine be approved, the total size of the school site would be appropriate for a 2 form entry lower school.

It is considered the principle of this application is acceptable, this is considered a sustainable location for a mixed use development.

## **2. Layout and appearance**

All these matters would be reserved, and would be dealt with under separate applications, there is no indication that there would be insufficient space to provide for this level of development on the site proposed.

## **3. Impact upon existing neighbours and future living conditions**

All plans shown are indicative, however it is considered that there would be suitable space to accommodate the level of development proposed, and subject to suitable consideration of Reserved Matters applications, it is judged that the development would have a neutral impact upon existing residents. The site has been granted outline consent for B1 offices, it is considered in this location, residential, with B1 and D1/D2 uses, would not have a significantly greater impact.

2 residents have raised the following objections:

*1. Planned road is too close to the bridge.*

The road is in the same location as the approved outline consent.

*2. Planned access road has potential to create unwanted noise levels at all times of the day. Road should be constructed further along the main access road, i.e as far away as possible from Watson Way.*

The spur road does not form part of the consideration of this application, it already has consent. The Highway Officer or Public Protection Officer did not raise any concerns over the use of this road.

*3. Three storey level buildings will not enhance the general aesthetics of the design in its full form.*

The Design Code for this part of Marston Park shows three storey frontage buildings, however all considerations of the design element would be considered under the Reserved Matters applications. It is likely most of the buildings would be 2-3 storey in height.

*4. It is not clear that a full flood plain evaluation has been undertaken. Properties in Watson Way are within the designated flood plain and it is questionable that concretising this area of land will be well drained by pipe work with drainage into Stewartby Lake. Recent heavy rainfalls resulted in localised flooding within the country park together with significant rising in water levels in the lake. What guarantees are there that the development will not create flood problems?*

The EA and IDB have confirmed they have no objections to this development, and request no conditions or further works.

*5. Increased traffic levels from proposed residential area, employment area and school, plus parking for the latter may have significant impact on current residents access to Watson Way and Longcroft. There is already a potential for an accident owing to the lineage of the boundary wall on the junctions of Bedford Road, Watson Way, Chapel Road. Basically it is difficult to easily see traffic moving off the roundabout, particularly when it is moving at speed!*

It is considered that residential traffic would likely have a greater spread throughout the day, whereas a B1 use would be likely to be heavier at peak times, it is judged that the existing road network is suitable to sustain these movements. The school has already been approved, any expansion of the buildings to accommodate additional pupils would require planning permission, where detailed considerations would be taken. This application includes additional playing field space, which is unlikely to have a significant impact upon adjacent residential properties.

*6. Proposals are a significant departure from the original plan and should be referred to a full Planning Committee for consideration, rather than the decision be made by the Planning Officer.*

It is referred to Development Management Committee, due to the application being a Major and receiving an objection from the Parish Council.

*7. It is unclear that the waste water plans will be sufficient protection from flooding. Reference the local flooding in the country park and significant water level rise during the winter months.*

The EA and IDB have confirmed they have no objections to this development, and request no conditions or further works.

*8. Given the significant change of usage, there is likely to be a vast change in the level of noise over a 24/7 period compared to the original plan for employment provision.*

The Councils Public Protection Department is satisfied that this would not be a significant issue.

*9. Street lighting is likely to impact on the current ambiance enjoyed by Watson Way residents.*

It is likely that the road would be lit in a similar way for residential as it would be B1 use. It is likely that the lighting would be at a lower level within the residential area, as there would not be the requirement for flood lighting car parks etc.

*10. Unclear if the bridge between Watson Way and the site (over Elstow Brook?) will be demolished, thus ensuring there will be no further footfall alongside and behind Watson Way.*

The redline boundary of this application does not include this area, and this



application does not seek to remove this bridge.

*11. Given the significant change of usage I think this application should a) go out to public consultation with detailed plans of type of buildings proposed, together with clarifications relating to walkways,; b) the matter should be placed before a full committee, rather than decided upon by the Director for Planning.*

This is outline consent, and therefore details of the buildings can not be requested, however a full public consultation would be undertaken for each Reserved Matters applications, where these considerations would be assessed.

*12. Traffic - it would mean a substantial increase in volume of traffic, associated noise, speeding - has the survey taken in to account the new school set to open in 2015 and the increase in traffic this will also cause? Parking is already an issue along Gold Furlong and in my opinion this will add to it. Also if there is to be a connecting road between Gold Furlong and Station Road this will become a rat-run with an even bigger increase in traffic and the associated issues highlighted above.*

The additional housing would have sufficient parking (to be agreed later), it is considered that it is likely that children from the additional housing would use the Lower School, however due to the extremely close proximity of the school to the site, it is very likely that children would walk. The Highway Officer raised no objections to this application. It is noted that Marston Park was always to have two accesses, one off Bedford Road, and one off Station Road, however this does not form part of this application.

*13. The Habitat Survey appears to be incomplete yet work has already been started on the site - although the survey for newts is taking place as they spend most of the summer months in water should this not take place during the months that they actually inhabit dry land?*

The Councils Ecologist has suggested additional surveys to be undertaken, these would be a condition of the planning consent.

#### **4. Traffic and parking**

The redline boundary shows three access points into this site, two of them onto Gold Furlong, and an additional one on the spur road off Gold Furlong. The Highways Officer raised no objection to the development. Access is however not applied for under this application, as all matters are reserved.

#### **5. Drainage, flooding, and sustainability**

The applicants have submitted a Flood Risk Assessment, and the Environment Agency and Internal Drainage Board, have raised no objections to it.

#### **6. Other considerations**

### Ecology

The Council's Ecologist has suggested conditions for further survey work to be undertaken.

### Trees

It is considered that the land was always going to be developed, landscaping would be a reserved matter of the outline consent.

### Rights of Way

The proposal suggests that additional links can be put though the adjacent Forest Centre, however no formal right of way would be affected.

### Human Rights Issues

The proposal would raise no known Human Rights Issues.

### Equality Act 2010

The proposal would raise no known issues under the Equality Act.

### Parish Councils Objection:

The objection largely relates to suggesting that the market conditions have not been favourable over the last three years, and therefore should the site be marketed again now then there might be a different reaction from the market. It is considered that the applicant has complied with the requirement set out within the Section 106 Agreement, and it would not be possible under the terms of that Agreement to require further marketing. Within the new Section 106 for this development the marketing of a smaller area for a greater range of uses will be required, it is hoped that this will be successful and this part of the site will come forward in the near future. This development would retain 1.23 hectares of employment land, which would be marketed in current conditions, as per the Parish Councils wishes. As the former marketing was not successful it is judged that it is appropriate to look for other sustainable land uses for this area.

## **7. S106 and affordable housing**

30% (17 units) of the dwellings on site would be affordable and they would be a mix of two and three bedroom units. Whilst lower than the Council's policy suggests (19 units would be provided if 35% was proposed) that the provision should be, it is considered that 30% is in accordance with Policy 34 of the emerging Development Strategy. The tenure mix as proposed is:

37% Shared Ownership  
63% Affordable Rent

Contributions would be made to mitigate the impact of the development on existing local infrastructure in line with the Council's Supplementary Planning

Guidance. The financial contributions towards the following are currently proposed:

Education  
Leisure, Recreational Open Space  
Community Facilities and Services

0.3 Hectares of land, for the provision of a Lower School playing field, in a useable condition.

There is not currently a signed Section 106, and the final figures have not been agreed, however all contributions have been tested against CIL regulations. Any update on this matter shall be made on the late sheet.

## 8. Conclusions

It is considered that the B1 site was marketed in accordance with the stipulations set out within the original Section 106, as this was not successful, it is judged appropriate to consider other uses on the site.

### Recommendation:

That Outline Planning Permission is granted subject to, the satisfactory completion of a suitable Section 106 agreement reflecting the terms set out in this report and the following conditions:

### RECOMMENDED CONDITIONS / REASONS

- 1 **No development shall take place within the each area approved as identified on plan OHB030-002H until approval of the details of the access, appearance, landscaping, layout and scale of the development within the area (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

**Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).**

- 2 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 **No development shall commence at the site within each sub area before details of existing and proposed site and slab levels and proposed cross sections through houses that border the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

**Reason: To protect living conditions of neighbouring and proposed properties.**

- 4 Each application incorporating public open space, landscaping and amenity open space, shall be accompanied by details of the arrangements to be made for the future maintenance of such areas. The details thereby approved shall be implemented.

Reason: To secure the ongoing provision of appropriate community facilities and open space.

- 5 There shall be no destruction or removal of vegetation during the months of March to August inclusive, except as otherwise approved in writing by the Local Planning Authority.

Reason: To protect breeding birds.

- 6 No works shall begin on each phase of the site pursuant to this permission until details have been submitted to and approved in writing by the Local Planning Authority, details to include:

- i. A phase 2 site investigation report documenting the ground conditions of the site with regard to potential contamination, and incorporating chemical and gas analysis as identified as being appropriate by the already submitted phase 1 environmental desk study report, and following its recommendations.
- ii. A detailed scheme for remedial works and measures to be taken to mitigate any risks to human health and the wider environment posed by any contaminants and/or gases identified by the phase 2 report.
- iii. Any remediation scheme shall be agreed in writing by the Local Planning Authority prior to the commencement of works.
- iv. Any remediation scheme, as agreed in writing shall be fully implemented before the development hereby permitted is first occupied.
- v. All variations to any remediation scheme shall be agreed in writing with the Local Planning Authority.
- vi. On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a validation report.

Reason: To protect human health and the environment.

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

Reason: To minimise the potential for noise nuisance to local residents.

- 8 No retail or commercial premises shall cook or prepare food without having details of the equipment to be installed to disperse odours agreed in writing by the Local Planning Authority. The details approved shall be implemented in full prior to operation and maintained in perpetuity.

Reason: To safeguard the amenities which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 9 All commercial including retail premises shall not be open for business between the hours of 23.00 and 07.00 daily, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 10 Deliveries by commercial vehicles to the commercial units including retail premises shall be restricted to between the hours of 06.00 and 21.00hrs Monday to Friday, 06.00 and 20.00hrs on Saturdays, and 09.00 and 17.00hrs on Sundays and Bank Holidays. No deliveries by Heavy Goods Vehicles (i.e. those exceeding 3.5t) shall be undertaken before 07.30hrs on any day.

Reason: To safeguard the amenities which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 11 No works shall commence on any building within the employment area as defined on plan OHB030-002H until details of the fitting on air filtration systems has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved details.

Reason: To safeguard the amenities which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 12 **No works shall start on each phase until, an updated bird, badger,**

**otter, and reptile survey(s) is carried out. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to approved in writing by the Local Planning Authority before construction works commence on site. The mitigation measures shall be implemented in full in accordance with the agreed time scales.**

**Reason: To ensure the status of [protected species] on site has not changed since the last survey.  
(Policy 57, DSCB)**

- 13 This permission relates only to the principles established as shown on the submitted plan, number OHB030-002H.

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

### **Notes to Applicant**

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments ([www.cae.org.uk](http://www.cae.org.uk))

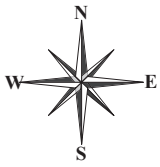
Central Bedfordshire Access Group ([www.centralbedsaccessgroup.co.uk](http://www.centralbedsaccessgroup.co.uk))

**Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

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Date: 09:September:2014  
Map Sheet No                      Scale: 1:1250

**Application No. CB/14/02713/FULL**  
**Home Farm, 1 High Street, Wrestlingworth, Sandy,  
SG19 2EW**

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**Item No. 8**

**APPLICATION NUMBER** CB/14/02713/FULL  
**LOCATION** Home Farm, 1 High Street, Wrestlingworth, Sandy, SG19 2EW  
**PROPOSAL** Conversion of existing barns (with partial demolition) and construction of new dwellings to form 7 new dwellings.  
**PARISH** Wrestlingworth/Cockayne Hatley  
**WARD** Potton  
**WARD COUNCILLORS** Cllrs Mrs Gurney & Zerny  
**CASE OFFICER** Samantha Boyd  
**DATE REGISTERED** 11 July 2014  
**EXPIRY DATE** 05 September 2014  
**APPLICANT** County Land & Development Ltd.  
**AGENT** Sherwood Architects Ltd  
**REASON FOR COMMITTEE TO DETERMINE** Cllr Call in. Cllr Gurney - Reason. The village is concerned over the development.

**RECOMMENDED DECISION** Full Application - Refusal Recommended

**Reason for Recommendation**

The proposal would not constitute infill development and would, by virtue of the scale, design and siting of Plots 6 and 7, would cause significant and unacceptable harm to the appearance of the site, the setting of the listed buildings, and the character and appearance of the open countryside. The development would be unacceptable in principle and would be contrary to the objectives of the National Planning Policy Framework (2012) and Policies DM3 (High Quality Development), DM4 (Development Within and Outside of Settlement Envelopes), DM13 (Heritage in Development) of the Central Bedfordshire Core Strategy and Development Management Policies (2009), Design in Central Bedfordshire (2014).

In the absence of a complete agreement securing the provision of affordable housing and financial contributions, the development would fail to mitigate its impact on existing local infrastructure and would be contrary to the objectives of the National Planning Policy Framework (2012) and Policies CS2 (Developer Contributions) and CS7 (Affordable Housing) of the Central Bedfordshire Core Strategy and Development Management Policies.

**Site Location:**

Home Farm was formerly a working farm on the east side of High Street in Wrestlingworth. The existing farm yard area comprises a dovecote barn, singles-

treys, mostly open fronted barn to the south of the access in to the site a central, square arrangement of one and two-storey barns and a steel framed grain store to the east of the site.

The farm buildings, apart from the grain store, are in generally good condition and are listed by virtue of falling within the historic curtilage of Home Farmhouse (to the south and outside of the application site), which is a Grade II Listed Building. The dovecote has particular historic and aesthetic value and remains intact. The site is edged to the east and south by existing vegetation and shrubs and on the High Street frontage there are four Ash trees.

To the north are modern bungalows and residential properties of mixed character lie opposite.

Much of the site falls within the Settlement Envelope for Wrestlingworth (all but the southwest corner, including the Dovecote). The site also falls within the Environment Agency Flood Zone 3.

### **The Application:**

Planning permission is sought for the conversion of the existing barns to three dwellings and the erection of four new dwellings together with garaging, amenity areas and parking provision.

Plots 1 and 2 would be semi-detached, new buildings on the frontage of the site with the High Street with garages to the rear.

Plot 3 would be formed from the conversion of an existing farm building which would incorporate the Dovecote together with a glazed link and a detached garage.

Plots 4 and 5 would largely comprise the conversion of the central square of brick built barns together with garages and courtyard amenity space.

Plots 6 and 7 would be detached new-builds at the rear of the site following the demolition of the existing grain store.

The application is submitted in conjunction with an application for Listed Building Consent under ref no. CB/14/02714/LB.

### **RELEVANT POLICIES:**

#### National Planning Policy Framework (2012)

#### Core Strategy and Development Management Policies (2009)

CS1	Development Strategy
CS2	Developer Contributions
CS5	Providing Homes
CS7	Affordable Housing
CS13	Climate Change
CS14	High Quality Development

CS15	Heritage
CS16	Landscape and Woodland
CS18	Biodiversity and Geological Conservation
DM1	Renewable Energy
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM10	Housing Mix
DM13	Heritage in Development
DM14	Landscape and Woodland
DM15	Biodiversity

Central Bedfordshire Revised Design Guide (2014)

Appendix F (Parking Strategy) of the Central Bedfordshire Local Transport Plan (2012)

Planning Obligations Supplementary Planning Document (2009)

**Recent Planning History:**

CB/13/03262/FULL	Conversion of existing barns (with partial demolition) and construction of new dwellings to form 7 new dwellings.  Withdrawn: 2 December 2013
CB/13/03263/LB	Listed Building: Conversion of existing barns (with partial demolition) and construction of new dwellings to form 7 new dwellings.  Withdrawn: 2 December 2013
CB/12/02468/FULL	Erection of double garage, poly tunnel, access gate & parking area  Approved: 19 September 2012
CB/12/02471/FULL	Change of use of grazing land to paddock, erection of stable block and sand school  Approved: 18 September 2012
CB/14/00619/Full	Conversion of existing barns (with partial demolition) and construction of new dwellings to form 7 new dwellings. Refused: 16 April 2014
CB/14/00620/LB	Conversion of existing barns (with partial demolition) and construction of new dwellings to form 7 new dwellings. Refused: 16 April 2014

**Representations:**

**(Parish & Neighbours)**

Wrestlingworth Parish  
Council

The following note, prepared by the Planning Group (councillors Ram and Turner) after discussion of a draft at the Parish Council meeting on 04 August 2014, is the response of the Parish Council to the latest Home Farm planning application - response date by 12 August 2014. This is the third application and the Parish Council view is much as before. Our formal response to the second application should be read in association with this one.

To our knowledge no letters have been received from residents about the latest application.

It appears from written papers submitted with the latest application that its predecessor was rejected for three reasons, identified below. This response updates the Parish position on each of them, on the assumption that they will form the main focus of assessment in the new application.

1. The scale design, and situation of the buildings, will cause significant and unacceptable harm to the appearance of the site' and contravene a number of planning policies. PARISH RESPONSE TO PRESENT APPLICATION. The parish understanding is that only units 6 and 7 were offensive because they do not constitute infill development. We have no problems with the scale design and situation of buildings.

2. There was no flood risk assessment. PARISH RESPONSE TO PRESENT APPLICATION. One has now been made which we understand from the developer is agreed in principle with the Environment Agency subject to minor additions. We accept this professional judgement.

3. Lack of agreement on affordable housing. PARISH COUNCIL RESPONSE TO PRESENT APPLICATION. Written assurances were given at the time of the second application that £100,000 would be made available for providing this on another site, but there was no legal agreement. We understand the CBC housing officer and the developer are now completing a formal agreement and the Planning Department has confirmed that the applicant has offered £100,000 as a commuted sum towards off site provision of affordable housing. However this has not been formerly agreed by CBC as yet and a S106 Agreement will need to be signed in order to secure the amount. I understand from the Planning Department this might take some time. We cannot approve the application without this agreement being in place.

The overall position of W&CH Parish Council is that we consider this development to be of benefit to Wrestlingworth and that the scheme overall is well designed. However, as pointed out above, our support for it is conditional on a legal agreement being completed to make £100,000 available for off-site affordable housing.

#### Neighbours

Four letters received summarised as -

The revised application does not address the previous reasons to refuse. Plots 1,2 6 and 7 remain outside the footprint of existing building and will change the appearance of the site. The development does not constitute infill.

Will alter the character and appearance of the village.

Affordable housing should be provided. A commuted sum does not guarantee the housing would be provided in the village and it would appear there is no land left to development.

There does not seem to be a genuine attempt to provide affordable housing.

There will be an increase in traffic causing danger to pedestrians and traffic. There should be traffic calming measures in place if development is allowed.

No objections to plot 1 and 2 but bungalows should be built in line with existing dwellings along High Street.

Site Notice

11/08/14

Application Advertised

27/07/14

#### Consultations/Publicity responses

##### Archaeology

The proposed development site is located within the core of the medieval village of Wrestlingworth (HER 17167), a heritage asset with archaeological interest as defined by the National Planning Policy Framework (NPPF).

The early phases of the development of the settlement at Wrestlingworth are obscure. The first documented reference is in the 12th century but its origins are likely to be substantially earlier, probably in the Late Saxon period. In the medieval period the settlement was larger than it is at present and remains of the settlement survive as well preserved earthworks to the north east of Home Farm (HER 3421). Elsewhere in the village archaeological investigation has shown that buried

archaeological deposits survive.

The application includes an Archaeological Field Evaluation and Heritage Asset Assessment (Albion Archaeology Document 2013/25, Version 1.0, 5th February 2013). This was prepared for an earlier application for the development of this site (CB/13/03262/FULL), and although it has not been updated the information it contains is still relevant. It comprises the results of a trial trench evaluation and an assessment of the impact of the proposed development. It was not possible to investigate all the proposed trial trenches because some of them contained contaminated material, therefore, it has not been possible to identify the presence, absence or character of archaeological remains on the whole of the proposed development site. In those trenches that it was possible to investigate archaeological features were identified, particularly in the north western part of the site. These consisted of a number of ditches and a pit dated by pottery to the 12th - 13th centuries and likely to represent domestic occupation rather than agricultural activity. The presence of residual Saxo-Norman pottery in these features also indicates that remains of activity of that period also exists within or in close proximity to the proposed development site.

The Assessment (5.2) says that the proposed development will have a significant adverse impact on sub-surface archaeological remains although it suggests that the loss of information will be low. The development will have a major negative impact on buried archaeological remains, but I do not agree that the loss of information will be low. The investigation of rural Saxon and medieval settlements to examine diversity, characterise settlement forms and understand how they appear, grow, shift and disappear is a local and regional archaeological research objective (Wade 2000, 24-25, Oake 2007, 14 and Medlycott 2011, 70). Therefore, the archaeological remains identified at Home Farm are of regional significance. Furthermore, although some of the trenches did not contain any significant archaeological remains because other of the trial trenches could not be excavated, it is not possible to be certain that there are other, as yet unidentified archaeological remains surviving within the site.

Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to



make this evidence (and any archive generated) publicly accessible (CLG 2012). Policy 45 of the Development Strategy for Central Bedfordshire (Revised Pre-submission Version, June 2014) echoes this and also requires all developments that affect heritage assets with archaeological interest to give due consideration to the significance of those assets and ensure that any impact on the archaeological resource which takes place as a result of the development is appropriately mitigated.

The proposed development will have a negative and irreversible impact upon archaeological deposits of medieval date that are known to survive at the site and, therefore, upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of the heritage assets. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development; the post-excavation analysis of any archive material generated and the publication of a report on the works. In order to secure this, please attach the following condition to any permission granted in respect of this application.

“No development shall take place until a written scheme of archaeological investigation; that includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.”

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development.

This request is in line with the requirements of Chapter 12 of the NPPF and policy 45 of the Development Strategy for Central Bedfordshire (Revised Pre-submission Version, June 2014).

#### Ecology

I was consulted on the pre-application for this development 12/4441 and in my advice I recommended, in line with that of the bat and owl assessment, updated surveys will be required. A further application was submitted in 2013 on which I commented that the Final Bat and Owl assessment was undertaken in August 2011 and it states in 5.1.1 that should redevelopment be delayed for more than one season a re-survey maybe required. Given that this application is now 3yrs post

survey date I would require an updated survey. Equally the 2011 survey was not written with reference to the current development proposals and predated the NPPF, hence ecological mitigation / enhancement has not been included.

It is likely that an EPS licence will be required to undertake works and as such I would like to see a survey update to be secured through condition which will include details on construction methods, timing / work schedules and proposed ecological enhancement associated with the proposal to ensure protected species are not harmed as a result of the development. Such enhancements may include provision of a Barn Owl nest box on one of the buildings nearest to the meadow land to the rear of the development and bat entry points into the roof spaces for summer roosting. Swifts are also known in the area and the provision of swift nest box bricks in the buildings would be welcomed.

Housing Officer	Development	<p>I would expect to see 35% affordable housing or 3 affordable residential units. The SHMA identifies a split of 63% Social/Affordable Rent and 37% Intermediate tenures such as Shared Ownership. In this case I would like to see 2 units for affordable rent and 1 for Intermediate Tenure. I would like to see the affordable units integrated with the market housing to promote community cohesion &amp; tenure blindness. I would also expect all units to meet at the very minimum the code for sustainable homes level 3 and meet all HCA design and quality standards.</p>
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However the scheme has viability issues, which shows affordable housing cannot be achieved on site and therefore a commuted sum for affordable housing could be acceptable.

Strategic Officer	Landscape	<p>Landscape impact - this revised scheme indicates additional planting to the rear of the site, which will assist in mitigation. However, I still feel that Plots 6 and 7 are for substantial properties which will urbanise and intrude into views from the surrounding countryside.</p> <p>As per my previous comments, I am unhappy with the path detail serving Plot 1 off the High Street. This house could be accessed from one path leading from the new road, a typical detail for cottages in a village. I am concerned that creating a path direct from the High Street will damage tree roots and detract from the landscape character of the verge, which is a valuable local feature. The path would also cut across the rising ground and</p>
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probably require steps .

A simpler design would also benefit the parking and front paths for Plots 4 and 5.

I do not object to the principle of development, but feel attention to these small details would enhance the scheme. At present the proposals have insufficient mitigation and are still an overdevelopment of a site which needs to respect it's location on the village edge. As such it detracts from local character and conflicts with Policy 58.

A full planting scheme will be required.

LDF Team

Development within and beyond Settlement Envelopes (CS11 and DM4)

Policy DM4 states that in small villages development will be limited to infill residential development. Paragraph 11.1.7 defines infill development and an assessment needs to be made as to whether the site meets this definition.

The Dovecote, proposed garden and new garages of Plot 3 fall beyond the Settlement Envelope. Policy DM4 of the adopted Core Strategy states that beyond Settlement Envelopes limited extensions to gardens will be permitted provided that they do not harm the character of the area and that they must be suitable landscaped/screened. Given that the area beyond the Settlement Envelope appears to be landscaped and therefore residential in character, locating the garden beyond the Settlement Envelope is therefore considered acceptable in principle. The erection of garages are considered contrary to policy but when considered alongside the wider scheme this may not necessarily be a grounds for refusal.

Policy CS11 supports the conversion of redundant agricultural buildings beyond the Settlement Envelope and para 6.5.3 acknowledges that residential conversions may be appropriate in some circumstances. Given that the rest of the site and adjacent buildings are proposed for residential use, a conversion of the Dovecote to form part of a dwelling could be acceptable in principle subject to meeting the requirements of policies CS15 and DM15 relating to heritage.

Policy CS7: Affordable Housing

The key issue with the proposal is the lack of affordable housing provision. The Wrestlingworth Housing Needs

Survey prepared in May 2013 identified a need for 4 affordable units in the next 10 years. Paragraph 5.4.13 and Policy CS7 of the adopted Core Strategy state that off site provision or commuted sums may be acceptable in exceptional circumstances where it can be robustly justified. A commuted sum may therefore be acceptable in principle but a sufficient timeframe will be required in order to identify a site to meet local needs. Consideration should be given to the response of the Housing Officer.

In relation to the Listed Building application (CB/14/02714/LB) there are no specific comments other than ensuring that the proposal complies with policies CS15 and DM15 of the Core Strategy and Development Management Policies DPD, and consideration is given to the adopted Design Guide.

It is also worth noting that the Parish Council are in the early stages of preparing a Neighbourhood Plan to guide development within the Parish.

Forest of Marston Vale	This application may be relevant for a contribution to the delivery of the Forest of Marston Vale.
Internal Drainage Board	No comments to make
Environment Agency	No objections subject to conditions relating to flood risk compensation works
Highways Officer	<p>You will be aware from my responses to the pre-app submission and the previous withdrawn application that there is no fundamental objection to the principle of residential redevelopment of the site subject to conditions.</p> <p>I note from looking at the documentation for the previous application that the applicants were agreeable to my previous requirements in respect of the junction radii, position of pedestrian access to plots 1 and 2 and also the contribution of £5000 toward off site safety enhancements.</p>
Tree and Landscape Officer	<p>The site at present consists of a number of barns and dilapidated farm buildings and the intention is to rebuild/refurbish along with the construction of a number of new buildings.</p>

Of prime importance and most readily visible from the

High Street are four Ash trees, the largest of which may just be offsite to the north. These are located alongside the road and on slightly higher ground, approx a metre higher. The trees are early mature with substantial potential for future growth. They are worthy of retention on the site and plans indicate that they are to be retained. This should be agreed.

Looking at the plans it would appear that properties on plots 1 and 2 will be within approx 10 metres of these trees. This should be acceptable but we would ask for temporary tree protection fencing to be erected in line with details and distances in BS 5837 2012 Trees in relation to Design demolition and Construction. Recommendations.

There will be the loss of a number of medium size Ash trees within the area of Plots 4,5 and 6 which would be of little significance and could be compensated for with new landscaping.

Trees shrubs and vegetation on the north and south boundaries of the site should be retained for screening purposes.

Additional landscaping detail and boundary treatment detail would be required to include species, sizes and densities of planting.

Conservation & Design  
Officer

The gist of the issues is that the key conservation objective from the re-use of this now redundant farmyard complex of buildings is the securing of the future preservation of this unusual dovecote- a rare survival with almost intact interior of nesting boxes & ledges (each wall approx 13x13 boxes= 169). The exterior & interior are now showing signs of neglect & dilapidation so I am most anxious that it does not deteriorate further

The negotiations with agent/ applicant have- from my point of view- concentrated very much on finding a scheme that allows the dovecote interior to remain intact, which could well include some enabling element in the calculation of the balance of conversion & new development for the site to make it economically viable & positively encourage in terms of NPPF. The frontage new 2 small dwellings (really reflecting the simple forms of the outbuildings opposite) did not seem to be particularly contentious however there were concerns about the principle of new 2 dwellings at the rear of the site, in place of the large & ungainly modern farm sheds. With previous application they appeared too bulky & obtrusive

for the rear part/ rural edge of the site, with views back from the footpath by the church to the north- but if scaled down to single, or possibly 1 & a half storey, & simple in design- perhaps more like the new frontage houses, this would not seem unreasonable, I feel, in order to save the important dovecote.

Clearly the balance of any new development has to feel right for the site provided you are satisfied that this is not overdoing the new build element- then no objection to the revised proposed conversions (to 3 no. dwellings) & new dwellings (4 no.)- subject to the usual high quality design required in terms of all materials- buildings & paving/ surfacing/ edgings/ kerbs & criteria of the Barns Checklist. Suggest sec. 106 to secure the repair of the dovecote ahead of start of any new development.

## **Determining Issues**

The main considerations of the application are;

1. The principle of the development
2. Affordable housing and developer contributions
3. The impact on the character and appearance of the surrounding area
4. Impact on the setting of the listed building
5. Neighbouring amenity
6. Highways and Parking
7. Flood risk
8. Other issues

## **Considerations**

### **1. The principle of the development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act set out that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The site lies within the village settlement envelope for Wrestlingworth, wherein the principle of residential development is considered to be acceptable, in accordance with Policy DM4 of the Council's Adopted Core Strategy. The National Planning Policy Framework (NPPF) also encourages the siting of residential development within existing settlements.

Wrestlingworth is defined as a Small Village under Policy CS1 of the Core Strategy where new development is limited to infill only. Paragraph 11.1.7 of the Core Strategy defines infill development as small scale development utilising a vacant plot which should continue to complement the surrounding pattern of development. Although the conversion of the barns to residential would not fall strictly within the definition of infill, both the Core Strategy and NPPF support the

re-use of existing traditional farm buildings where these are now redundant, particularly where these are considered to be of historic or architectural interest, and where the conversion scheme would allow help secure their future use.

Plot 1 and 2 are new builds and would be located to the frontage of the site between the existing dwellings and the existing barns. These dwelling are considered to be infill.

Plot 3, 4 and 5 are the result of the conversion of the existing farm buildings and their conversion is acceptable in principle.

Plot 6 and 7 are located to the rear of the site, on the very edge of the Settlement Envelope boundary and would occupy the footprint of the existing steel framed agricultural buildings. Plot 6 and 7 are not considered to be infill development and are therefore contrary to Policy DM4. Their scale, design and siting are considered to be out of character for edge of village development. Although externally they are designed to be of a barn style appearance, their scale is considered to be too large and the overall design too domesticated. The dwellings would extend residential development to the east significantly beyond the established line of residential development along the High Street.

The applicant has stated that a scheme of 7 units is a critical number in terms of enabling the necessary repairs to be carried out to secure the future of the listed dovecote at plot 3. A confidential viability assessment including the scenario of 5, 6 and 7 unit scheme has been submitted. The reports relating to the 5 and 6 unit scheme clearly demonstrate that it would not be a viable option to reduce the size of the development. While viability is a material consideration, it does not override inappropriate design and layout in this case, particularly where the proposed dwellings would harm the character and appearance of the countryside and their location is contrary to policy.

While the principle of the conversion of the farm buildings into residential use is acceptable in this location together with the construction of Plots 1 and 2, Plots 6 and 7 are considered to be unacceptable and not in accordance with the definition of infill development as set out by Policy DM4. No material planning considerations have been identified that would outweigh the conflict with the development plan and therefore principle of the development would not be acceptable.

Notwithstanding the objection to the principle of the development, the scheme is also subject to careful consideration of the criteria set out in Policy DM3, in particular there must be sufficient on site parking and access, the conversion must be in keeping with the existing character of the buildings and there must not be an unduly adverse impact on the amenities of neighbours. Given the sensitivity of the site the overall design and layout of the site must preserve the setting of the listed building in accordance with Policy DM13 and CS15. Further, the development meets the criteria for Affordable Housing provision in accordance with Policy CS7 and Developer Contributions as required by Policy CS2 and the Planning Obligation Strategy. These issues are addressed below.

## **2. Affordable Housing and Developer Contributions**

Policy CS7 (Affordable Housing) states that new developments for four or more dwellings should provide an element of affordable housing. 35% or more units should be affordable. In this case, at least 3 units should be affordable. The policy explains that in exceptional circumstances, and where robustly justified, commuted sums may be considered to achieve off-site provision of affordable housing.

Policy CS2 (Developer Contributions) sets out that developer contributions will be expected from any development which would individually or cumulatively necessitate additional or improved infrastructure, or exacerbate an existing deficiency.

The proposed development does not include any provision for affordable housing units, it does however include a sum of £100,000 to be used for the provision of affordable housing units elsewhere. In order for the commuted sum to be utilised within a reasonable time frame, and in accordance with time limits in a legal agreement, it would be appropriate to ensure the sum is used for affordable housing provision in Wrestlingworth and/or the adjoining Parishes. It is also noted that a Registered Provider is unlikely to be interested in taking on the units within the proposed development due to their size and specifications.

The applicant has submitted a financial appraisal to demonstrate the viability of the development. With the required works to the listed barns and the full amount of contributions as set out in the Planning Obligation Strategy and the commuted sum, the development would make a small profit that is well below the expected norm.

Under these circumstances the commuted sum towards off site affordable housing is considered to be an exceptional circumstance and acceptable in meeting the terms of Policy CS7.

At the time of preparing this report to Committee the S106 Agreement has not been agreed and signed therefore this would form a reason for refusal as without the S106 in place there is no means of securing the above contributions and as such the proposal is contrary to Policy CS2 and CS7.

### **3. The impact on the character and appearance of the surrounding area**

Policy DM3 (High Quality Development) states that the Council will:

- Be appropriate in scale and design to their setting
- Contribute positively to creating a sense of place and respect local distinctiveness through design and use of materials
- Respect and complement the context and setting of all historically sensitive sites, particularly those that are designated

Policy DM13 (Heritage in Development) states that the Council will ensure that proposals for development relating to Listed Buildings and Registered Parks and Gardens will pay particular attention to the conservation of locally distinctive features and uses.

Although the buildings at the site are not in use, they are not in a state of disrepair and the general character of the farm does not detract from the



character and appearance of the site or the wider area. The large, modern grain store at the rear of the site is not of any aesthetic value but it does represent the type of agricultural structure that corresponds with the agricultural character of the site and is not inappropriate at that transitional part of the site, on the edge with the open countryside. There are views in to the site from the East and there is a public footpath that runs past the rear of the site.

Plots 1 and 2 would be located to the front of the site and would form a pair of semi detached dwellings of barn style appearance. Plot 1 is a bungalow and Plot 2 a one and half storey dwelling. While they are set forward of the existing bungalows adjacent, their design and relationship with the existing buildings is not considered to be inappropriate within the context of the street scene. The previous refusal raised concern that these dwellings would harm the character of the street scene due to their bulky design and scale. The height of Plot 1 has been reduced to resemble the adjacent bungalows and the pitch of plot 2 increased so that it is more in keeping with the traditional barns adjacent. Dormer and rooflights have also been deleted to remove the clutter from the building.

Plot 3 is the existing part single and part one and half storey barn and include the Dovecote which would be joined to the dwelling by a glazed link. New openings are kept to a minimum and are considered to be sympathetic to the character of the barns. The reuse of the Dovecote, which would be converted to a family room/study is encouraged as its restoration and future maintenance would improve the appearance and overall quality of the site. The garden area for Plot 3 would be located outside of the Settlement Envelope boundary as would a proposed double garage. However Policy DM4 does allow for the limited extension of residential gardens beyond Settlement Envelopes providing there is no harm the character of the countryside. In such circumstances, buildings are usually not allowed on the extended garden land in order to protect the countryside from inappropriate development, however the garage is of modest proportions and sited reasonably close to the existing buildings. Furthermore given the historic value of the Dovecote, and the importance of a use being found for it so as to prevent the possibility of it falling in to disrepair, providing the residential unit with a garage would improve its attractiveness to a potential purchaser and would increase the likelihood of a new long-term use for the building being found. This would represent a material planning consideration that would outweigh the harm caused by the siting of a garage in this location.

The conversion of and garage additions to the central barns to form plots 4 and 5 would result in a sympathetic and well considered pair of units that would reflect the character of the site and would maintain the historic setting of the existing buildings.

Plots 6 and 7 would be detached two storey houses at the rear of the site, close to the boundary with the open countryside to the East and visible from public areas and footpaths. These buildings would result in residential structures being positioned at the most sensitive edge of the site and would see a residential character encroaching into the countryside, beyond the existing built environment. The result would be that significant visual harm would be caused. Residential features like gardens and boundary treatment would compound the

harmful impact.

Although this area of the site currently comprises a large agricultural grain store building, the building is characteristic of the open countryside and not inappropriate in an agricultural, rural context. Both dwellings are considered to be inappropriate in this location and would cause harm to the character and appearance of the open countryside beyond the rear boundary of the site.

Following the refused scheme plots 6 and 7 have been slightly reduced in scale and re sited, however the revision are not considered to overcome the original concerns relating to the impact these buildings would have on the character of the area.

Overall, the development would cause significant harm to the appearance of the site, to the street scene to the wider area.

#### **4. Impact on the setting of the listed building**

The proposed conversion works, alterations are considered to enhance the setting of the listed building and curtilage listed barns resulting in an improvement to the site and the setting of the buildings in general. This would comply with the NPPF and Policy DM15 of the Core Strategy.

However Plots 6 and 7 are considered to be unsympathetic in terms of overall scale and design, and this would result in harm to the setting of the historic barns and the listed Farmhouse. As such the proposal is considered to be unacceptable in this respect.

#### **5. Neighbouring amenity**

The nearest neighbour to the site would be No 4 High Street. Plot 1 (the bungalow) would stand forward of No 4 and would be set away from the boundary. A South facing window at No 4 would provide the occupiers of this property with views of the development, however it would not be of a scale or proximity to appear oppressive and cause significant loss of light, privacy or outlook.

First floor windows in Plots 4 and 5 would have long distance views of rear gardens to the north, however they would be at least 16m away (and in most cases much more) and would not face the gardens directly. Given this distance the proposal would not result in loss of amenity.

The proposed dwellings would be at least 40m away from the existing Farmhouse to the south therefore no impact would occur given the separation distance.

The proposal would not adversely impact on the amenity of the adjacent properties and is therefore acceptable in this respect.

#### **6. Highways and parking**

From a highways safety point of view there are no objections to the proposal.

However the visibility at the access point would require the removal of an established frontage hedge which would harm the existing character of the area. Therefore measures should be put in place to increase driver awareness and of compliance with the speed limit as this would be more beneficial to highway safety. A contribution of £5000 has been agreed with the applicant to be used for speed awareness measures in the High Street which could include signage and lines.

There is adequate parking within the site however in order to prevent visitors or occupants parking on the High Street, the footpath to Plot 1 should be relocated so that it shares the footpath to Plot 2 which is accessed from the development access road.

## **7. Flood Risk**

The application site lies within Flood Zone 3 defined by the Environment Agency Flood Map as having a 1 in 100 years or less from river sources probability of flooding. Paragraph 103, footnote 20 of the NPPF (2012) requires applicants for planning permission to submit a Flood Risk Assessment when development is proposed in such locations.

The applicant has submitted an FRA and the Environment Agency have been consulted. There are no objections to the development with regard to flooding issues providing conditions are attached to any permission issued.

There are also no objection from the Bedfordshire and River Ivel Internal Drainage Board.

## **8. Other issues**

### Trees, landscaping and ecology

Of prime importance and most readily visible from the High Street are four Ash trees, the largest of which may just be offsite to the north. These are located alongside the road and on slightly higher ground, approx a metre higher. The trees are early mature with substantial potential for future growth. They are worthy of retention on the site and plans indicate that they are to be retained.

The path from the High Street serving Plot 1 any damage the existing trees to the front of the site. This should be amended so that access is from the access road into the development.

The site requires more landscaping to mitigate the impact of the development on the edge of the village and this can be secured as a condition should planning permission be granted.

An EPS licence will be required to undertake works and as such an updated survey should be secured through condition which should include details on construction methods, timing / work schedules and proposed ecological enhancement associated with the proposal to ensure protected species are not harmed as a result of the development. Such enhancements may include provision of a Barn Owl nest box on one of the building nearest to the meadow land to the rear of the development and bat entry points into the roof spaces for

summer roosting. Swifts are also known in the area and the provision of swift nest box bricks in the buildings would be welcomed.

#### Human Rights/Equalities Act

Based on the information submitted there are no known issues raised in the context of the Human Rights and the Equalities Act and as such there would be no relevant implications

#### **Recommendation**

That Planning Permission be refused

#### **RECOMMENDED CONDITIONS / REASONS**

- 1 The proposal would not constitute infill development and would, by virtue of the scale, design and siting of Plots 6 and 7, would cause significant and unacceptable harm to the appearance of the site, the setting of the listed buildings, and the character and appearance of the open countryside. The development would be unacceptable in principle and would be contrary to the objectives of the National Planning Policy Framework (2012) and Policies DM3 (High Quality Development), DM4 (Development Within and Outside of Settlement Envelopes), DM13 (Heritage in Development) of the Central Bedfordshire Core Strategy and Development Management Policies (2009), Design in Central Bedfordshire (2014).
  
- 2 In the absence of a complete agreement securing the provision of affordable housing and financial contributions, the development would fail to mitigate its impact on existing local infrastructure and would be contrary to the objectives of the National Planning Policy Framework (2012) and Policies CS2 (Developer Contributions) and CS7 (Affordable Housing) of the Central Bedfordshire Core Strategy and Development Management Policies.

#### **Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

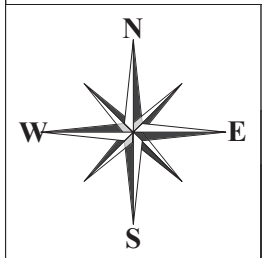
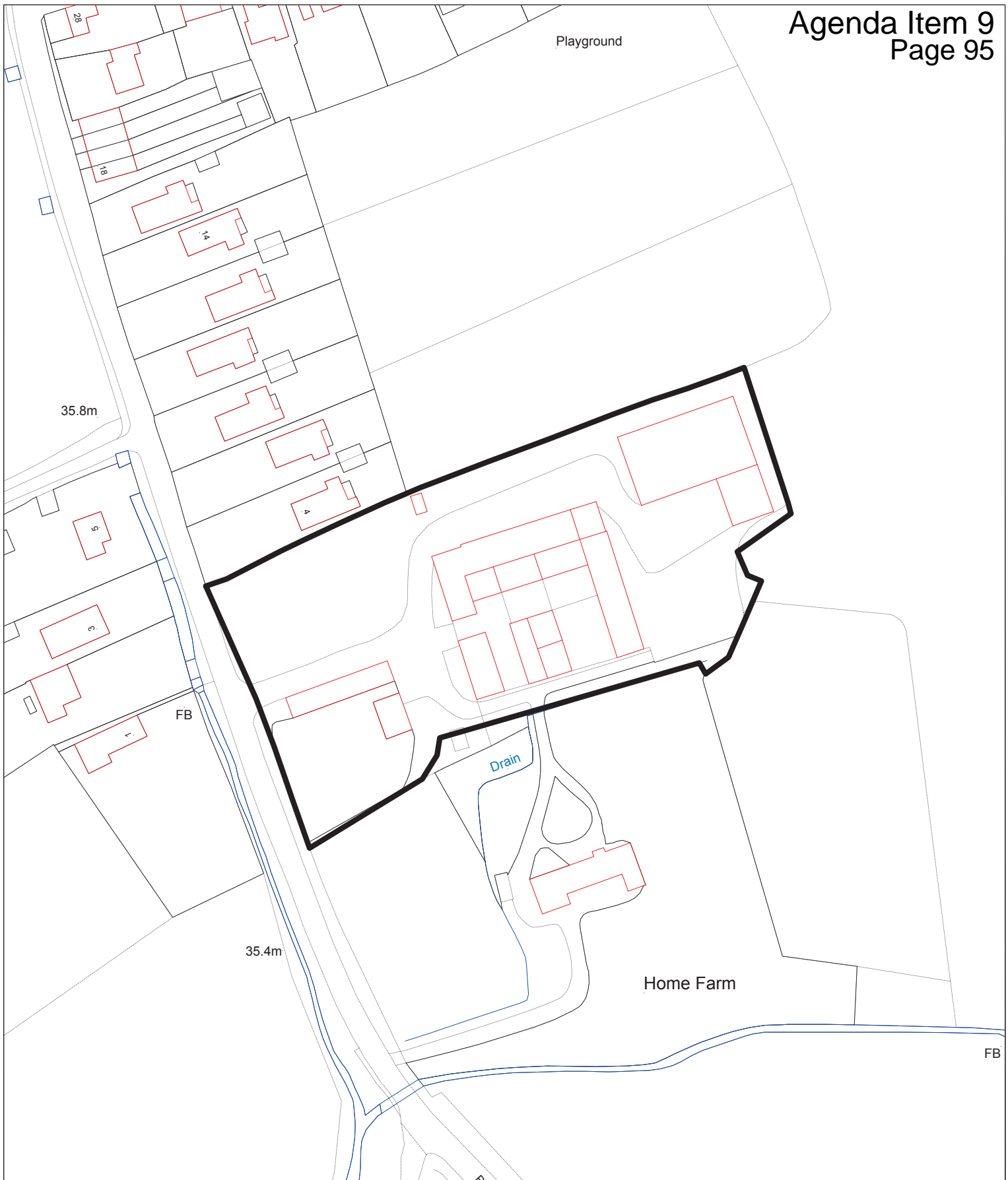
The application is recommended for refusal for the clear reasons set out. The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The applicant was invited to withdraw the application to seek pre-application advice prior to any re-submission but did not agree to this. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

#### **DECISION**

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Date: 09:September:2014  
Map Sheet No

Application No.  
CB/14/02714/LB

Scale: 1:1250

Home Farm, 1 High Street, Wrestlingworth, Sandy, SG19 2EW

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**Item No. 9**

<b>APPLICATION NUMBER</b>	<b>CB/14/02714/LB</b>
<b>LOCATION</b>	<b>Home Farm, 1 High Street, Wrestlingworth, Sandy, SG19 2EW</b>
<b>PROPOSAL</b>	<b>Listed Building: Conversion of existing barns (with partial demolition) and construction of new dwellings to form 7 new dwellings.</b>
<b>PARISH</b>	Wrestlingworth/Cockayne Hatley
<b>WARD</b>	<b>Potton</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Gurney &amp; Zerny</b>
<b>CASE OFFICER</b>	<b>Samantha Boyd</b>
<b>DATE REGISTERED</b>	<b>11 July 2014</b>
<b>EXPIRY DATE</b>	<b>05 September 2014</b>
<b>APPLICANT</b>	<b>County Land &amp; Development Ltd.</b>
<b>AGENT</b>	<b>Sherwood Architects Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr Call in. Cllr Gurney. This application accompanies application CB/14/02713/Full</b>

**RECOMMENDED DECISION**

**Listed Building - Refusal Recommended**

**Reason for Recommendation**

The proposal, by virtue of the scale, design and siting of Plots 6 and 7, would cause significant and unacceptable harm to the appearance of the historic setting of the listed buildings. The development is therefore considered to be unacceptable and not in compliance with the National Planning Policy Framework (2012) and Policies DM3 (High Quality Development) and DM13 (Heritage in Development) of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

**Site Location**

Home Farm was formerly a working farm on the east side of High Street in Wrestlingworth. The existing farm yard area comprises a dovecote barn, singletrey, mostly open fronted barn to the south of the access in to the site a central, square arrangement of one and two-storey barns and a steel framed grain store to the east of the site.

The farm buildings, apart from the grain store, are in generally good condition and are listed by virtue of falling within the historic curtilage of Home Farmhouse (to the south and outside of the application site), which is a Grade II Listed Building. The dovecote has particular historic and aesthetic value and remains intact. The site is edged to the east and south by existing vegetation and shrubs and on the High Street frontage there are four Ash trees.

To the north are modern bungalows and residential properties of mixed character lie opposite.

Much of the site falls within the Settlement Envelope for Wrestlingworth (all but the

southwest corner, including the Dovecote). The site also falls within the Environment Agency Flood Zone 3.

**The Application:**

Listed Building Consent is sought for the conversion of the existing barns to three dwellings and the erection of four new dwellings together with garaging, amenity areas and parking provision.

Plots 1 and 2 would be semi-detached, new buildings on the frontage of the site with the High Street with garages to the rear.

Plot 3 would be formed from the conversion of an existing farm building which would incorporate the Dovecote together with a glazed link and a detached garage.

Plots 4 and 5 would largely comprise the conversion of the central square of brick built barns together with garages and courtyard amenity space.

Plots 6 and 7 would be detached new-builds at the rear of the site following the demolition of the existing grain store.

The application is submitted in conjunction with an application for Full Planning permission under ref no. CB/14/02713/Full.

**RELEVANT POLICIES:**

National Planning Policy Framework (2012)

Core Strategy and Development Management Policies (2009)

- CS14 High Quality Development
- CS15 Heritage
- DM3 High Quality Development
- DM13 Heritage in Development

**Supplementary Planning Guidance**

Design Guide

**Recent Planning History:**

CB/13/03262/FULL Conversion of existing barns (with partial demolition) and construction of new dwellings to form 7 new dwellings.

Withdrawn: 2 December 2013

CB/13/03263/LB Listed Building: Conversion of existing barns (with partial demolition) and construction of new dwellings to form 7 new dwellings.

Withdrawn: 2 December 2013

- CB/12/02468/FULL      Erection of double garage, poly tunnel, access gate & parking area  
  
Approved: 19 September 2012
- CB/12/02471/FULL      Change of use of grazing land to paddock, erection of stable block and sand school  
  
Approved: 18 September 2012
- CB/14/00619/Full      Conversion of existing barns (with partial demolition) and construction of new dwellings to form 7 new dwellings.  
Refused: 16 April 2014
- CB/14/00620/LB      Conversion of existing barns (with partial demolition) and construction of new dwellings to form 7 new dwellings.  
Refused: 16 April 2014

**Representations:  
(Parish & Neighbours)**

Wrestlingworth Parish Council

The following note, prepared by the Planning Group (councillors Ram and Turner) after discussion of a draft at the Parish Council meeting on 04 August 2014, is the response of the Parish Council to the latest Home Farm planning application - response date by 12 August 2014. This is the third application and the Parish Council view is much as before. Our formal response to the second application should be read in association with this one.

To our knowledge no letters have been received from residents about the latest application.

It appears from written papers submitted with the latest application that its predecessor was rejected for three reasons, identified below. This response updates the Parish position on each of them, on the assumption that they will form the main focus of assessment in the new application.

1. The scale design, and situation of the buildings, will cause significant and unacceptable harm to the appearance of the site' and contravene a number of planning policies. PARISH RESPONSE TO PRESENT APPLICATION. The parish understanding is that only units 6 and 7 were offensive because they do not constitute infill development. We have no problems with the scale design and situation of buildings.

2. There was no flood risk assessment. PARISH RESPONSE TO PRESENT APPLICATION. One has now

been made which we understand from the developer agreed in principle with the Environment Agency subject to minor additions. We accept this professional judgement.

3. Lack of agreement on affordable housing. PARISH COUNCIL RESPONSE TO PRESENT APPLICATION. Written assurances were given at the time of the second application that £100,000 would be made available for providing this on another site, but there was no legal agreement. We understand the CBC housing officer and the developer are now completing a formal agreement and the Planning Department has confirmed that the applicant has offered £100,000 as a commuted sum towards off site provision of affordable housing. However this has not been formerly agreed by CBC as yet and a S106 Agreement will need to be signed in order to secure the amount. I understand from the Planning Department this might take some time. We cannot approve the application without this agreement being in place.

The overall position of W&CH Parish Council is that we consider this development to be of benefit to Wrestlingworth and that the scheme overall is well designed. However, as pointed out above, our support for it is conditional on a legal agreement being completed to make £100,000 available for off-site affordable housing.

Neighbours

Comments received for CB/14/02717/Full

**Consultations/Publicity responses**

Conservation  
Design

and The gist of the issues is that the key conservation objective from the re-use of this now redundant farmyard complex of buildings is the securing of the future preservation of this unusual dovecote- a rare survival with almost intact interior of nesting boxes & ledges (each wall approx 13x13 boxes= 169). The exterior & interior are now showing signs of neglect & dilapidation so I am most anxious that it does not deteriorate further  
The negotiations with agent/ applicant have- from my point of view- concentrated very much on finding a scheme that allows the dovecote interior to remain intact, which could well include some enabling element in the calculation of the balance of conversion & new development for the site to make it economically viable & positively encourage in terms of NPPF. The frontage new 2 small dwellings (really reflecting the simple forms of the outbuildings opposite) did not seem to be particularly contentious however there were concerns about the principle of new 2 dwellings at the rear of the site, in place of the large & ungainly modern farm sheds. With previous application they appeared too bulky & obtrusive

for the rear part/ rural edge of the site, with views back from the footpath by the church to the north- but if scaled down to single, or possibly 1 & a half storey, & simple in design- perhaps more like the new frontage houses, this would not seem unreasonable, I feel, in order to save the important dovecote.

Clearly the balance of any new development has to feel right for the site provided you are satisfied that this is not overdoing the new build element- then no objection to the revised proposed conversions (to 3 no. dwellings) & new dwellings (4 no.)- subject to the usual high quality design required in terms of all materials- buildings & paving/ surfacing/ edgings/ kerbs & criteria of the Barns Checklist. Suggest sec. 106 to secure the repair of the dovecote ahead of start of any new development.

## Determining Issues

The main considerations of the application are;

1. **The impact on the listed buildings and their setting**

## Considerations

1. **The impact on the listed buildings and their setting**

The Farmhouse is Grade II Listed building. The surrounding barns, where they have been built before 1947, are also considered to be curtilage listed, protected under the listed farmhouse given their proximity to the building.

The application proposes the conversion of three farm buildings to form three dwellings and the erection of four new dwellings.

Policy CS15 of the Core Strategy aims to protect, conserve and enhance the districts heritage together with Policy DM13. Paragraph 131 of the NPPF states that local planning authorities should (when determining planning applications) take account of the desirability of sustaining and enhancing the significance of a heritage assets and putting them to viable uses consistent with their conservation. The NPPF goes on to say where a proposed development will lead to substantial harm or loss to a heritage asset, the loss or harm should be weighed against the benefit of bringing the site back into use.

The proposed conversion and alterations to the buildings for residential use would clearly alter the appearance of existing historic farm buildings, however the conversion does not involve significant extension or alterations to the barns. Where alterations are required they are considered to be in keeping with the existing buildings and involves the use of sensitive materials and together with a spacious layout.

The alterations to the Listed Buildings are therefore not considered to result in substantial harm to the buildings provided all works are sensitively carried out using high quality materials. The proposal would enhance the heritage asset by bringing the buildings back into a viable use which would visually improve the building themselves and the overall setting.

Plot 6 and 7 are located to the rear of the site, on the very edge of the Settlement Envelope boundary and would occupy the footprint of the existing steel framed agricultural buildings. Their scale, design and siting are considered to be out of character with the setting of the listed buildings. Although externally they are designed to be of a barn style appearance, their scale is considered to be too large and the overall design too domesticated.

The proposed conversion works are considered to enhance the setting of the listed building and curtilage listed barns resulting in an improvement to the site and the setting of the buildings in general, however the proposed new dwellings to the rear of the site are considered to be out of keeping with the remainder of the site by virtue of the scale and design resulting in unacceptable harm to the listed buildings and their setting. The proposal therefore fails to comply with the NPPF and Policies CS15 and DM13 of the Core Strategy.

**Recommendation**

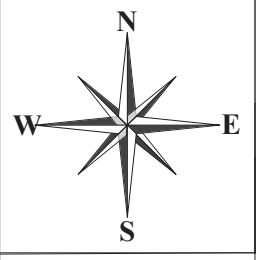
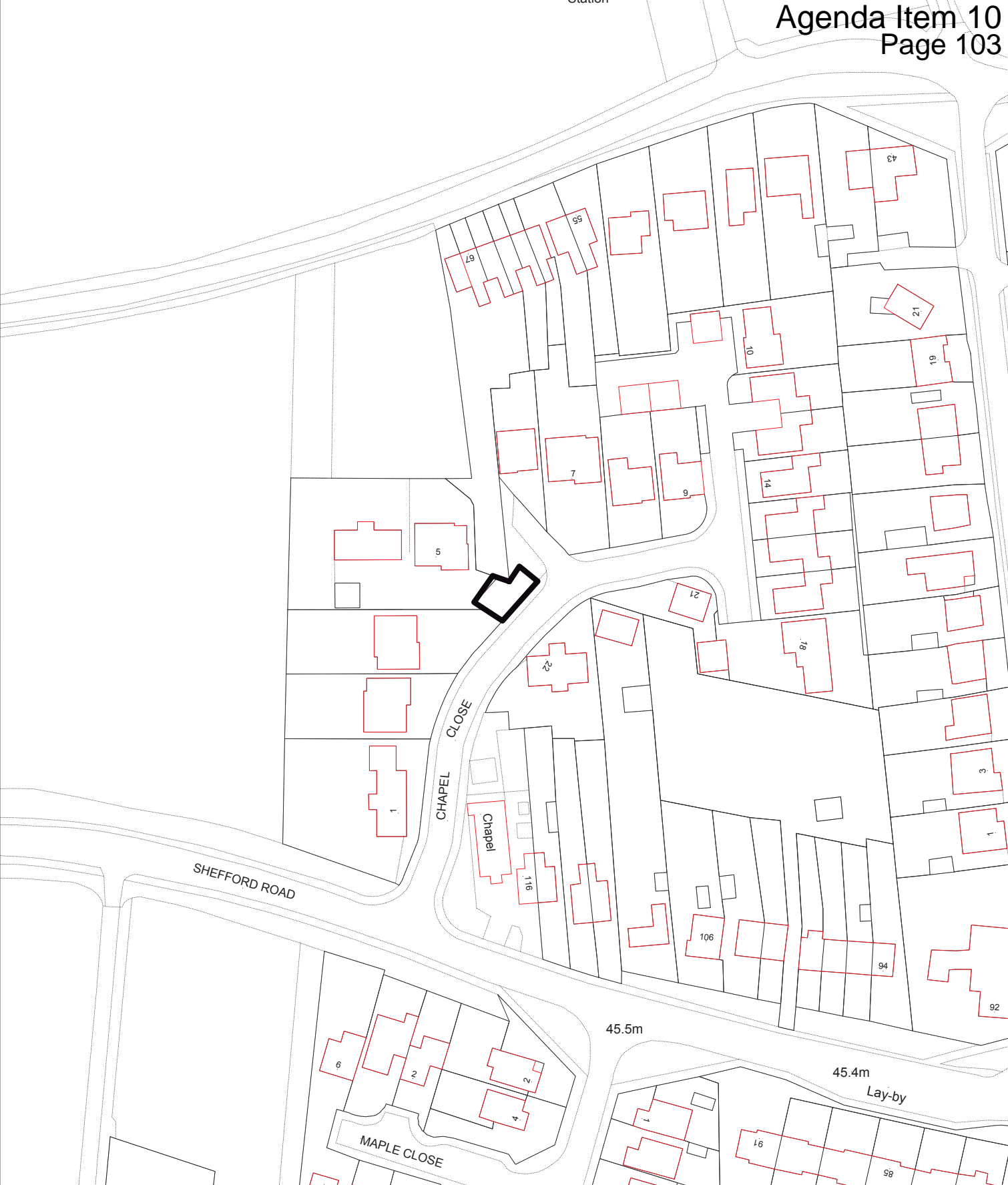
That Listed Building Consent be refused:

**RECOMMENDED REASONS**

- 1 The proposal, by virtue of the scale, design and siting of Plots 6 and 7, would cause significant and unacceptable harm to the appearance of the historic setting of the listed buildings. The development is therefore considered to be unacceptable and not in compliance with the National Planning Policy Framework (2012) and Policies DM3 (High Quality Development) and DM13 (Heritage in Development) of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

**DECISION**

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 Date: 09:September:2014  
 Map Sheet No

Application No.  
 CB/14/02134/FULL

Scale: 1:1250

Land at Chapel Close, Clifton, Shefford

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<b>Item No. 10</b>
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<b>APPLICATION NUMBER</b>	<b>CB/14/02134/FULL</b>
<b>LOCATION</b>	<b>Land at Chapel Close, Clifton, Shefford, SG17 5YG</b>
<b>PROPOSAL</b>	<b>Retrospective: Retention of post and rail fence and gate, hardstanding and low level emergency lighting column associated with existing pumping station.</b>
<b>PARISH</b>	<b>Clifton</b>
<b>WARD</b>	<b>Arlesey</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dalgarno, Drinkwater &amp; Wenham</b>
<b>CASE OFFICER</b>	<b>Lauren Westley</b>
<b>DATE REGISTERED</b>	<b>03 June 2014</b>
<b>EXPIRY DATE</b>	<b>29 July 2014</b>
<b>APPLICANT</b>	<b>JVD Developments Ltd</b>
<b>AGENT</b>	<b>Phillips Planning Services Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in to Committee by Ward Member Cllr Wenham due to the impact on residents, overbearing, gate opens across public highway, impact on streetscene and lack of design.</b>
<b>RECOMMENDED DECISION</b>	

### Summary of Recommendation

The application for retrospective planning permission for the retention of a post and rail fence, hardstanding and lighting column has been recommended for approval. Whilst the development does have an impact in the streetscene, it is considered that with additional landscaping and highway conditions the proposal will have an acceptable impact on the street scene, neighbouring amenities and highway safety, in accordance with the requirements of policies CS14 and DM3 of the Core Strategy and Development Management Policies (2009).

### Site Location:

The site is located on the northwestern side of Chapel Close, on a piece of land located to the front of No. 5 and No. 6 Chapel Close. The site was previously occupied by a small foul water pumping station.

### The Application:

The application seeks retrospective planning permission for the retention of a foul water pumping station that is to be adopted by Anglian Water.

The development includes the retention of a 1.2m high post and rail timber fence erected around the pumping station within Chapel Close, the laying of hardstanding (concrete) within the enclosure and the retention of a 3m high emergency lighting column (with aerial attached) erected on the north western boundary of the enclosure. In addition to the above work, three bollards (1m high), a control kiosk and a junction box have also been provided.

The applicant is proposing to plant a hornbeam hedge around the perimeter of the site, and provide a sliding gate inlieue of an outward opening gate.

The underground works that accommodate the pumping station were installed in 2002 as permitted by planning permission MB/00/00738/FULL in order to serve the three dwellings permitted by the consent (No.s 6, 7 and 22 Chapel Close).

**RELEVANT POLICIES:**

**National Planning Policy Framework (March 2012)**

**Core Strategy and Development Management Policies - North 2009**

CS14 - High Quality Design

DM3 - High Quality Design

**Supplementary Planning Guidance**

The Central Bedfordshire Design Guide (adopted March 2014)

**Planning History**

<b>Case Reference</b>	<b>MB/01/01161/FA</b>
Location	Land Off, Chapel Close, Clifton
Proposal	FULL: REVISED ROAD LAYOUT. (REVISION TO SCHEME PREVIOUSLY APPROVED UNDER REF. 10/2000/0738 DATED 02.10.00 FOR ERECTION OF 3 NO. DWELLINGS WITH GARAGES AND ASSOCIATED VEHICULAR ACCESS AND LANDSCAPING).
Decision	Full Conditional Approval
Decision Date	28/09/2001

<b>Case Reference</b>	<b>MB/00/00738/FA</b>
Location	Land Off, Chapel Close, Clifton
Proposal	FULL: ERECTION OF 3 NO. DWELLINGS WITH GARAGES AND ASSOCIATED VEHICULAR ACCESS AND LANDSCAPING. (REVISION TO SCHEME PREVIOUSLY APPROVED UNDER REF: 10/99/1527 DATED 18.1.00)
Decision	Full Conditional Approval
Decision Date	02/10/2000

<b>Case Reference</b>	<b>MB/99/01527/FA</b>
Location	Land Off, Chapel Close, Clifton
Proposal	FULL: ERECTION OF THREE NO 4 BEDROOM DWELLINGS WITH GARAGES AND ASSOCIATED VEHICULAR ACCESS AND LANDSCAPING
Decision	Full Conditional Approval
Decision Date	18/01/2000

<b>Case Reference</b>	<b>MB/99/01528/FA</b>
Location	Land Off, Chapel Close, Clifton
Proposal	FULL: ERECTION OF THREE NO 4 BEDROOM

	DWELLINGS WITH GARAGES AND ASSOCIATED VEHICULAR ACCESS AND LANDSCAPING
Decision	Full Conditional Approval
Decision Date	18/01/2000

**Representations:  
(Parish & Neighbours)**

Clifton Parish Council      Objection - The area is considered to be out of proportion to the requirement and unsympathetic to the existing environment of Chapel Close. The concrete ground area and ranch style fencing are considered visually obtrusive.

Neighbours (7 responses received, 2 from same address)      **Objections -**

- Area was previously maintained by residents of Chapel Close, currently not being maintained. Any approval should ensure that the developer/owners take responsibility for the site and care and maintain it properly until whoever adopts the site takes over that responsibility.
- The gate opens across the pavement and road, which is unacceptable, hazardous and dangerous for pedestrians and passing traffic.
- The fencing is unsightly, too high and not in keeping with surrounding dwellings. Should be close boarded to be in keeping with surrounding fencing.
- The fenced off parking space now occupies a space which was previously visitor parking.
- The concrete should be replaced with block paving.
- The screening should not be box, a box is slow growing and needs regular maintenance. Screening should be on all sides. A recent narrow strip that was concreted on kerb side should be removed and planted also.
- Before the alterations to the site, there was a water hydrant for fire services, this has gone.
- Development is an eyesore which is a cross between an industrial unit and a farm yard enclosure.
- Development has had an immediate negative impact to Chapel Close both from a visual and value perspective.
- The surrounding fence is unnecessary when a simple, more cost effective solution would be to erect temporary barriers to provide a working enclosure.
- 3 parking spaces have been lost as a result of the enclosure, two as a result of the removal of the original block paving space adjacent to No. 5 and one further space as a result of the need to retain access to the enclosure.
- The concrete hardstanding is not in keeping with surrounding area and does not respect visual amenity of neighbouring properties.
- The proposal to place box hedging around 75% of the enclosure is not adequate, it is obvious that the wooden structure would still be visible. Mature shrubs would be the only solution to reduce the impact of fencing, which in turn should be removed or substantially reduced in height. The

current attempt at landscaping is ineffective.

- The interpretation of the specification for Anglian Water is over engineered. For example fixing an emergency light standing 3m tall with a prominent aerial, when temporary lighting could easily be utilised and the hardstand off road parking is unnecessary when street parking could be used.

- The recent expansion of the pumps capability has happened without any meaningful reference to the residents of the close, without any explanation of what has been done, why, and what options were feasible. It would seem that the need to service the Chapel Lea development has increased the demand on the pumping station such that it had to be upgraded. It should have been addressed as part of the planning application for Chapel Lea. No justification of Anglian Water's requirements.

- Can not see the need for; the enclosure - why cant temporary barriers be used? Dedicated parking space - there was previously two parking spaces and off street parking. Emergency lighting - why cant temporary lighting be used.

- The box hedge will not reduce the sheer unnecessary and overbearing size of the enclosure - the expanse of concrete will still be clearly visible as you drive past and the development will continue to be more in keeping with a light industrial area rather than a residential area. Box hedge is very slow growing.

- The pumping station provides no benefits to No.s 1-5 Chapel Close.

- No mention of the metal aerial strapped to the lighting column on 25th June 2014.

- The scale and design of the enclosure is not in keeping with the rest of the close. It does not respect the sense of place or the amenity of the residents of the close.

- The fence may only be marginally outside the permitted height but it is not in keeping with the rest of the close.

- No evidence of Anglian Water's adoption requirements.

- Should not be at the expense of No.1 -5 who do not require a sewerage pump. Should have been included in plans for Chapel Lea, there are other spaces for such a development, behind the fence next to No. 5 or even on the plot next to No. 22. In both locations it could have been hidden. It should be relocation to either position.

- Who will maintain the area?

- Still object in principle to overbearing impact of design of the enclosure and damage it does to street scene.

Second  
consultation period  
(3 additional  
responses received  
from same  
addresses)

- Still do not understand why it is necessary to create a fenced off area, so that Anglian Water staff are able to keep their van doors open whilst working. A small no. of temporary barriers could be used to protect the public when working.

- Loss of three parking spaces is still considered a problem.

- The lighting column and aerial have a negative visual impact, why cant the column be black? Why is the aerial needed? Why does it have to be so big? Floodlights are unsightly and its not clear why emergency lighting can not be bought in on a

temporary basis by Anglian Water.

- The dwellings in Chapel Lea are still unoccupied so the impact from noise and odour is not yet known.
- If the application goes ahead, we would like confirmation that no further equipment will be installed by Anglian Water.
- If close boarded fencing had been used it would have reduced the negative visual impact as it would have obscured most of the enclosure. A close boarded fence and vegetation should be provided.
- Who will maintain the hedge?
- A close boarded fence will immediately improve the appearance, as opposed to the hedge, which will take time to grow.
- Revised plans still haven't taken into consideration the visual impact and effect on the character of the neighbourhood.

### **Consultations/Publicity responses**

CBC Highway Officer      No objection, subject to conditions

CBC Tree Officer          No objection, subject to conditions.

### **Determining Issues**

The main considerations of the application are;

1. Principle of development
2. Impact on visual amenity
3. Highway and access
4. Other matters

### **Considerations**

#### **1. Principle of development**

The work that has been carried out has been done so to upgrade an existing pumping station, so that it can be formally adopted by Anglian Water. The previous pumping station served three dwellings, and was operated at the expense of a private management company (as opposed to the adoption authority).

With the development of Chapel Lea (the erection of 11 dwellings) the pumping station required upgrading and as a result could be capable of adoption by Anglian Water, subject to meeting the adoption requirements of Anglian Water.

Under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development Order) 1995 as amended, there are a number of works that can be carried out by or on behalf of a sewerage undertaker, without requiring planning permission. In this case the junction box, control kiosk and bollards all benefit from permitted development rights and therefore do not require planning permission.

Therefore, the application specifically requires retrospective consent for the erection of the post and rail fencing, retention of the hardsurfacing and retention

of the external lighting column with aerial.

The applicant has indicated that the size of the area, fencing, hardsurfacing and lighting column were required to meet the minimum standards of the adopting agency (Anglian Water). Confirmation of the following was sought;

i) The enclosure to the pumping station is the minimum size Anglian Water would accept to maintain and service the installation and comply with Health and Safety requirements;

Response from AW - *A typical minimum pumping station compound is 8m x 11m, sometimes larger, to accommodate additional apparatus, in this case a bespoke design has been accepted.* (The compound at its largest dimensions measures 7.5m x 12m)

ii) Parking is required on site to avoid parking on the highway;

Response from AW - *Our operational staff need to park on site and close the gates behind them, they could have the wet well covers open or be working on pumps/electrical panels, vehicles need to be left open for access to a variety of tools and equipment whilst working, we need safe working environment for our staff and members of the public;.*

iii) The post and rail fencing is the minimum fencing requirement and is a relaxation of your usual standards;

Response from AW - *Our minimum requirement is a 1.8m high brick built wall 225mm thick, we have already been exceptionally amicable on this relaxation.*

The existing dwellings in Chapel Close (6,7 and 22) and the newer dwellings in Chapel Lea will require foul water drainage. Anglian Water have confirmed that they will adopt the pumping station, subject to meeting certain standards. Whilst the acceptability of the location and the nature of the specific works are discussed further below, in principle the siting of a pumping station to provide foul water drainage for residential properties is acceptable.

## **2. Impact on visual amenity**

It is acknowledged that the location of the pumping station is not ideal, being sited closer to the existing dwellings within Chapel Close, rather than closer to the newer dwellings in Chapel Lea, however given that the previous station was located on this site and served No.s 6, 7 and 22 Chapel Close, the location to some extent was pre-determined.

The nature of the pumping station and the requirements of Anglian Water mean that such developments often have an obtrusive impact within the streetscene, and the dominance of this structure is certainly so. However, this would be true of a pumping station wherever it is located within Chapel Close. The applicant has attempted to address the impact of the scheme by providing post and rail fencing (as opposed to a brick wall) and landscaping. The post and rail timber fencing is currently between 1.1m high and 1.2m high, had it been installed at 1m high it would fall within the allowances of permitted development and not require planning permission. Nevertheless the applicant has attempted to reduce the impact of the fencing and the enclosure as a whole, by providing landscaping around the edges of the enclosure. Whilst it is accepted that the landscaping will not be provided along the frontage, once grown, it will offset the appearance of the enclosure and reduce the impact of the fencing and hardsurfacing. The submitted plans have been revised so as to indicate the

provision of a Hornbeam hedge (as opposed to a Box hedge) which is native and faster growing. Conditions are attached to ensure that the planting will occur.

The emergency lighting column is 3m high with lighting and an aerial attached to it. The column has been sited to the rear of the enclosure and through the summer months is largely screened by the existing vegetation to the rear of the enclosure. It is likely that the column will be more obvious through the winter months when the vegetation cover is reduced. The lighting is for emergency use only, when work is required to be carried out during the cover of darkness, and as such will not be regularly turned on. The aerial allows the equipment on site to communicate directly with Anglian Water.

The development is required to provide the necessary infrastructure for the residential dwellings in the area, the design and scale of the proposal has been largely dictated by the requirements of Anglian Water and their Workplace Health and Safety requirements. Whilst the enclosure is currently obtrusive within the streetscene, with the establishment of vegetation over time visual impact of the surfacing and fencing will be reduced and the surfacing and fencing themselves are likely to dull in colour and blend more with the surroundings. Therefore, whilst the proposal does have an impact on the streetscene, given the need for the development and the proposed vegetation screening, it is not considered that a refusal of the application could be substantiated. The proposal is therefore considered acceptable.

### **3. Highway and access**

Concerns have been raised by local residents in relation to the existing outward opening gate, the location of the cross over (in relation to the gate) and the loss of parking. The same concerns have been raised by the Council's highway officer.

The highway officer is satisfied that provided conditions are attached requiring details of the proposed access to be bought into use, the existing access to be closed, and the gate to be changed to a sliding gate (as opposed to outward opening), then there is no objection to the proposal. The revised plans now show a sliding gate and conditions are attached to ensure these elements of the proposal are carried out.

In terms of the loss of the off-street parking space, this was within the red line area of this application and as such was likely provided for the maintenance of the previous pumping station. This has essentially been replaced with the on-site parking space provided within the now fenced area. The re-instatement of the kerb (and its subsequent relocation to line up with the gate) will ensure that there will be no net loss of street parking.

The highway officer also requested a condition requiring details of the surfacing of the enclosure, which was not considered necessary given the retrospective nature of this application. A condition requiring the boundary fencing along the frontage to remain post and rail was also suggested on the basis of vehicular visibility, however given the width of the footpath this is not considered necessary and has subsequently been confirmed with the highway officer.

Therefore, in terms of highways, access and parking there are no concerns that

would justify a refusal of the application.

**4. Other matters**

Several comments have been raised by the local residents in relation to the ongoing future maintenance of the area. The landscaping of the site will be controlled by conditions, ensuring planting and replacement should the hedge not survive. The maintenance of the equipment, fencing and enclosure will become the responsibility of the Anglian Water once it has been adopted.

**Recommendation**

That Planning Permission be GRANTED subject to the following:

**RECOMMENDED CONDITIONS / REASONS**

- 1 Within three months of the date of this planning permission widened junction of the vehicular access with the highway shall be constructed in accordance with the approved details and any surplus lengths of the existing access within the frontage of the enclosure shall be closed and reinstated and the existing gate shall be removed and replaced with a sliding gate as shown on approved plan 14-02.**

**Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the enclosure, in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).**

- 2 Within three months of the date of this planning permission, the Hornbeam hedge shown on approved plan 14-02 shall be planted on site. The Hornbeam hedge shall be planted as bare root plants in suitable cultivated soil, in a single row spaced at three plants per metre. The plants shall subsequently be maintained for a period of at least 5 years from the date of this permission and any which die or are destroyed during this period shall be replaced during the next planting season (period from October to March).**

**Reason: To ensure an acceptable standard of landscaping, in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).**

- 3 The means of illumination shall be shielded and/or positioned so that no glare or dazzle occurs to drivers of vehicles using the public highway.**

**Reason: In the interest of road safety, in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).**



- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 14-01 and 14-02.

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

### Notes to Applicant

1. **Any conditions in bold must be complied with within the timeframes specified. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.**
2. The applicant is advised that no works associated with the widening of the vehicular access and reinstatement of the surplus lengths of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk - Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the widening of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration. The applicant is also advised that the closure of surplus lengths of the existing access shall include the reinstatement of the highway to include any footway, verge and kerbing and no works associated with the closure of the vehicular access should be carried out within the confines of the public highway without prior consent. To fully discharge condition 2 the application should provide evidence to the Local Planning Authority that Bedfordshire Highways have undertaken construction works in accordance with the approved plan. The applicant will be expected to bear all costs involved in closing the access.
3. The applicant is advised that, under the provisions of the Highways Act 1980, no part of the structure, including boundary foundations and planting shall be erected or installed in, under or overhanging the public highway and no door or gate shall be fixed so as to open outwards into the highway.

The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway.

### **Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

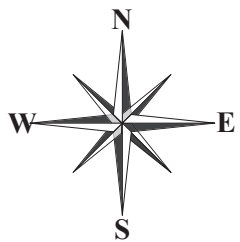
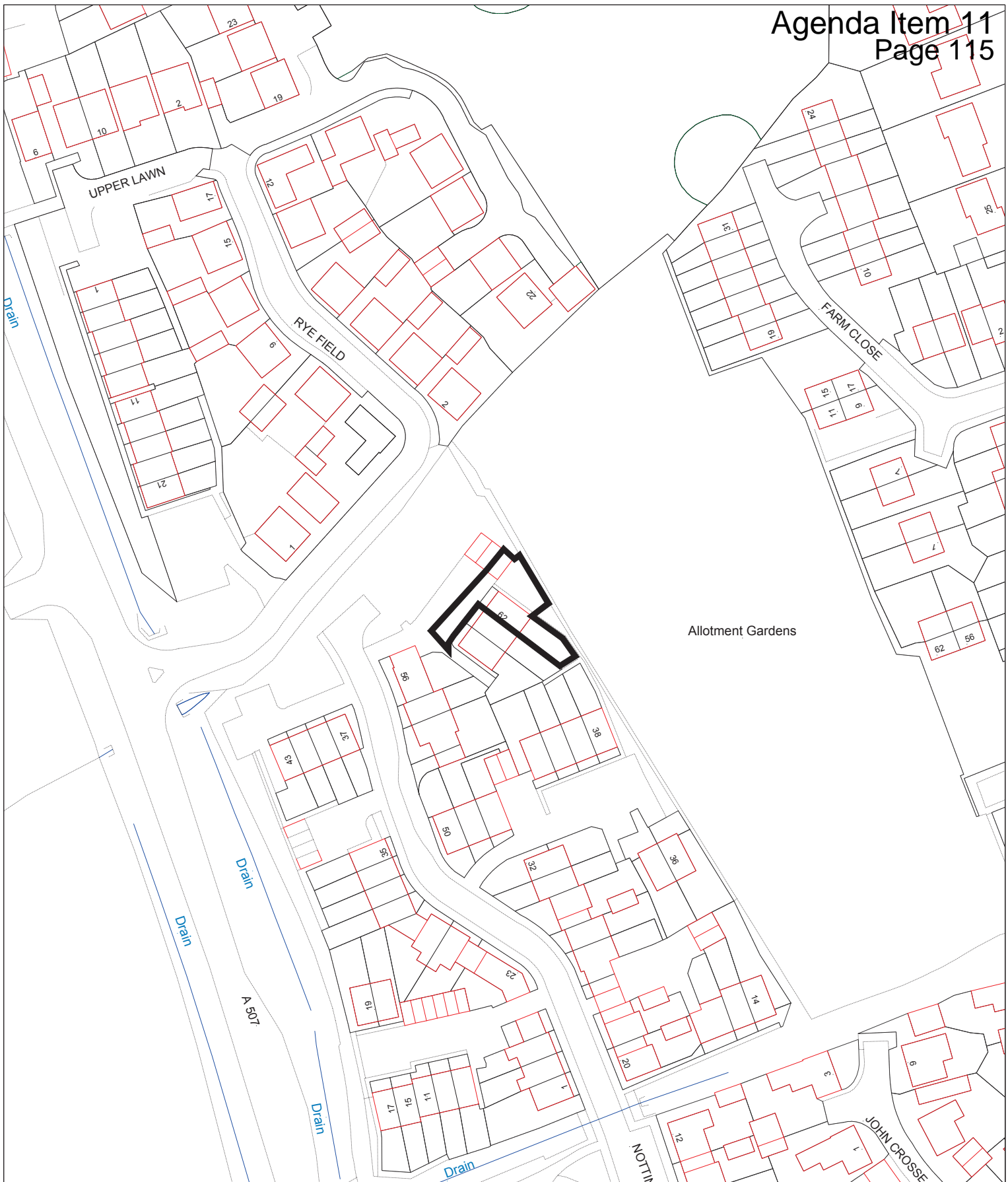
**DECISION**

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Date: 08:September:2014

Map Sheet No

Application No:  
CB/14/03214/FULL

Scale: 1:1250

62 Nottingham Close, Ampthill, MK45 2FZ

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<b>Item No. 11</b>
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<b>APPLICATION NUMBER</b>	<b>CB/14/03214/FULL</b>
<b>LOCATION</b>	<b>62 Nottingham Close, Ampthill, Bedford, MK45 2FZ</b>
<b>PROPOSAL</b>	<b>Two storey side extension including change of use of amenity land.</b>
<b>PARISH</b>	<b>Ampthill</b>
<b>WARD</b>	<b>Ampthill</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Duckett, Blair &amp; Smith</b>
<b>CASE OFFICER</b>	<b>Annabel Robinson</b>
<b>DATE REGISTERED</b>	<b>12 August 2014</b>
<b>EXPIRY DATE</b>	<b>07 October 2014</b>
<b>APPLICANT</b>	<b>Ms H Winter &amp; Mr E Bartlett</b>
<b>AGENT</b>	<b>S R Everitt</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The Owner of this property is an employee of Central Bedfordshire Council, within the Development Management Department</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approve</b>

**Summary of Recommendation:**

The planning application is recommended for approval, the design of the extension would be in accordance with Central Bedfordshire Core Strategy and Development Management Policy DM3. It would not have a significant impact upon the residential amenity of any adjacent properties and would result in an extension suitable for the location. It is considered that the design is in accordance with the Central Bedfordshire Design Guide.

**Site Location:**

The application site is 62 Nottingham Close in Ampthill, which is an end-terrace two-storey residential property. The house is constructed from brick, which has been painted white with a gable-ended tile roof. The property has a detached garage adjacent to the dwelling house. There is space for 3 cars to park off-street. Nottingham Close is a modern residential road to the south of the centre of Ampthill, it is part of the development known as Ampthill Heights, number 62 is on the north-eastern side of the road, the dwellings adjacent are constructed in a similar style, there is an allotment to the north.

**The Application:**

This application seeks permission for a two-storey side extension. This would involve the change of use of a parcel of land to the north of the dwelling house from "amenity land" to "residential".

The side extension would measure approximately 3.3 metres in width and 7 metres in depth it would have a maximum height of 7.1 metres. The materials would match

that of the original dwelling house.

## **RELEVANT POLICIES:**

### **National Policies**

The National Planning Policy Framework

### **Core Strategy and Development Management Policies, November 2009**

Policy DM3 - High Quality Development

### **Supplementary Planning Guidance**

Design in Central Bedfordshire, a Guide for Development.

### **Planning History**

None since originally constructed

### **Representations: (Parish & Neighbours)**

Ampthill Town Council:	Support providing rights of way issues are agreed.
Adjacent occupiers:	No comments received

### **Consultations**

Site Notice Posted :	No comments received
Highways:	No objection and the development would result in a three bedroom dwelling house.

### **Determining Issues**

The main considerations of the application are;

1. The principle of the change of use of the land.
2. The effect upon the character and appearance of the area.
3. The impact on neighbouring amenities.
4. Other considerations.

### **Considerations**

#### **1. The principle of the change of use of the land.**

The area to the side of the dwelling house, was left out of any designated residential curtilage, the piece of land forms a triangle which is at a higher level than the area for parking. The land is between the side elevation of the dwelling and adjacent to allotments and there is a line of trees between the amenity land

and the allotments. There is a right of access for the neighbouring property, this would be re-routed, as shown on plan SE2904/1AB. This is not a formal right of way, and therefore more of a civil issue for the applicant to agree with their neighbour. Access for these properties has been shown, and therefore it is considered that allowing the extension would not restrict the rights of the adjacent property.

In terms of amenity, this piece of land is only partially visible with glimpsed views from the public realm. It is considered that it only has very limited value in terms of wider amenity, and would not be a significant loss to the overall openness of the development.

It is considered that the change of use of this parcel of amenity land into residential land would not have a significant impact upon the character and appearance of the area, and would therefore be acceptable.

## **2. The effect upon the character and appearance of the area.**

The proposal due to its set back and siting would not be highly visible within the street scene of Nottingham Road. It is considered that the extension would be in proportion with the original dwelling. The two storey side extension would be located on the northern side of the dwelling and there is currently an allotment adjacent. As such, it is considered that the development would not result in the terracing of properties.

The extension would be set down in height some 0.4 metres from the top of the existing dwelling, and set back some 2 metres from the front elevation. It is considered that the design is in accordance with technical design guidance and would be acceptable in terms of impact upon the streetscene.

The development would not have a significant impact upon the character or appearance of the area and is therefore considered in accordance with Policy DM3 of the Core Strategy and Development Management Policies, November 2009.

## **3. The impact on neighbouring amenities.**

The property is end terrace it is attached to number 60 Nottingham Close, and adjacent to an allotment.

### Loss of light:

The side extension would be two storey but it would not significantly affect the light to any neighbouring property. It is considered that there is suitable spacing between the properties to ensure no undue loss of light into any other residential property.

### Overbearing impact:

It is judged that the development would not contribute to the overdevelopment of

the site or have an overbearing impact on the neighbouring properties or streetscene. It is judged to be in proportion with the house and appropriate for the size of plot. This development is in accordance with Policy DM3 of the Core Strategy and Development Management Policies, November 2009.

Loss of privacy:

There are additional windows proposed within the front and rear facing elevations, it is considered that views achievable from the extension would be similar to those from the existing dwelling house. In addition there is a 1st floor side facing window, this would overlook the allotment, it is considered that this would not be a loss of privacy. (it would encourage passive surveillance of this area, which would be a positive result)

Outlook:

The extension would not detrimentally affect neighbouring properties in terms of outlook, the extensions would be visible, but materials would harmonise with the original dwelling.

No comments were received from neighbouring residents.

**4. Any other implications**

Impact upon the Highway:

The highway officer raised no objection to this application, as the 1st floor would be reconfigured to still have three bedrooms. Three parking spaces would be possible, within and in front of the garage.

Human Rights:

The development has been assessed in the context of the Human Rights and would have no relevant implications.

Equalities Act 2010:

The development has been assessed in the context of the Human Rights and would have no relevant implications.

**Recommendation**

That Planning Permission be approved subject to the following:

**RECOMMENDED CONDITIONS / REASONS**

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.



Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality.  
(Policy 43, DSCB)

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers SE2904/1AB, SE2904A.

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

### Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

2. **Will a new extension affect your Council Tax Charge?**

The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991.

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax.

If however you add an annexe to your property, the Valuation Office Agency may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.

The website link is:

[www.centralbedfordshire.gov.uk/council-and-democracy/spending/council-tax/council-tax-charges-bands.aspx](http://www.centralbedfordshire.gov.uk/council-and-democracy/spending/council-tax/council-tax-charges-bands.aspx)

**DECISION**

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