

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 27 February 2015

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 11 March 2015 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.**

***Please note that phones and other equipment may be used to film, audio record, tweet or blog from this meeting. No part of the meeting room is exempt from public filming .**

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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 11 February 2015.

(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 | Planning Enforcement cases where formal action has been taken | 7 - 14 |

To consider the report of the Director of Regeneration and Business 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>Planning Application No. CB/14/04276/FULL</p> <p>Address: Goods Yard, Cambridge Road, Langford, Biggleswade, SG18 9PS</p> <p>The erection of 22 No. affordable housing units with access, parking, bund and acoustic fencing, and landscaping.</p> <p>Applicant: North Hertfordshire Homes</p> | 15 - 42 |
| 7 | <p>Planning Application No. CB/14/04634/FULL</p> <p>Address: Land to the rear of The Wrestlers, 126 Church Street, Langford, Biggleswade SG18 9NX</p> <p>Erection of 10 no. dwellings with access, parking, associated landscaping and public open space.</p> <p>Applicant: Rowan Homes (NHH) Limited</p> | 43 - 70 |
| 8 | <p>Planning Application No. CB/15/00132/FULL</p> <p>Address: Land R/o Powage House, Church St, Aspley Guise, Milton Keynes MK17 8HE</p> <p>Demolition of existing warehouse to the rear of Powage House with the erection of two detached dwellings and associated car parking.</p> <p>Applicant: Abbeymill Homes Limited</p> | 71 - 98 |
| 9 | <p>Planning Application No. CB/15/00239/FULL</p> <p>Address: The Paddocks, Springfield Road, Eaton Bray, Dunstable, LU6 2JT</p> <p>Change of use from residential home for the elderly to domestic dwelling.</p> <p>Applicant: Mr K Janes</p> | 99 - 108 |

- 10 **Planning Application No. CB/15/00299/FULL** 109 - 116
- Address: 23 High Street, Meppershall, Shefford, SG17 5LS
- Proposed part garage conversion.
- Applicant: Mr Mardell
- 11 **Planning Application No. CB/15/0077/FULL** 117 - 124
- Address: 7 Goodwood Close, Clophill
- Conversion of loft with 3 dormer windows and rooflights.
- Applicant: Mr & Mrs K Garwood
- 12 **Planning Application No. CB/15/00095/FULL** 125 - 134
- Address :** 25 Millbank, Leighton Buzzard LU7 1AS
- Change of use of the property from residential to a mixed use of residential and chiropody surgery, which would result in the garage being converted into a clinic room.
- Applicant :** Mrs Cohen
- 13 **Planning Application No. CB/15/00210/OAC** 135 - 158
- Address :** Land at Valley Farm, Leighton Road, Soulbury, Bucks
- Other Authority Consultation: Outline planning permission with means of access to be determined and all other matters reserved for mixed used development including residential uses (C3) – some 300 dwellings, Employment use (B1), Commercial (A1 – A5 inclusive), Leisure and Community (D2) and Ambulance Waiting Facility (Sui Generis) Land uses and associated roads, drainage, car parking, servicing, footpaths, cycleways and public open space/informal open space and landscaping.
- Applicant :** Paul Newman Homes
- Consultee:** Aylesbury Vale District Council

14 **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 Tuesday 7 April 2015.

Meeting: Development Management Committee
Date: 11th March 2015
Subject: Planning Enforcement cases where formal action has been taken
Report of: Director of Regeneration and Business
Summary: The report provides a monthly update of planning enforcement cases where formal action has been taken.

Advising Officer: Director of Regeneration and Business
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 11th March 2015)

| ENFORCEMENT CASE NO. | LOCATION | BREACH | DATE ISSUED | EFFECTIVE DATE | COMPLIANCE DATE | APPEAL | NEW COMPLIANCE DATE | RESULT | NOTES/FURTHER ACTION |
|----------------------|--|---|-------------------------------|-------------------------------|-------------------------------|---------------------------|---------------------|--------------------|--|
| 1 | 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 | | | Complied | The mobile home has been removed & the Enforcement Notice has therefore been complied with. |
| 2 | 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 dismissed | 12-Apr-15 | | Appeal dismissed, Enforcement Notice upheld, compliance extended to 12/04/15 |
| 3 | 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 |
| 4 | 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 received Sept 2013 | 27-Sep-14 | Not complied | Prosecution case being progressed. First court hearing to be on 20/03/15. |
| 5 | Woodstock Cottage, 44 High Street, Flitton, MK44 5DY | Listed Building Urgent Works Notice - works to Listed Building | 04-Feb-14 | 11-Feb-14 | 31-Mar-15 | | | Partial compliance | Due to correspondence between the council and the contravenors solicitor giving her intention to carry out and complete the overhaul to the thatch, it has been agreed that due to the time of year, the works be completed by the 31st March 2015. No further action will be taken in the meantime. |
| 6 | 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 | | | Complied | Areas cleared of materials and available for their proper use. |
| 7 | 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 |

Planning Enforcement formal action (DM Committee 11th March 2015)

| ENFORCEMENT CASE NO. | LOCATION | BREACH | DATE ISSUED | EFFECTIVE DATE | COMPLIANCE DATE | APPEAL | NEW COMPLIANCE DATE | RESULT | NOTES/FURTHER ACTION |
|----------------------|---|---|-------------|----------------|------------------------|--|---------------------|-----------------------------|---|
| 8 | Land at 15 St Andrews Close, Slip End, Luton, LU1 4DE | Enforcement notice - unauthorised change of use of dwelling house to four separate self-contained units | 29-Oct-14 | 29-Oct-14 | 28-May-15 | Appeal received 01/12/14 | | | Await outcome of appeal |
| 9 | 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. |
| 10 | 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 | | Part complied | Following a further meeting with the owners, details of the proposed finished levels of the land are to be submitted and a planning consultant has been appointed to seek permission for additional car parking on the site. It was agreed to allow 28 days for the required details to be submitted. |
| 11 | The Pine Corner, 141 High Street North, Dunstable, LU6 1JW | S215 Notice - untidy land | 30-Oct-14 | 30-Nov-14 | 30-Jan-15 | | | | Development of the site due to start - Matter in abeyance until 30/03/15 |
| 12 | Land at Site C, The Stables, Stanbridge Road, Great Billington, Leighton Buzzard, LU7 9JH | Enforcement Notice- Unauthorised creation of new access and erection of gates. | 17-Nov-14 | 15-Dec-14 | 15-Mar-15 & 15-June-15 | | | | Check compliance 15/03/15 and 15/06/15 |
| 13 | Random, Private Road, Barton Le Clay, MK45 4LE | Enforcement Notice - Without planning permission alterations and extensions to create a new dwelling. | 16-Aug-13 | 16-Aug-13 | 16-Oct-13 | Joint Planning & Enforcement Appeal submitted. | | Enforcement Appeal quashed. | Enforcement notice appeal considered with planning appeal CB/13/01746 for the extension works carried out. Notice quashed and planning appeal allowed. CBC successfully challenged planning reasoning in PINS decision letter. PINS to reconsider the planning appeal. Await outcome of re-considered appeal. |

Planning Enforcement formal action (DM Committee 11th March 2015)

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|----------------------|--|---|-------------|----------------|-----------------|---------------------------|---------------------|--------------|---|
| 14 | Millside Nursery, Haring 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 | | 02-Jun-15 | | Compliance extended to 02/06/15 |
| 15 | 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. |
| 16 | Land Adjacent to, Magpie Farm, Hill Lane, Upper Caldecote | Breach of Condition Notice - Condition 1 Boundary wall, Condition 2 Septic tank, outflows and soakaways | 30-Jan-15 | 30-Jan-15 | 01-Mar-15 | | | | Breach of condition notice served on 30/01/15, compliance site visit to be made in March. |
| 17 | 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 | | | | Application CB/14/03678/VOC - Granted at Committee 14/01/15. Decision Notice issued 02/02/15. |
| 18 | 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 | Appeals submitted 14/8/14 | | | Appeals the subject of a joint hearing on 24/02/15. Await outcome of appeals. |
| 19 | Land at 19a High Street South, Dunstable. LU6 3RZ | Enforcement Notice - Change of use offices to bedsit | 20-Jan-14 | 20-Feb-14 | 20-Aug-14 | | | | Conditions of approved application being discharged, including archeological survey. In abeyance until 01/06/15. |
| 20 | 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 and unauthorised creation of hardstanding | 06-Mar-14 | 06-Apr-13 | 06-Jun-14 | Appeal split decision | 05-Nov-14 | Not complied | Lawful caravan area for up to 5 caravans defined. Removal of hardstanding area from field to be checked early March 2015. |
| 21 | 14 Sutton Avenue, Biggleswade, SG18 0NZ | S215 Notice - untidy front garden | 30-Jun-14 | 29-Jul-14 | 29-Aug-14 | | | Not complied | Whereabouts of property owner unknown -enquiries continuing. |

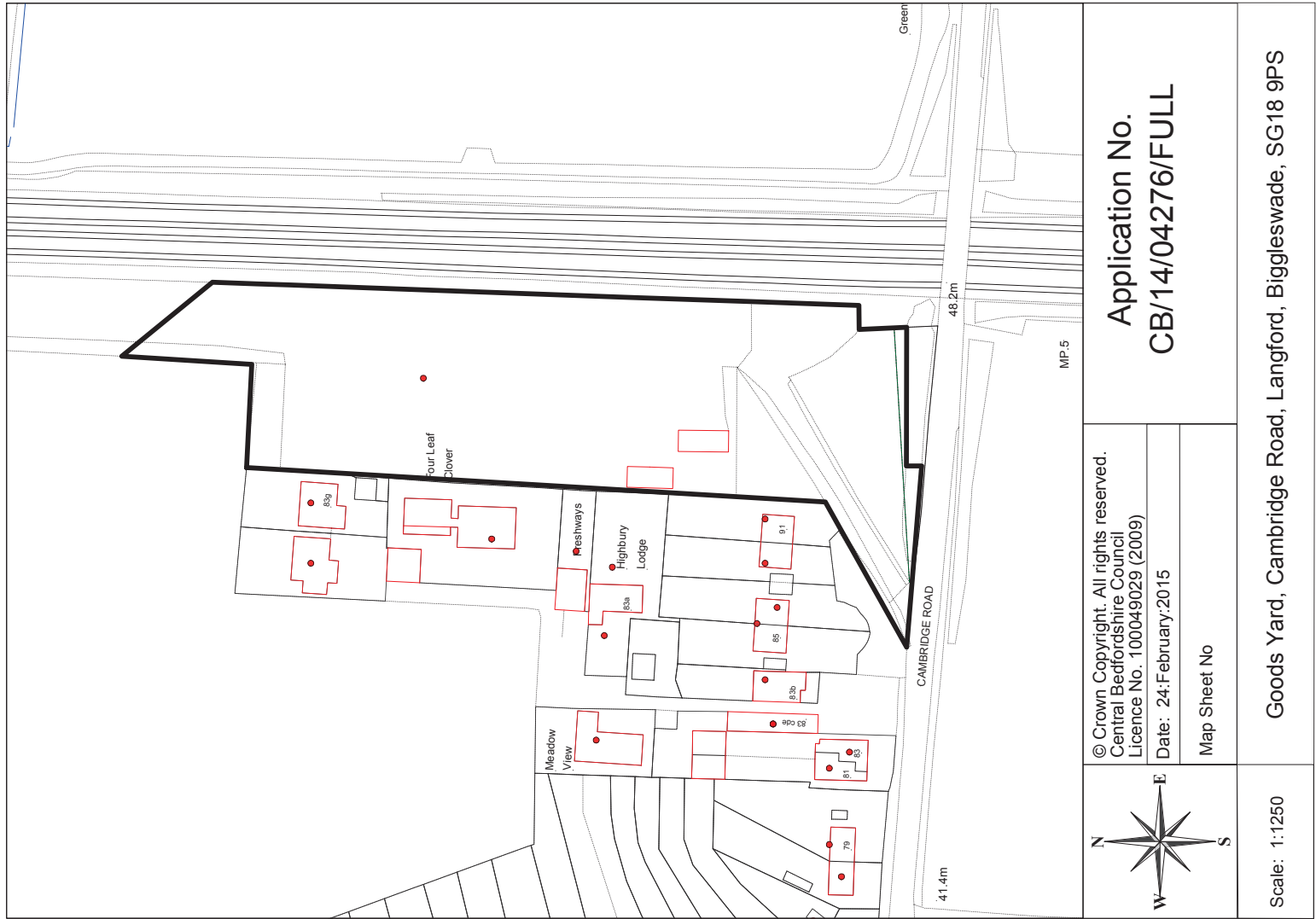
Planning Enforcement formal action (DM Committee 11th March 2015)

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|----------------------|---|--|-------------|----------------|-----------------|--|---------------------|--------|--|
| 22 | Land at The Coach Yard, Streatley Road, Sundon, LU3 3PQ | Enforcement Notice - Change of use - stationing of a mobile home for residential use | 23-Feb-15 | 25-Mar-15 | 25-May-15 | | | | Check compliance 25/05/15 |
| 23 | 59 Russell Way, Leighton Buzzard, LU7 3NF | Untidy Land - S215 | 09-May-14 | 11-Jun-14 | 11-Aug-14 | | | | Prosecution action - 1st court hearing 06/03/15. |
| 24 | 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 | Appeal received 12/09/14 | | | Await outcome of appeal |
| 25 | Land at Glebeland, Sharpenhoe Road, Streatley, Luton, LU3 3PS | Tree replacement notice - Felling of a sycamore tree | 03-Oct-14 | 03-Nov-14 | 03-Mar-15 | Appeal received 26/11/14 | | | Await outcome of appeal |
| 26 | 23 Birds Hill, Heath and Reach, Leighton Buzzard, LU7 0AQ | Untidy Land - S215 | 19-Feb-15 | 23-Mar-15 | 23-May-15 | | | | Check compliance 23/05/15 |
| 27 | 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 | Appeal received 11/09 joint appeal with Planning | | | Await outcome of appeal |
| 28 | 25 High Street, Sandy, SG19 1AG | Enforcement Notice - the installation of roller shutters | 13-Aug-14 | 12-Sep-14 | 12-Oct-14 | Appeal received 11/09 joint appeal with Planning | | | Await outcome of appeal |
| 29 | Land at Asda Store, Church Street, Biggleswade, SG18 0JS | Breach of condition notice - Hours of delivery | 10-Oct-14 | 10-Oct-14 | 10-Nov-14 | | | | No further complaints regarding deliveries, notice being complied with at the moment. Notice will remain in force. |
| 30 | Land to the rear of, 197 Hitchin Road, Arlesey, SG15 6SE | Breach of Condition Notice - Condition 1 not complied with - attached to planning permission 12/03535- use of land as a caravan site by any persons other than gypsies | 05-Dec-14 | 05-Dec-14 | 05-Jan-15 | | | | Notice still in force, no complaints to indicate that the notice has not been complied with. Further visit to be made. |

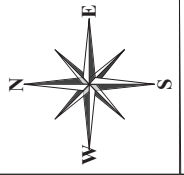
Planning Enforcement formal action (DM Committee 11th March 2015)

| ENFORCEMENT CASE NO. | LOCATION | BREACH | DATE ISSUED | EFFECTIVE DATE | COMPLIANCE DATE | APPEAL | NEW COMPLIANCE DATE | RESULT | NOTES/FURTHER ACTION |
|----------------------|--|---|-------------|----------------|--------------------------|--------------------------|---------------------|--------|---|
| 31 | Clifton House and outbuildings, Church Street, Clifton, Shefford, SG17 5ET | Repairs Notice - Listed Building in state of disrepair | 08-Jan-15 | 08-Jan-15 | 08-Mar-15 | | 08/04/2015 | | At the request of the owners representative, the council has informally agreed to extend the compliance period to 08/04/15 |
| 32 | 6 Bedford Road, Moggerhanger, MK44 3RR | Enforcement Notice - Materials used affecting the appearance of the dwelling | 10-Nov-14 | 10-Dec-14 | 10-Jan-2015 & 10-Feb-205 | Appeal received 03/12/14 | | | Await outcome of enforcement appeal. |
| 33 | The Winston Churchill, Church Street, Dunstable, LU5 4RP | Enforcement Notice - non compliance of condition 5 attached to 13/00090/Full - Windows on the first floor shall be of a fixed type and fitted with obscure glass. | 24-Nov-14 | 24-Dec-14 | 24-Jan-15 | | | | Application in the process of validation - Once validated the Enforcement case will be kept in abeyance pending determination. |
| 34 | The Winston Churchill, Church Street, Dunstable, LU5 4RP | Breach of Condition Notice - Breach of condition 3 attached to 13/00090/Full - Extraction of fumes and smells. | 24-Nov-14 | 24-Nov-14 | 24-Dec-14 | | | | Application in the process of validation - Once validated the Enforcement case will be kept in abeyance pending determination. |
| 35 | Land at 28 Royce Close, Dunstable, LU6 2NT | Enforcement Notice - Construction of a raised terrace and fence. | 10-Nov-14 | 10-Dec-14 | 10-Feb-15 | | | | LDC application submitted and in the process of validation - Once the application is validated the Enforcement case will be kept in abeyance pending determination. |

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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 24:February:2015
Map Sheet No



Application No.
CB/14/04276/FULL

Scale: 1:1250

Goods Yard, Cambridge Road, Langford, Biggleswade, SG18 9PS

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Item No. 6

| | |
|--|--|
| APPLICATION NUMBER | CB/14/04276/FULL |
| LOCATION | Goods Yard, Cambridge Road, Langford, Biggleswade, SG18 9PS |
| PROPOSAL | The erection of 22 No. affordable housing units with access, parking, bund and acoustic fencing, and landscaping. |
| PARISH | Langford |
| WARD | Stotfold & Langford |
| WARD COUNCILLORS | Cllrs Clarke, Saunders & Saunders |
| CASE OFFICER | Samantha Boyd |
| DATE REGISTERED | 19 November 2014 |
| EXPIRY DATE | 18 February 2015 |
| APPLICANT | North Hertfordshire Homes |
| AGENT | Beacon Planning Ltd |
| REASON FOR COMMITTEE TO DETERMINE | The application is linked with CB/14/04634/Full at land rear of The Wrestlers, Church Street, Langford, which is also reported to this committee. |
| RECOMMENDED DECISION | That planning permission be granted subject to the expiry of the revised plan consultation period. |

REASON FOR RECOMMENDATION

The proposed residential development is within the Settlement Envelope for Langford and is therefore acceptable in principle. The development for 22 Affordable Housing Units would also comply with Policy CS7 of the Core Strategy and Development Management Policies Document. The proposal is also considered to be acceptable with regard to the impact on the character and appearance of the area, neighbouring amenity, amenity of future occupants and highway safety. The proposal is therefore considered to be acceptable and in conformity with Policies DM4, DM3 and CS7 of the Core Strategy and Development Management Policies Document (2007) and Central Bedfordshire Council Design Guide (Revised March 2014).

Site Location:

The Former Goods Yard site is located off Cambridge Road in Langford. The 0.85ha site was formerly owned by British Railways Board and used as a depot and goods yard before being sold to a private owner and more recently used for the storage of containers.

Immediately to the east of the site lies the East Coast Main Line with the residential edge of Langford adjacent to the western boundary. Access to the site lies to the south from Cambridge Road while to the north there is open farmland.

Although on the eastern fringe of Langford, the site is within the Settlement Envelope boundary.

The Application:

Planning permission is sought for a development of 100% affordable houses comprising 22 dwellings of two and three bedroom houses and 4 two bedroom flats all two storey in height.

Also relevant in the consideration of this application is planning application CB/14/04634 at land rear of The Wrestlers, Church Street, Langford for the erection of 10 dwellings, which is also reported to this Committee.

The applications are submitted jointly by the applicants so that the Wrestlers site can provide off site contributions to affordable housing and to subsidise the construction of the 22 affordable units.

The application is submitted by North Herts Homes.

RELEVANT POLICIES:

National Planning Policy Framework

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy
CS2 Developer Contributions
CS3 Healthy and Sustainable Communities
CS4 Linking Communities - Accessibility and Transport
CS5 Providing Homes
CS7 Affordable Housing
CS14 High Quality Development

DM1 Renewable Energy
DM2 Sustainable Construction of New Buildings
DM3 High Quality Development
DM4 Development within and Beyond Settlement Envelopes
DM10 Housing Mix

Central Bedfordshire Council's Emerging Development Strategy 2014

Policy 29 Housing provision
Policy 38 Within and beyond settlement boundaries
Policy 43 High quality development
Policy 30 Housing Mix
Policy 34 Affordable homes
Policy 49 Mitigating flood risk
Policy 58 Landscape

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 was submitted to the Secretary of State on 24th October

Supplementary Planning Guidance

Consultations/Publicity responses

| | |
|----------------------|--|
| Ecology | <p>I have no objections to the proposal but would advise that the NPPF calls for development to deliver a net gain for biodiversity. The landscaping plan shows a number of native broadleaved species to be planted adjacent to the railway line which would provide such a gain but I am aware of concerns raised by Network Rail in relation to deciduous trees and so would question the inclusion of larger species such as oak and cherry.</p> <p>Network rail has a preference for evergreens so holly, privet, broom and gorse would be suitable and would provide a beneficial nectar and berry source.</p> <p>The use of integral bird bricks in the dwellings would also be an enhancement measure and should be incorporated at a 1:1 ratio.</p> |
| Green Infrastructure | <p>The Parish Green Infrastructure plan indicates an aspiration for this area to include allotments / open space. This plan doesn't include any open space provision - the requirements for open space provision should be checked against the standards in the Leisure Strategy, with any deficit in provision made good through appropriate contributions to off site provision.</p> <p>There is no information provided on sustainable drainage. The applicant needs to demonstrate how surface water will be managed, in line with the Sustainable Drainage guidance SPD. Currently, there is insufficient information provided to ensure the application complies with Policy DM2 of the Core Strategy / Development Management plan and Policy 49 in the submitted Development Strategy.</p> <p>The screen planting along the railway line needs to be checked in terms of how it complements local landscape character. Landscape colleagues should be asked to advise in respect of this aspect.</p> |
| Housing Officer | <p>Development</p> <p>I support this application as it is providing 100% affordable housing from the development. This application is linked to the application of 10 market dwellings at the Wrestlers, Church Street, Langford. The market units from the scheme at Wrestlers will subsidise the development of the 22 affordable units at Goods Yard, Cambridge Road. Viability has indicated for previous applications at the Wrestlers Langford that provision of affordable housing within the scheme is not viable. The contribution of affordable will be provided for at Cambridge Road. This results in the overall number of affordable units being twice the number required by Council affordable housing policy requirements. This will provide much needed</p> |

affordable housing provision for Langford. I would expect the affordable units to meet the Code for Sustainable Homes Level 3 and meet all HCA Design and Quality Standards.

Strategic
Officer

Landscape

I have no objections to development of this site. However, in view of the restrictions required by British Rail, I think that the landscape scheme will have to be revised. The landscape designer has developed a rich scheme based on native species which would have helped to integrate the otherwise highly intrusive acoustic bund and fence into the rural edge setting. The majority of the shrubs used are deciduous and a number of the trees proposed are, in my opinion, planted within their mature height of the railway line. Of particular concern is the wild cherry, as this can become a large tree, although could be coppiced to maintain an acceptable height. Network Rail might consider the autumn leaves to be an issue.

I am concerned about the appearance of the fence and bund and the gambion walls and would hope that the density of planting can be maintained to mitigate these features. In addition, I would like some climbers, including ivy or groundcover such as *Rubus tricolour* to be planted to trail down the gambion walls and so soften their appearance. A greater use of groundcover might be useful in reducing weed maintenance in the future - the bund is to be planted with trees and shrubs without any grass mix beneath. The use of groundcover as well as mulch would be beneficial.

Amelanchier could be used as a substitute for the wild cherry on the mound.

At the entrance to the development - I would prefer a less "suburban" tree i.e. substitute the whitebeam with a larger growing feature tree which would be more appropriate for the village - this site forms a gateway to Langford.- a maple might be more appropriate.

Sustainable
Officer

Transport

Thank you for consulting me on the application. My main concern is one of connectivity for pedestrians and cyclists in exiting the site. It is important that the footways proposed connect effectively to existing networks. The development allows for a footway across the site frontage but the adjacent footway towards Langford also requires improvement, particularly across the entrance at nos 83 b to e for which a contribution should be sought for improvement. I am also concerned about visibility for cyclists onto Cambridge Road, as despite the assessment currently included the railway bridge causes problems of visibility on a stretch of road where speeds

can be fairly fast as motorists travel through open countryside towards the A1.

Development
Framework Team

The application is linked to the application for 10 market dwellings at Wrestler's, Church Street, Langford. This application is unable to provide affordable housing on site and so its contribution will be provided for at Cambridge Road. The number of affordable homes is twice the number of affordable homes required by the Councils policies and requirements. It is unknown what the relationship is between the two sites in the case the development at Wrestlers does not get built out.

The development is acceptable in principle and will need to ensure that the development complies with following policies:

The application complies with Policy CS5:Providing Homes of the North Core Strategy and Policy 29: Housing Provision of the emerging Development Strategy seeks to ensure the delivery of new homes in Central Bedfordshire as the proposal is for the erection of 22 new homes. These homes are to be affordable and so complies with Policy CS7:Affordable Housing (North Core Strategy) and Policy 34:Affordable Housing (emerging Development Strategy).

The application site is located within the Langford settlement boundary and thus Policy DM4 (North Core Strategy) and Policy 38 (emerging Development Strategy) applies. The development can be considered as a residential infill development and comprises a small-scale housing development. The development proposal therefore complies with this policy.

The development will also need to comply with Policy CS14 (North Core Strategy) and Policy 43 (emerging Development Strategy) in that it would need to be of a high quality.

As such the development is acceptable in principle.

Tree and Landscape
Officer

Landscape detail would appear to be acceptable and different but I would suggest that the Sorbus located on the left side of the access road could be exchanged for a more substantial tree to create impact and a feature within this area.

I understand that there may now be an issue with regards to British rail requirements and it is likely that additional details may be required regarding landscape and also existing trees.

Public Protection
(contamination)

Due to the previous use of the site, and it being the responsibility of the developer to make the site safe and suitable for use, I would expect to attach the following conditions to any permission granted:

Condition

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 previously submitted April 2014 BRD ST Consult Site Investigation Report, a Phase 3 remediation scheme with an explanation measures to be taken to mitigate any risks to human health, groundwater and the wider environment.

Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoil's that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also 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.

Reason: To protect human health and the environment

Sustainable
Development Officer

The applicant have asked to condition the delivery of policy DM1 and DM2 requirements to allow them a flexibility of designing the most appropriate measures at the detailed design stage. I am happy to follow this

suggestion and apply following conditions, should a planning permission be granted:

10% energy demand of the development to be secured from renewable sources, this to be calculated as built;

Water efficiency standard equivalent to Code for Sustainable Homes Level 3: 105 litres per person per day (plus additional 5 litres per person per day for external use).

Waste Officer

The proposed location for the communal bin store for the flats is not suitable as the collection truck will have no option but to block all traffic in and out of the site when it makes a collection due to the pedestrian cross over point location. I would propose that either the cross over point is widened to allow vehicles to pass in both directions or the store is relocated. Also the store will need to be no more than 10 metres from the store doors to middle of the road that the collection vehicle will stop.

The following plots will all need communal bin collection points, plots 19- 22 and 12 - 18. The collection point will need to be able to accommodate 1 bin, 2 garden sacks and a food caddy from each dwelling.

Highways

The applicant has submitted revised plans for the proposal indicating a 5.0m access compared to the previous plans indicating a 5.5m wide access. The revised plans show the tracking for the refuse vehicle and while I have no objection to its infrequent using of both sides of the access within the site, I am concerned that it crosses the centre line of Cambridge Road when exiting the site. I realise this occurrence will be infrequent, but due to the close proximity of the bridge, any vehicle coming from the brow of the bridge will be almost atop the refuse vehicle before evasive action can be taken. Therefore I can not support the reduced access width of 5.0m and have included a condition for a wider access and/or revised radii to alleviate the crossing of the centre line of Cambridge Road.

I have also included a condition for a 2.0m wide footway along the site frontage with Cambridge Road for ease of use for pedestrians. Please be aware that the tracked refuse vehicle within the site measures only 10.0m long, although a 11.4m vehicle can use the area without overrun.

Other issues include, pedestrian and forward visibility which will be required within the site; Bay 3(2) is too short

on the southern side and lengthening it will require the forecourt in front to be lengthened to 6.0m to allow for vehicle manoeuvring; the speed humps in front of V(2) can be removed as the bend will slow vehicle speeds; bay 18(2) should be relocated at V(8) and vice versa for ease of residential use; the extent of the adopted highway is not indicated at the speed table/road/refuse turning area and there are too many changed to road levels for the refuse vehicle to negotiate and a 0.5m service margin will be required around the turning area within the parking court. However all of these issues can be dealt with by conditions which I have included accordingly.

Visibility from the access is acceptable and the proposal will not have a detrimental impact on the highway network, although I will be asking for a construction traffic management plan to alleviate any issues with traffic generation/heavy goods vehicle movements for the construction of the bund and the site development.

Conditions are recommended relating to width of access, visibility, internal road arrangements and cycle parking.

Public Protection (Noise) I have now had the opportunity to consider the additional railway noise monitoring undertaken by the applicant. I have also considered the additional noise barrier and distance attenuation (modelled) calculations for the LA max levels at the proposed dwellings. I note that the applicant has also now specified the height and location of the barrier that the modelled mitigation is based upon. I further note that a MVHR ventilation System is now proposed which has removed the requirement for trickle vents in the windows of habitable rooms significantly affected by railway noise, thereby improving the overall facade insulation performance, resulting in lower predicted LAmax levels with windows closed at night.

The applicant has now also submitted a thermal modelling report by WSP the report summary concluded;

An overheating analysis using thermal modelling techniques has been carried out on selected representative houses forming part of the proposed housing development.

The results show that based on the design criteria used that overheating will occur, however by improving the U value and G value of the windows and providing mechanical ventilation the internal room temperatures can be reduced to compliant levels, under 1% of the occupied hours per year. Continuous mechanical

ventilation with heat recovery (MVHR) systems in each house is the proposed installation to achieve this. The modelling has been carried out based on windows being closed due to the acoustic considerations and proximity to the railway line, however if the occupants choice to open the windows during summer daylight hours/peak summer time external temperatures the natural ventilation rate achieved would in practice further reduce internal temperatures and hence overheating.

On the basis of this further information I am satisfied that a satisfactory noise mitigation scheme and ventilation strategy could be achieved at the proposed development. However further details of the exact design specification for the mitigation scheme including MVHR system used and noise levels from that system, window design and U and G values, noise barrier design and construction materials will be required prior to development commencing. I therefore have no objection to the proposed development subject to the following conditions being attached to any approval;

1. Development shall not begin until a scheme for protecting the proposed dwellings from noise from the railway line adjacent to the proposed development has been submitted and approved in writing by the local planning authority. Any works which form part of the scheme approved by the local authority shall be completed before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority. The scheme shall include details of the noise barrier along the boundary with the railway, building insulation and alternative ventilation strategy for the proposed dwellings.

The scheme shall ensure that internal noise levels from rail traffic shall not exceed 35 dB LAeq,07:00-23:00 in any habitable room or 30 dB LAeq, 23:00-07:00 and 42 dB LAmax, 23:00-07:00 inside any bedroom and that noise levels from rail traffic in any external amenity area shall not exceed 55 dB LAeq, 1 hr within the first 5m from the building facade to which the amenity area relates. . All approved works in respect of each dwelling shall be completed before that dwelling is first occupied.

Reason: To protect the amenity of future occupiers of the proposed dwellings.

2. Development shall not begin until a ventilation and summer cooling scheme for the proposed dwellings has been submitted to and approved in writing by The Local

Planning Authority. The scheme shall enable appropriate internal ambient noise levels to be achieved whilst ventilation is provided at the minimum whole building rate as described in The Building Regulations Approved document F. The scheme shall also ensure that the thermal comfort criteria defined in the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide A (2006) is achieved with windows closed where required to meet the noise standards for rail noise as specified in the above condition.

Reason: To protect the amenity of future occupiers of the proposed dwellings.

Network Rail

With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met, especially with the close proximity to the development of an electrified railway.

However the Council will be aware of our aspiration to close the nearby level crossing at Jiggs lane as part of the overall project to close as many crossings as possible on the East Coast Main Line. The current proposal is to divert the path along the side of the railway, through or adjacent to the application site (this of course needs agreement with the applicant) and then to either utilise the existing Cambridge Road bridge or create an independent bridge structure alongside. The physical layout of the site as proposed would not preclude our aspiration for the footpath diversion or bridge link, though there would be a clear visual impact on the outlook of the dwellings were a bridge to be constructed. However this would be properly assessed as and when the deemed consent for the structure via the relevant TWA (or application for prior approval) for the new bridge were to be submitted.

In terms of the existing crossing at Jiggs lane, as there is no physical link from the development site to the north we are satisfied that there would be no direct impact on the level crossing as a result of the development. However we would wish to see a condition preventing such a link being created in the future if the crossing remains open. Should the developer be keen to promote such a link in the interim a contribution towards closure of the crossing would then be sought.

A further point relates to the existing NR access and provision that has been made in the proposed layout for a revised access. We are uncertain as to whether this would be able to accommodate the possible size of vehicle which may need access to the railway (the maximum size which would be an articulated trailer

delivering rail lengths to site) and a swept path analysis should be provided to illustrate the capability of the access.

Further comments are summarised and related to Railtrack operational needs -

Former BR Land covenants, Drainage, Fail Safe Use of Crane and Plant, Excavations/Earthworks, Security of mutual boundary, Fencing. Method Statement/Fail Safe Possessions, Demolition works, abnormal loads, encroachment, Landscaping and lighting, access to railway.

Determining Issues

The main considerations of the application are;

1. The principle of the development
2. The impact on the character and appearance of the area
3. Neighbouring amenity
4. Amenity of future occupants in terms of noise from the railway line
5. Highway considerations
6. Any other considerations

Considerations

1. The principle of the development

The application site is located within the Langford settlement boundary and thus Policy DM4 applies. Langford is defined as a Large Village under Policy CS1 of the Core Strategy where small scale new development will be permitted. The development comprises a small scale housing development of 22 dwellings comprising eighteen, two and three bedroom dwellings and four, two bedroom flats. The development proposal therefore complies with Policy DM4.

Policy CS7 requires 35% of new development be Affordable Housing. This scheme would provide 100 % affordable across the 22 dwellings proposed with a mix of shared ownership properties and affordable rent.

The application is submitted in conjunction with an application for 10 market dwellings at the Wrestlers, in Church Street, Langford. The Wrestlers site is a site allocated for development under Policy HA22 of the Site Allocations Development Plan Document, however the proposal is unable to provide the required level of affordable housing as set out by the Site Allocation policy due to viability issues. Therefore the development's contribution will be provided for within the Cambridge Road site. The market housing at The Wrestlers will also subsidise the construction of the affordable homes development. The number of affordable homes to be provided by both developments is therefore well above

the number homes required by the Councils policies and requirements.

In terms of the principle of the development, the proposal is within the Settlement Envelope and will provide much needed Affordable Housing provision, therefore the proposal is considered to comply with Policy CS7 and Policy DM4 of the Core Strategy and Development Management Policies Document (2009).

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

The site is long and narrow and runs parallel to the railway line. The constraints of the site shape, and the need to mitigate noise from the railway line, dictates the layout of the dwellings, internal access road and parking spaces and landscaping.

The four flats are to be located to the front of the site with a dual aspect facing onto Cambridge Road and into the site. The building would be two storeys in height and would appear as a semi-detached dwelling linked by the communal stairwell. The flats would have communal bin storage and cycle storage areas and are compliant with the Design Guide criteria for internal space standards being between 60.2 sqm and 68 sq m in size. For a 2 bed, 2 person unit, the Design Guide suggests minimum internal floor area of 61. sq m. The proposal is therefore considered acceptable in this respect. Each flat is provided with two parking spaces within a shared parking area to the rear.

Within the site the dwellings are designed as terraced properties across five blocks of three and four dwellings. The properties would have private amenity space to the rear, front gardens and parking spaces either to the frontage of the dwellings or with a shared parking courtyard. The front elevations are designed to have a street facing frontage with the end terrace units having a dual aspect front elevation thus appearing as a corner property. The external appearance of the dwellings has been revised so that the elevations have gabled bay window projections to the front and open porches to provide interest within the street scene. There would be a mix of render and brickwork for the external finishes.

While the site is located on the edge of the village, it is screened from the open countryside by the railway line and its overhead cables. A 2.5m acoustic earth bund is proposed along the boundary of the site with the railway line, together with extensive landscaping. The western boundary of the site adjoins the existing residential development in Langford.

With an extensive landscaping scheme, the proposal is considered to be acceptable with regard to the impact upon the character and appearance of the area and therefore compliant with Policy DM3 of the Core Strategy and Development Management Policies Document.

3. Neighbouring amenity

The western boundary of the application site adjoins existing residential properties. Plot 5 would be located adjacent to No.91 Cambridge Road, set

back from its rear elevation with the gable end facing the rear garden. There are to be no first floor windows in the flank wall of Plot 5 which would overlook No. 91. A ground floor kitchen window would be screened by 1.8m fencing. There would be some overbearing impact from the side wall of Plot 5, however it is sited at approximately 5-6m from No 91 and located to the east, therefore this impact is not considered to be significant. The proposal is not considered to result in an adverse loss of amenity to this neighbouring property.

83a Cambridge Road and Meadow View are sited at approximately 24m from the boundary with the application site, and around 35m from the rear elevations of Plots 8, 9 and 10. Given this distance, the proposal is not considered to result in any adverse impact on the amenities of these properties.

Four Leaf Clover is a detached chalet bungalow located close to the boundary with the site (around 8m). Plots 14 and 15 would be sited closest to this neighbouring property together with the shared parking forecourt for plots 12 - 17. The side elevations of the new properties are off set from the rear elevation of Four Leaf Clover and while there would be some overlooking at an oblique angle, it is not considered to be to an unacceptable degree. There are two first windows in the flank elevations of Plots 14 and 15 which face directly onto Four Leaf Clover. These windows serve a bathroom and landing and are proposed to be obscure glazing. Given the separation distance, there would be no loss of light or overbearing impact and no windows would significantly overlook this neighbouring dwelling.

No 83g Cambridge Road is located towards the far rear of the application site. There would be some overlooking towards the front elevation of this property from Plot 15, however this is not considered to be so significant that it would warrant a refusal. The front elevation of a property is generally within the public domain, therefore an element of privacy loss will always exist. Plots 19 -22 would be located to the side of No 83g, but would be sited at approximately 15m from the adjoining property. It is noted that there are a number of mature trees within the garden of 83g which will act as a screen between the existing and the proposed dwellings. Nevertheless the proposal is not considered to have a significant impact on the amenities of this neighbouring property.

No other neighbouring dwelling would be affected by the proposal.

The proposal is considered to comply with Policy DM3 of the Core Strategy and Development Management Policies Document.

4. Amenity of future occupants in terms of noise from the railway line

The application site is located immediately adjacent to the East Coast Main Line. The future occupiers of the dwellings will therefore be exposed to noise and disturbance from trains. In order to mitigate the impact from the railway, a 2.5m acoustic bund is proposed along the length of the development together with acoustic fencing and extensive landscaping and the dwellings have been designed so that noise from the railway line can be improved to a satisfactory level.

While the noise attenuation barriers would go some way towards reducing the noise impact concerns were raised regarding night time noise levels, especially when sleeping in the summer months.

The applicant has proposed a mechanical ventilation system for the dwellings which allows internal ventilation without the need to open windows. The system also removed the requirement for trickle vents in the windows of habitable rooms that are significantly affected by the railway noise which improves overall facade insulation performance resulting in lower predicted L_{Amax} levels with windows closed at night.

The applicant has provided additional information at the request of Public Protection Officers and following receipt of the additional information, they have commented that a satisfactory noise mitigation scheme and ventilation strategy can be achieved. However conditions are recommended which require details of the exact specification of the mitigation scheme.

Overall it is considered that provided the noise mitigation scheme is implemented in accordance with the details submitted by condition, the proposal would not result in unsatisfactory living accommodation for future occupants.

5. Highway considerations

The existing access to the former goods yard is to be upgraded to serve the development. There is no fundamental objection to the access from Highways Officers, however a number of conditions are recommended particularly for the widening of the access at the junction with Cambridge Road.

Within the site there are some concerns, as noted above by the Highways Officer, relating to the works that will fall within the extent of the internal roadway which is to be adopted. However these issues can be dealt with by conditions. Parking has been provided on the basis of 2 spaces per dwelling, a level which accords with the Design Guide (Revised 2014). Six visitor parking spaces are also provided.

Subject to the recommended conditions, the proposal is considered to be acceptable in terms of the impact upon highway safety.

6. Any other considerations

Network Rail

Network Rail have commented that certain species of trees are unable to be planted near to the railway line. They would also require an access point to the line for maintenance purposes. The applicant is aware of these issues and is happy for landscaping to be dealt with by a condition.

Network Rail are currently negotiating closing the bridleway crossing to the north of the site known as Jiggs Lane. This would result in the diversion of the existing bridleway that crosses the railway line to the north of the site to a north-south

direction running through the application site. The bridleway would exit the site at the access point with Cambridge Road and allow users to cross the existing bridge in Cambridge Road. To facilitate the bridleway, Network Rail's programme includes a new 2m footpath along Cambridge Road and up to the bridge and a footbridge across the tracks. The diversion of the bridleway through the application site will result in better connectivity for users of the bridleway and a safer route across the railway line.

Contamination

Given the former use of the site, there is potential for land contamination. However this does not result in an objection from Public Protection. The site should be investigated for contaminants prior to any works commencing.

Planning Obligations

The site is 100% affordable with no market housing. Due to the economic constraints of the site together with the required works for noise mitigation measures, the proposal would not be viable and therefore not deliverable, if planning obligations were sought. The application is submitted in conjunction with the application for proposed development at The Wrestlers in Langford, which will subsidise the construction of the affordable housing scheme. Under the circumstances, it is not considered reasonable to seek contributions towards local infrastructure requirements.

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.

7 Conclusion

The proposed residential development is within the Settlement Envelope for Langford and is therefore acceptable in principle. The development for 22 Affordable Housing Units would also comply with Policy CS7 of the Core Strategy and Development Management Policies Document. The proposal is also considered to be acceptable with regard to the impact on the character and appearance of the area, neighbouring amenity, amenity of future occupants and highway safety. The proposal is therefore considered to be acceptable and in conformity with Policies DM4, DM3 and CS7 of the Core Strategy and Development Management Policies Document (2007) and Central Bedfordshire Council Design Guide (Revised March 2014).

Recommendation

That planning permission be granted subject to the expiry of the revised plan consultation period.

RECOMMENDED CONDITIONS / REASONS

- 1 The works shall begin not later than three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: To control the appearance of the building in the interests of the visual amenities of the locality in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 3 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 4 **No development shall take place until a detailed landscaping scheme to include all hard and soft landscaping, boundary treatments, external lighting, minor equipment and signage, and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

Reason: To ensure an acceptable standard of landscaping in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 5 **No development shall commence until a scheme for protecting the proposed dwellings from noise from the railway line adjacent to the proposed development has been submitted and approved in writing by the local planning authority. Any works which form part of the scheme approved by the local authority shall be completed before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority. The scheme shall include details of the noise barrier along the boundary with the railway, building insulation and alternative ventilation strategy for the proposed dwellings.**

The scheme shall ensure that internal noise levels from rail traffic shall not exceed 35 dB LAeq,07:00-23:00 in any habitable room or 30 dB LAeq, 23:00-07:00 and 42 dB LAm_{ax}, 23:00-07:00 inside any bedroom and that noise levels from rail traffic in any external amenity area shall not exceed 55 dB LAeq, 1 hr within the first 5m from the building facade to which the amenity area relates. All approved works in respect of each dwelling shall be completed before that dwelling is first occupied.

Reason: To protect the amenity of future occupiers of the proposed dwellings in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 6 **Development shall not begin until a ventilation and summer cooling scheme for the proposed dwellings has been submitted to and approved in writing by The Local Planning Authority. The scheme shall enable appropriate internal ambient noise levels to be achieved whilst ventilation is provided at the minimum whole building rate as described in The Building Regulations Approved document F. The scheme shall also ensure that the thermal comfort criteria defined in the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide A (2006) is achieved with windows closed where required to meet the noise standards for rail noise as specified in the above condition.**

Reason: To protect the amenity of future occupiers of the proposed dwellings in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 7 **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 previously submitted April 2014 BRD ST Consult Site Investigation Report, a Phase 3 remediation scheme

with an explanation measures to be taken to mitigate any risks to human health, groundwater and the wider environment.

Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 8 **No development shall commence at the site before details of how the development will achieve 10% or more of its own energy requirements through on-site or near-site renewable or low carbon technology energy generation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: In the interest of sustainability in accordance with Policy DM1 and DM2 of the Core Strategy and Development Management Policies Document (2009)

- 9 Before the internal site access are first brought into use, a triangular vision splay shall be provided on each side of the new access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the highway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the accesses safe and convenient for the traffic which is likely to use them in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 10 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43.0m measured from the centre line of the proposed

access along the line of the channel of the public highway to the west and 43.0m measured from the centre line of the proposed access to the centre line of Cambridge Road to the east. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 11 No dwelling shall be occupied until a 2.0m wide footway fronting Cambridge Road has been constructed in accordance with Plan number 1862-PL-102 rev C. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 12 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

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

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

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

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

in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 15 The turning space for vehicles illustrated on the approved drawing no. SD213362/SK5 Rev P1 shall be constructed before the development is first brought into use and retained thereafter.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 16 **No development shall commence until a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and 2 short stay spaces per unit, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose. (See Notes to the Applicant)**

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport In accordance with the Core Strategy and Development Management Policies Document (2009)

- 17 Details of a refuse collection point located outside of the public highway shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The scheme shall be fully implemented prior to occupation of any dwelling and shall be retained thereafter.

Reason: In the interest of amenity and in order to minimise danger, obstruction and inconvenience to users of the highway and the premises in accordance with the Core Strategy and Development Management Policies Document (2009)

- 18 **No development shall commence 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, a method statement of preventing site debris from being deposited on the public highway, 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, details of escorts for abnormal loads, temporary removal and replacement of highway infrastructure and street furniture, the reinstatement of any signs, verges or other items displaced by construction traffic, construction traffic access to the site and construction traffic parking and details of the amount of traffic moments/earth and size of vehicle required for the construction of the bund. 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 in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 19 Notwithstanding the details shown parking bay no. 3(2) shall measure 2.5m x 5.0m and have a 6.0m forecourt in front of it. Parking bays 18(2), 19(2) and 20(2) shall measure 2.5m x 6.0m each.

Reason: For the avoidance of doubt and for ease of vehicle movement and in accordance with the Core Strategy and Development Management Policies Document (2009)

- 20 Notwithstanding the details shown a visibility splay shall be provided at the south side of the junction of the parking bays of 7(1) and 7(2) with the public highway before the building is occupied. The minimum dimensions to provide the required splay line shall be 2.0m measured along the centre line of the proposed access from its junction with the channel of the public highway and 17.0m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 21 Notwithstanding the details shown and before development commences details of; the speed table inclusive of the extent of the adoptable highway; the turning area for a refuse vehicle within the parking forecourt inclusive of a 0.5m service strip; the demarcation of the visitor parking spaces; and the demarcation/keep clear hatching/signage of the turning area in front of plots 20 and 21 shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the speed table, service margin, turning area and demarcation of the visitor parking bays and turning area have been constructed in accordance with the

approved details.

Reason: To provide a safe and adequate adoptable highway with turning provision and adequate on site visitor parking provision in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 22 Notwithstanding the details shown details of a 17.0m forward visibility curve, on the east side of the internal access road, in the vicinity of the frontage of plot, shall be submitted to and approved in writing by the local planning authority and the development shall not be brought into use until the forward visibility curve has been constructed in accordance with the approved details and shall thereafter be kept free from all obstructions.

Reason: In the interests of road safety and in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 23 Development shall not begin until the detailed plans and sections of the proposed road(s), including gradients and method of surface water disposal have been approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.

Reason: To ensure that the proposed roadworks are constructed to an adequate standard and in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 24 Notwithstanding the details shown development shall not begin until details of the junction of the proposed vehicular access with the highway and tracking diagrams for a refuse size vehicle leaving the site in an easterly direction without crossing the centre line of Cambridge Road, shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the junction has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 25 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Sound Solution Noise and Vibration Assessment 18180 R3, Sound Solution Continuation Assessment (Noise) 21032 R2, Highway Design Report D-213362 Rev A, Site Investigation Report JN0589, 1862-

PL-01 rev A, 1862-PL-102 REV C, 1862-PL-103 REV B, 1862-PL-104 REV B, 1862-PL-105 REV B, 1862-PL-106 REV B, 1862-PL-107-REV D, 1862-PL-108 REV D, 1862-PL-109 REV D, 1862-PL-110 REV B, D213362/01 P4, D213362/08/P5, D213362/09/P4, D213362/10/P4, D213362/SK1/P4, D213362/SK2/P4, D213362/SK3/P4, D213362/SK5/P1, 46652/1, 14/03 REV, PLANTING LIST REV 2.

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

Notes to Applicant

1. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.

The applicant is advised that in order to comply with the highway conditions of 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 no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by

delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.

The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

The applicant is advised that no works associated with the CTMP 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 contact 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 the Highways Act to be implemented.

2. 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.
3. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.
4. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoil's that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also 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.

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

Planning permission is recommended. 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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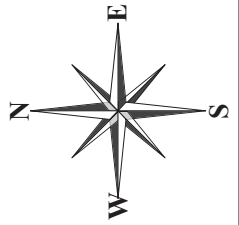


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Date: 24:February:2015

Map Sheet No

Scale: 1:1250



Application No. CB/14/04634/FULL

Land to the rear of The Wrestlers, 126 Church Street, Langford,
Biggleswade, SG18 9NX

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Item No. 7

| | |
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| APPLICATION NUMBER | CB/14/04634/FULL |
| LOCATION | Land to the rear of The Wrestlers, 126 Church Street, Langford, Biggleswade, SG18 9NX |
| PROPOSAL | Erection of 10 no. dwellings with access, parking, associated landscaping and public open space |
| PARISH | Langford |
| WARD | Stotfold & Langford |
| WARD COUNCILLORS | Cllrs Clarke, Saunders & Saunders |
| CASE OFFICER | Samantha Boyd |
| DATE REGISTERED | 26 November 2014 |
| EXPIRY DATE | 25 February 2015 |
| APPLICANT | Rowan Homes (NHH) Limited |
| AGENT | Beacon Planning Ltd |
| REASON FOR COMMITTEE TO DETERMINE | Major Development and Departure from Policy HA22 |
| RECOMMENDED DECISION | That Planning Permission be granted subject to the expiry of the advertisement in the local press and the completion of the S106 Agreement securing a financial contribution to the Parish Council for the provision of a MUGA and the transfer of the public open space land to the Parish Council |

Reason for Recommendation

The proposal would not fully comply with the terms of Policy HA22, however it is felt that there would be community benefits from the proposal in terms of the MUGA contribution and the area of land to be transferred as public open space in perpetuity and the off site provision for Affordable Housing at the Cambridge Road site. The applicant has demonstrated that the site cannot meet the terms of the policy in full and remain a viable scheme. Given the benefits to the community, it is considered that the proposal is acceptable despite the departure from Policy HA22.

The proposal would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its size, design and location, is in conformity with Policy DM3 of the Core Strategy and Development Management Policies, November 2009; and The National Planning Policy Framework. It is further in conformity with the Supplementary Planning Guidance: Design in Central Bedfordshire: (Revised 2014)

Site Location:

The application site is located to the west of Church Street in Langford on an area of overgrown land to the rear of The Wrestlers Public House and the existing properties in Pound Close. The site adjoins the King George V Playing Field to the

north, the rear gardens of the dwellings in Pound Close to the east and the River Ivel to the west. To the south the site partly adjoins the Wrestlers and its gardens along with an area of overgrown scrub land to the south.

There is no existing vehicular access into the site, there is however an informal footpath running through the site from Church Street to the King George V Playing Field. The site itself is overgrown with hedgerows and mature trees along the boundaries.

The surrounding area is generally residential comprising a mixture of detached, semi-detached and older style terraced housing. Pound Close immediately adjacent to the site comprises a small cul de sac of six large detached modern dwellings.

The site is located partly outside the settlement envelope however Policy HA22 of the Site Allocations DPD allocates part of the site for housing.

The Application:

Planning permission is sought for the erection of 10 dwellings to be located on the eastern section of the 1.4ha site and within the 0.59ha of the housing allocation designated by Policy HA22.

The western section of the application will comprise an area of public open space which will be secured as part of this planning application. Of the 10 dwellings six would be located on the area of land immediately to the rear of the Wrestlers Public House and the remaining four located to the rear of the existing dwellings in Pound Close all falling within the red line of the housing allocation. A new access road off Church Street is to be formed that would serve the development and provide turning areas. The proposal would also include the upgrading of the informal footpath to the King George V Playing Field.

The application also proposes the addition of a mini roundabout in Church Street close to the existing mini roundabout at the junction with Garfield forming a double mini roundabout layout. This approach was recommended by the Highways Officer. The application also proposes a financial contribution towards the provision of a Multi Use Games Area in a location and to a specification preferred by Langford Parish Council. This would be subject to a separate planning application at a later date. The area of land to the west of the site, which lies outside of the site allocation boundary, is to remain undeveloped and retained as public open space following transfer of the land to the Parish Council.

The application will be subject to a Section 106 Agreement ensuring that the public open space and the contribution towards the MUGA is delivered.

Also relevant in the consideration of this application is planning application CB/14/04276/Full at the Former Goods Yard in Cambridge Road Langford for the erection of 22 Affordable Housing Units. The applications are submitted jointly by the applicants so that the Wrestlers site can provide off site contributions to affordable housing and subsidise the construction of the 22 affordable units.

RELEVANT POLICIES:

National Planning Policy Framework

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy
CS2 Developer Contributions
CS3 Healthy and Sustainable Communities
CS4 Linking Communities - Accessibility and Transport
CS5 Providing Homes
CS7 Affordable Housing
CS14 and DM3 High Quality Development
DM4 Development within and Beyond Settlement Envelopes
DM10 Housing Mix
CS18 and DM15 Biodiversity

Central Bedfordshire Site Allocations Development Plan Document

Policy HA22 Land to the rear of the Wrestlers Public House Langford

Central Bedfordshire Council's Emerging Development Strategy 2014

Policy 38 Within and beyond settlement boundaries
Policy 43 High quality development
Policy 30 Housing Mix
Policy 34 Affordable homes
Policy 58 Landscape

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 was submitted to the Secretary of State on 24th October

Supplementary Planning Guidance

Design in Central Bedfordshire: A Guide for Development (Revised 2014)
Planning Obligations Strategy (2008)
Local Transport Plan: Parking Strategy

Planning History

CB/13/00441/Full Erection of 12 dwellings with access, parking, associated landscaping and public open space. Refused 6 November 2013

Representations: (Parish & Neighbours)

Langford Parish Council Langford Parish Council are supportive of this application in conjunction with application CB/14/04276. We acknowledge the difficult funding arrangements but as the Parish Council has been instrumental in bringing this to

conclusion would request formally that we are involved in the resulting S106 discussions and confirmation of this requested would be appreciated.

Neighbours No comments have been received.

Site notice displayed - 02/02/15

Application advertised in local press - 05/12/14 - re advertised on 27/02/15 (expires 21/3)

Consultations/Publicity responses

Archaeology

The proposed development is located within the core of the medieval village of Church End, Langford (HER 17135 and 19481), this is a heritage asset with archaeological interest as defined by the *National Planning Policy Framework*.

On the advice of the Archaeology Team an archaeological field evaluation comprising a programme of trial trenching was undertaken in 2012 in order to provide information on the impact of an earlier planning application (CB/13/00441/FULL) on archaeological remains. A copy of the report (Foundation Archaeology May 2012) on the field evaluation forms part of the planning application. It should be noted, though, that the evaluation was restricted to the eastern part of the site defined by the red line in the Location Plan in the application. This is the part of the site allocated for housing under Policy HA22 of the *Site Allocations* document. It did not include the western part of the site which the application proposes as open or amenity space for community benefit destined to be handed over to the Parish Council. Although the report on the field evaluation is more than two years old it still provides sufficient and relevant on the archaeology of the application site to be able to assess the impact of the proposal on the heritage asset with archaeological interest.

Archaeological features and deposits were found in all the trial trenches opened up across the site. They represent a substantial settlement dating from the late Saxon and early medieval periods (10th to late 12th - early 13th century). The quality of the pottery found in the evaluation indicates that the archaeological remains are well preserved and one of the pits contained a waterlogged deposit suggesting high potential for the preservation of organic remains. A burnt deposit that produced metal slag suggests that industrial activity was taking place within the settlement. A small quantity of Roman material was found in the evaluation but this

probably does not represent evidence of occupation, rather the presence of Roman settlement somewhere in the vicinity of the application site. A number of Mesolithic flint artefacts were recovered from the evaluation. Although no contemporary features were identified, their fresh condition indicates that they were found close to their original place deposition. The site is located close to a river, a characteristic location for Mesolithic sites, therefore, it is likely that the flint artefacts represent a Mesolithic occupation or activity site.

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). Mesolithic sites are very rare in Bedfordshire, regionally and nationally, developing a basic understanding of the character and context of Mesolithic occupation has been identified as important local and regional research topics (Austin 2000, 6; Oake 2007, 9 and Medlycott, 2011, 7-8). Therefore, the archaeological remains the proposed development site contains and the heritage assets with archaeological interest they represent are of local and regional significance.

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* (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 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; and will take the form of an open area excavation. The scheme of works will also the post-excavation analysis of any archive material generated and the publication of a report on the works.

The trial trenching was done in order to provide information on archaeology in order to assess the impact of the proposed development on archaeological remains in accordance with paragraph 128 of the NPPF. The trenching does not represent the investigation to mitigate the impact of the development on archaeological remains by recording heritage assets that will be lost in order to advance understanding of the significance of the heritage asset with archaeological interest (NPPF paragraph 141). This can only be achieved by open area excavation

It would be possible to restrict the open area excavation to exclude that part of the site that will be dedicated to public open space and concentrate on the area that will be developed for housing. Normally we would do this through defining the area for investigation in the submitted Written Scheme of Investigation. However, it would be possible to reword the condition to be more specific

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

Tree and Landscape

Existing land is primarily rough grassland and scrub with an area of land on the west of the site and alongside the River Ivel providing the majority of interest regarding existing treescape along with a mature Lime and Horse Chestnut located on the north edge of the site.

Supplied with the application is a Tree Survey and Arboricultural Impact Assessment which would seem to be accurate with regards to the condition of trees and impact on them.

Of prime interest will be the retention of the area of trees alongside the River Ivel which would appear on indicative layout plans to be away from any development and should with the erection of suitable fencing detail be unaffected by the proposed development. It seems that this area is proposed for an amenity grass area and as such bearing in mind its potential for ecological enhancement all additional landscape detail or requirements should bear this in mind and be in consultation with Ecological Officers comments.

T19 Horse Chestnut and T20 Lime both trees of good quality and located just outside the site should be unaffected by the proposals, not being close enough to development site to be influenced.

Additional landscaping and boundary treatment details will be required to include species, sizes and densities of new planting.

Public Protection
(contamination)

Thank you for this consultation. I have no objection or condition to impose but please attach the following informative to any permission:

As the site is of long historic use there may be unexpected materials or structures in the ground. It is the responsibility of the Applicant to ensure safe and secure conditions, so any indications of potential contamination problems should be forwarded to the Contaminated Land Officer, Andre Douglas, for advice, on 0300 300 4004 or via andre.douglas@centralbedfordshire.gov.uk.

Strategic Officer Landscape

The land to be developed contains a significant belt of riverside trees which are an important feature within the Ivel Valley character area. I have no objection to the development but I was surprised that the Application did not contain an outline landscape plan for the whole of the site. It is not sufficient to just to state that the "rest of the site will be left as grassland and scrubland".

As a Condition, we need to secure a detailed landscape planting and management plan.

I would like the planting to strengthen landscape character - even the "low level planting " proposed for the entrance should aim for a rural quality rather than suburban shrubbery .

Tree planting should also reinforce the riverside setting, with lime , alder and birch being appropriate species. Informal groups of trees are required to the west of the access to mitigate views of the development.

The undeveloped area needs to be zoned to create amenity space for the development but also ensure that a substantial part is managed as a riverside nature reserve. A management plan needs to be prepared which includes proposals for the long term management of the riverside trees , to include coppicing and pollarding and some

underplanting with native shrubs. The grassland needs to be mown to increase variation within the sward. This work would need to be costed and funded by the development.

Safety may require fencing and this would preferably be a rural style post and rail - although it would be preferable to have the landscaped area without physical or visual division.

Access - the provision of 2m wide pathways seems excessive for housing at this scale, even though it leads to the playing fields. The right angled corner bend is a poor detail which should be revised. A gateway feature needs to be designed to access the playing fields - the path must not just "stop" at the boundary !

Although currently undermanaged, this site makes an important contribution to the Ivel valley landscape and GI corridor and so it is very important that sufficient resources are allocated to new planting and management of the existing features.

I would be happy to discuss landscape detail with the Applicant.

Environment Agency

The Flood Risk Assessment (FRA) has identified that the site is located within the fluvial Flood Zone 1 (lowest probability of flooding) for the river Ivel. Therefore, we consider that the development is appropriate in this location.

We do have some concerns with the proposed layout. It appears (the submitted documents are not very clear) from the layout that a section of Ordinary watercourse will be run through the back gardens of plots 3-6. Ownership and future maintenance of that watercourse would be uncertain and should be determined prior to approval.

Although the watercourse is generally dry under normal circumstances, it is likely it provides an important flood conveyance function during storm events.

We do not support the culverting of any watercourse unless absolutely necessary due to the ecological and flood risk impacts. As this is a Ordinary watercourse we would recommend that either the local Internal Drainage Board (IDB) or Local Lead Flood Authority (LLFA) are consulted on this matter.

We are also concerned over the use of soakaways at this location. The assumed geology would support the use of infiltration techniques. However, due to its proximity to the River Ivel, ground water levels may be close to the surface. This would reduce the capacity of any soakaways constructed onsite. This should be investigated further. There should be sufficient space onsite to attenuate the surface water prior to infiltration/discharge. Therefore, we recommend the following condition:

CONDITION

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 years critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason

To prevent the increased risk of flooding, both on and off site.

Anglian Water -
comments from previous
application.

No assets owned by Anglian Water within the development site boundary.

Wastewater Treatment - foul drainage is within the catchment of Poppyhill Sewage Treatment Works which at present has capacity for these flows.

Foul Sewerage Network - the sewerage system at present has available capacity for these flows.

Surface Water Disposal - the surface water/flood risk assessment submitted with the application is not relevant to Anglian Water and therefore out of jurisdiction for comment.

Beds and River Ivel
Drainage Board

The Board notes the proposed method of storm water disposal is by way of soakaways. Also as this land is in the vicinity of the Main River the Environment Agency must be consulted.

Green Infrastructure

The area is in a priority GI corridor (the Ivel Valley) identified in the district GI plan. This area has a deficit of strategic accessible greenspace, and there are opportunities for habitat improvements and linkages throughout the floodplain, including wet grassland, wet woodland and management for specific species.

The parish GI plan for Langford identifies an aspiration to extend the paying field, and create a footpath south of the playing field. It also identifies the aspiration to install more benches along the riverside path.

In the light of the above GI plans, the inclusion of open space is welcomed, and this has the potential to deliver improvements identified in the parish GI plan. However, the open space needs to be designed carefully to complement the existing formal recreation area by providing more informal, semi-natural space that is designed in reference to the landscape character assessment, and delivers biodiversity opportunities (incorporating a range of habitats, including wet grassland, wet woodland and habitats for specific species such as otters, water voles and native crayfish). The site should be designed to promote access, including the provision of benches. Currently there is insufficient information to evaluate whether the open space will deliver multifunctional green infrastructure benefits.

The retained footpath between Church Street and the paying fields needs to be designed positively to relate to the development. It is not clear from the site layout how the path is designed. The CBC design guide (GI section) sets out information about designing paths into development areas. More information should be sought to ensure that the path design is in line with the design guide.

The flood risk strategy looks at SuDS in terms of rainwater harvesting, pervious pavements and soakaways. The consideration of SuDS is welcomed, but given the importance of surface water management, and the requirements in the site allocations policy, the level of consideration is insufficient. The applicant needs to show how surface water will be managed across the whole of the management train, and will deliver multiple benefits,

in line with the Sustainable Drainage SPD.

Ecology Officer

I note that this application is supported by an out of date ecological survey from January 2012, it is generally accepted that surveys remain valid for 2 yrs. As this survey is approaching 3 yrs. I would require an updated Phase 1 report to be submitted. Looking at the proposed layout I am satisfied that, should a protected species interest be identified on site, adequate mitigation measures can be put in place hence I am able to recommend that this survey is a planning condition. The applicant should note however that previously the site contained habitat suitable for reptiles and the updated survey may require additional assessment for reptiles which would also need to be undertaken **prior** to commencement.

The site lies adjacent to a CWS and contains semi-natural habitat, as the NPPF calls for development to deliver a net gain for biodiversity the applicant will need to demonstrate how this can be achieved. The proposed public open space to the west of the site should be managed for nature conservation and not be overly manicured but ensure a wide natural buffer to the River and CWS of at least 25m. The provision of a management plan should be conditioned, this would to show how the wildlife area will be cared for and if necessary detail associated costs which will be required to undertake these works. Additional enhancements such as the provision of an otter holt and reptile/ amphibian hibernacula in the wildlife area and integral bird / bat bricks at a ratio of 1 per dwelling should be secured through condition.

Public Protection (noise)

I am concerned that noise from the wrestlers public house may be detrimental to future occupiers of the proposed development. However, I note from the proposed layout that plot 1 will have only a staircase/landing window directly facing the public house and that a close boarded 1.8m timber fence is proposed along the boundary with the pub. I would advise that this fence is an acoustic fence to provide a noise barrier along this boundary. The wrestlers pub is also in close proximity to an existing house on Church Street and there is no history of noise complaints being made to the council.

I visited the site and noted that the pubs beer garden and car park area to the front of the premises and to the rear is what appears to be a private garden for the landlord which would be adjacent to the proposed residential

gardens.

I also note that plot 10 overlooks an existing play area. Public protection can receive complaints about noise from use of play areas. I have looked at the proposed layout and note that the elevation directly facing the play area has windows to the family room on the ground floor and two bathrooms on the second floor, again an acoustic barrier along the shared boundary would give additional protection to future occupants of the proposed plot 10.

Therefore I have no objection to the proposed development subject to the following condition being attached to any permission;

1. Before the development commences the applicant shall submit full details of the boundary fences between the proposed development and the Wrestlers Public House and the existing play area for approval in writing by the Local Planning Authority. The approved fences shall be completed before any of the dwellings are occupied and thereafter maintained in accordance with the approved details.

Reason: To protect the amenity of future occupiers of the development.

Highways

In a highway context consideration of this latest application does not differ from that submitted under reference CB/13/00441 and I can confirm that there is no fundamental highway objection to the proposed residential development.

The level of traffic generation from the development will not be significant and the junction arrangement onto Church Street is appropriate. Construction of the junction will be the subject of a Highways Act S278 agreement which will also consider and resolve the points raised in the Road Safety Audit submitted with the application.

The internal highways layout is compliant with latest guidance as is parking provision.

Determining Issues

The main considerations of the application are;

1. The principle of the development
2. The impact on the character and appearance of the area

3. The impact on neighbouring amenity
4. Highway considerations
5. Any other relevant issues

Considerations

1. The principle of the development

The application site is partly outside the Settlement Envelope for Langford. The Settlement Envelope boundary line crosses the site from the north west corner of the rear garden of No. 128 Church Road to the south west corner of the rear garden of 4 Pound Close. Only Plots 1 and 2 are sited within the Settlement Envelope however the site has been allocated for housing under Policy HA22 of the Site Allocations DPD. Policy HA22 reads as follows:

Site Area: 0.59 ha

Land to the rear of The Wrestlers Public House, Langford, as identified on the Proposals Map, is allocated for residential development providing a minimum of 9 dwellings, of which 4 units are affordable, amenity open space and a Multi Use Games Area (MUGA).

In addition to the general policy requirements in the Core Strategy and Development Management Policies DPD and appropriate contributions to infrastructure provision in the Planning Obligations SPD, development on this site will be subject to the following:

- Control of surface water drainage to ensure that there is no increase in run-off into surrounding water courses;
- Provision of adequate access from the King George V Memorial Playing Fields to the proposed Multi Use Games Area; and
- Retention of the informal footpath from Church Street to the King George V Memorial Playing Fields.

The principle of residential development is considered acceptable provided that the requirements of Policy HA22 are met.

History

In February 2013, an application was submitted for 12 dwellings, with associated access, parking and public open space. The application included the submission of a financial appraisal which was considered by a consultant acting on behalf of the Council. The appraisal identified that the allocation cannot be delivered when providing the MUGA, the public open space, affordable housing requirements and financial contributions towards local infrastructure given the predicted build costs, the highway works and the cost of evaluating on site archaeology. The appraisal was assessed on the basis that no affordable housing would be provided, the area of land to the east would be transferred as public open space and there would be a contribution of £60,000 to the Parish and concluded that the developer would receive a small profit from the development, however the profit margin would be well below the expected norm. At the Development Management Committee in November 2013, Members felt

the lack of Affordable Housing provision and contributions to be unacceptable and therefore the application was refused.

The current application similarly offers no Affordable Housing Units on the site or contributions towards local infrastructure due to the viability issues at the site.

On 28th November the government announced that due to the disproportionate burden on small scale developers, for sites of 10 units or less, tariff style contributions should not be sought. This announcement also advised that affordable housing units should not be sought on developments of 10 or less. Nevertheless the application is submitted in conjunction with a separate application for 22 Affordable Housing Units at the Former Goods Yard in Cambridge Road, Langford therefore providing an off site contribution towards affordable housing provision which would meet the requirements of Policy HA22.

In terms of the requirement for the provision of a Multi Use Games Area, previous discussions with the Parish Council have concluded that the application site is not an ideal location for the siting of a MUGA. This has resulted in the applicant's proposition of a financial contribution to the Parish Council towards the facility elsewhere.

A MUGA would be expected to conform to Sport England's standards of 37m by 18.5m with markings for tennis, netball and basket ball. In the discussions with the Parish Council it was revealed that the predicted siting of the MUGA, in the north west corner of the site, is not an appropriate location for the facility. Sport England advise that MUGA's are best located close to car parks, adjacent to roads for maintenance and emergency access, close to places of supervision but away from noise sensitive areas, and where there is good access for people with disabilities. Consequently the Parish Council are reviewing an alternative location for the MUGA within the village. However the Parish will need to secure relevant funding for the MUGA (some funding has already been made available through contributions from existing residential developments), therefore a financial contribution of £60,000 is proposed as part of this application to meet the existing shortfall. Once the future location of the MUGA has been decided by the Parish, it will be subject to separate planning permission and the suitability of the proposed site assessed during the application process.

Policy HA22 also requires the provision of amenity open space to the western section of the site covering 0.71 ha of land. This area of land will be transferred to the Parish Council for use by the community as part of the development proposals and the Parish shall take on responsibility for its future maintenance. The land should be transferred to the Parish in an acceptable state, i.e.: levelled and seeded following occupation of the first dwelling.

Turning to planning contributions towards local infrastructure, the applicant has submitted a viability assessment which has concluded that the requirements of the allocation policy cannot be delivered when providing the affordable housing requirements and the full contributions towards infrastructure provision in accordance with the Planning Obligation Strategy, when taking into account the contributions towards the MUGA, and the transfer of the land for public open space. Furthermore, the scheme is submitted jointly with the application for 22

affordable housing units in Langford by North Herts Homes and the viability statement explains how the sale of market housing on the Wrestlers site is necessary to subsidise the delivery of the affordable homes on the Cambridge Road site.

Paragraph 173 of the NPPF states that "the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened". The viability of a scheme is a material planning consideration where it has been proven in a financial appraisal that there would be a significant impact on the viability of the development.

Despite being unable to fully meet the terms of Policy HA22, when considering the overall the wider benefits available to the community, together with the off site provision of the 22 Affordable Units on the Cambridge Road site and bearing in mind the recent changes to government guidance on tariff based contributions, the benefits of the scheme are considered to outweigh the departure from Policy HA22 and therefore the proposal is considered acceptable.

2. The impact on the character and appearance of the area

The proposed dwellings are located in fairly close proximity to the existing dwellings in Pound Close and Church Street. Plots 1 -6 form the street scene when entering the development and Plots 7 -10 run along the rear garden boundaries of the properties in Pound Close. The properties are of a mixed design with varying roof heights and frontages garaging and on pot parking.

There is no dominant character to the surrounding area or within Langford in general. Pound Close comprises modern red brick detached dwellings and opposite there are smaller cottages of buff brick and render. Further north the new development at Garfield comprises modern red and yellow brick dwellings. The Wrestlers is a double fronted rendered building set back from Church Street by the parking area and further afield properties are mixed in scale and character. In this respect the general layout and design of the dwellings is considered to be acceptable and not out of character with the surroundings.

In terms of parking, the proposal complies with the Council's Design Guide in that there are three spaces for each property, although the suggested level is 4. The double garages are not to the 7m length requirements within the Design Guide and therefore cannot be counted as two car parking spaces, however half the garage can be used and half for storage therefore, in floor area terms, the garages are acceptable. Nevertheless in order to comply with the Design Guide, the garages should be extended to 7m in length and this can be secured by a condition.

Only Plots 1 and 2 do not have three parking spaces outside of their garages, therefore an additional space will need to be provided on the frontage of these plots or the garages extended. There is adequate space within the plot to make these amendments which can be secured by a condition.

The access road includes the provision of a footpath link to the King George V Playing Fields.

The provision of the amenity open space to the west of the site would retain the appearance of the openness in this part of the site which forms the edge of the built environment. The proposal is therefore considered to be acceptable and would not result in significant harm to the character of the area in accordance with Policy DM3 of the Core Strategy and Development Management Policies.

3. The impact on neighbouring amenity

The properties most affected by the development are No's 3 and 4 Pound Close and The Wrestlers Public House.

The side elevation of Plot 1 is sited approximately 24m from the rear elevation of The Wrestlers therefore given this distance no adverse impact is considered to occur. There is to be a first floor window in the side elevation of Plot 1 however the window serves a bathroom and is likely to be obscurely glazed reducing any potential overlooking. Furthermore the garden area to the rear of The Wrestlers is well covered by mature trees and is used for the public house as such there would be no impact on the residential amenities the occupants of the Wrestlers. In any case, a distance of 24m between properties is considered to be acceptable spacing.

Plots 7, 8, 9 and 10 are large detached dwellings located to the rear of No's 3 and 4 Pound Close. Due to the layout of Pound Close most of the rear garden space for these properties is located to the side of the dwellings and the rear elevations located close to the rear boundary facing towards the application site.

Given the design and siting of Plots 7, 8, 9 and 10 there will be some impact upon the amenities of 3 and 4 Pound Close. Rear windows will face one and other and first floor windows will overlook the gardens. However the spacing between the dwellings is considered to be acceptable, in that there would be between 19 and 20m back to back distances. While this falls short of the recommended 21m back to back distance, it is not by a significant amount and therefore is not considered to be unacceptable. Plots 7 and 8 are offset from the rear elevation of No 4 Pound Close. And plot 10 offset from the rear of No 3. Plot 9 however would be directly to the rear of No 3 with a separation distance of 20m. The boundary between the existing properties and the application site is well screened by existing trees and these are to be retained as part of the proposed development. This will retain an element of privacy for both the existing and new properties. It is noted that no objections to the development have been received from the occupants of 3 and 4 Pound Close.

In terms of the amenity of future occupiers of the dwellings, the dwellings are designed and positioned so that they would not result in adverse overlooking upon each other or result in a detrimental impact on light or outlook. The occupants of Plot 1 and 2 would be closest to the public house garden area where noise and disturbance may arise particularly given the live music events held at the pub. It has been recommended that details of the proposed fencing between the public house and Plot 1 be submitted as a condition so that an

acoustic barrier can be secured along this boundary to reduce any noise impact. The Public House is located in a residential area and shares its southern boundary with a dwellinghouse therefore noise from the pub does not appear to be an issue for the existing residents.

The proposal is considered acceptable in terms of the impact of the proposal on the existing neighbouring properties and the future occupants of the dwellings. The proposal therefore accords with Policy DM3 of the Core Strategy and Development Management Policies Document.

4. Highway considerations

The proposal requires the construction of a new access to serve the properties. A mini roundabout is proposed at the point of access onto Church Street immediately adjacent to the existing mini-roundabout serving as access to the residential estate known as Garfield. The access arrangements have been discussed with Highways Officers and the only safe option was to effectively mirror the junction at Garfield and combine the two into a double mini-roundabout configuration. That arrangement is now shown on the revised plans therefore no objection has been raised by Highways.

The Highways Officer has commented that the required level of parking has been provided, and while the garages are not 7m in depth as set out in the Design Guide, there is sufficient parking without counting the garages as parking spaces. Plot 1 and 2 will require either one additional space each or the garage will need to be extended to 7m in length for it to be counted as a space. Given the space within the plots, the additional parking spaces can be secured by a condition together with a condition requiring the garages to be extended to 7m in length, should planning permission be granted.

5. Other issues

Archaeology

An archaeological field evaluation comprising a programme of trial trenching was undertaken in 2012 in order to provide information on the impact of the proposal on archaeological remains. However it is noted that the evaluation was restricted to the eastern part of the site defined by the red line in the Location Plan in the application.

Archaeological features and deposits were found in all the trial trenches opened up across the site therefore the proposed housing development will have a negative and irreversible impact upon the archaeological remains found. However this does not present an over-riding constraint on the development providing that the applicant takes appropriate measures by the investigation and recording of any archaeological deposits which can be secured by a condition.

Drainage

There are no objections from the relevant drainage/flooding consultees however a condition should be attached relating to the methods of surface water run-off.

Contamination

The site is within 250m of a historic landfill site. There are no objections to the proposed subject to a condition requiring investigation into potential land contamination prior to any works commencing.

Ecology

The Phase 1 Habitat survey submitted with the application established that the site was a suitable habitat for reptiles. Therefore as the site is only to be partially developed, to prevent harm to the protected species the area to be developed should be made unsuitable prior to construction works taking place. This can be secured by a condition.

The ecology officer's recommendation to include a condition for the preparation of a management plan for future ecological enhancements to the area of open space are noted, however given that the land will be used by the general public and the exact nature of any future development is unknown, it is not considered necessary to expect a management plan for ecology at this stage. However a condition has been included to ensure that there is provision for future wildlife habitats including the provision of new hedgerows and other enhancement features.

Planning Obligation Strategy

The proposal would fall within the remit of the Planning Obligation Strategy which requires developer contributions towards new community facilities and infrastructure however the circumstances of this site have identified viability issues as outlined above therefore in this case no planning contributions will be sought.

A Section 106 agreement is currently in negotiations and will include a payment of £60,000 to the Parish Council for the provision of a MUGA upon commencement of the development and the transfer of the public open space. There will also be a clause within the agreement which ties the proposal to the application at the Former Goods Yard in Cambridge Road to ensure the Affordable Housing is delivered in conjunction with the Wrestlers development.

Human Rights issues/ Equality Act 2010

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

6. Conclusion

The proposal would not fully comply with the terms of Policy HA22, however it is felt that there would be community benefits from the proposal in terms of the MUGA contribution and the area of land to be transferred as public open space in perpetuity and the off site provision for Affordable Housing at the Cambridge Road site. The applicant has demonstrated that the site cannot meet the terms of the policy in full and remain a viable scheme. Given the benefits to the

community, it is considered that the proposal is acceptable despite the departure from Policy HA22.

The proposal would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its size, design and location, is in conformity with Policy DM3 of the Core Strategy and Development Management Policies, November 2009; and The National Planning Policy Framework. It is further in conformity with the Supplementary Planning Guidance: Design in Central Bedfordshire: (Revised 2014)

Recommendation

That Planning Permission be granted subject to the expiry of the advertisement in the local press and the completion of the S106 Agreement securing a financial contribution to the Parish Council for the provision of a MUGA and the transfer of the public open space land to the Parish Council.

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **No development shall commence until details of materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance therewith.**

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 3 **No development shall commence until details of surface water drainage for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run off generated up to and including the 100 years critical storm will not exceed the run off from the undeveloped site following corresponding rainfall event. The scheme shall be implemented in accordance with the approved details before the development is completed.**

Reason: To ensure that adequate surface water drainage is provided to prevent increased risk of flooding both on and off site.

- 4 **No development shall commence until details of the final ground and slab levels of the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas.

- 5 **No development shall take place until a written scheme of archaeological investigation for an open area excavation of the area identified on Plan CBC/01/Archaeology followed by 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 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.

- 6 **No development shall commence on site until the following has been submitted to and approved in writing by the Local Planning Authority:**

a) A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.

b) Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling.

c) Where shown to be necessary by the Phase 2 Desk Study, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.

Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any **permitted building** is occupied. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination 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.

Reason: To protect human health and the environment.

- 7 Development shall not commence until full details of both hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- all proposed boundary treatments, to include materials and dimensions;
- materials to be used for any hard surfacing across the site including access and roads;
- minor structures (e.g. furniture, play equipment, signs, etc);
- proposed and existing functional services above and below ground level;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 9 **No development shall commence until full details of mitigation, conservation and/or enhancement measures for (protected/locally important) species shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. These measures shall include:**

- **surveys at agreed periods during (season) by an agreed expert to determine the possible presence of particular protected species previously specified by the Local Planning Authority.**
- **details of appropriate mitigation measures and contingency plans should such a protected species be found to be present and either (i) preparing for breeding, (ii) in the process of breeding or (iii) rearing young;**
- **mechanisms to enhance identified existing wildlife habitats through the development process.**

- new hedgerows along the boundary of the public open space to encourage wildlife habitats.

The works shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure all impacts from development are taken into account and mitigated.

- 10 No development shall commence at the site before details of how the development will achieve 10% or more of its own energy requirements through on-site or near-site renewable or low carbon technology energy generation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: In the interest of sustainability.

- 11 No development shall commence until a Site Waste Management Plan has been submitted to and approved by the Local Planning Authority. Development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development.

- 12 No development shall commence until detailed plans showing one additional parking space each for both Plots 1 and 2 has been submitted to and agreed in writing by the Local Planning Authority. The additional space can be either on extended hardstanding to the plots frontage or by increasing the length of the garage to 7m. The development shall accord with the approved details and be implemented prior to the occupation of Plots 1 and 2.

Reason: To ensure adequate parking provision is provided in accordance with the Councils Design Guide (2014).

- 13 No development shall commence until revised plans showing the garages for Plots 7, 8, 9 and 10 extended to 7m in depth have been submitted to and agreed in writing by the Local Planning Authority. The development shall accord with the approved details and be implemented prior to the occupation of Plots 7, 8, 9 and 10.

Reason: To ensure adequate parking provision is provided in accordance with the Councils Design Guide (2014).

- 14 No development shall commence until specifications of the works to be undertaken on the area of land to the west of the site, prior to its use as public open space land, has been submitted to and agreed in writing by the Local Planning Authority. The works shall be implemented in accordance with a timescale to be agreed in writing with the Local

Planning Authority and in complete accordance with the approved specifications.

Reason: To safeguard the future use of the public open space and ensure that it is transferred to the Parish Council in an appropriate condition.

- 15 **No development shall commence until the detailed plans and sections of the proposed estate road and the mini roundabout, including method of surface water disposal have been approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.**

Reason: To ensure that the proposed roadworks are constructed to an adequate standard.

- 16 Before development begins, a scheme for the parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 17 Before first occupation of the approved development, the double mini-roundabout junction arrangement serving the development shall be completed in accordance with the approved in principle plan and constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction.

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience

- 18 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans,

numbers Location Plan, SC-01 rev C, SC-02, SC-03 rev B, SC-06 rev B, SC-04 rev A, SC-05 rev B, SC-07 rev B, SC-08 rev A, SC-09 rev B, SC-10, WRSTRP-SEPT14, Stage 1 Road Safety Audit J-D0950.00RSA1.0, Transport Statement J-D1736.00_R2, Flood Risk Assessment ENV/0104/12FRA, Archaeological Evaluation Report No. 800 May 2012, Construction Waste and Material Recycling Statement, Phase 1 Habitat Survey, BS5837 Tree Survey.

Reason: For the avoidance of doubt.

Notes to Applicant

1. The surface water drainage scheme should also include details of a site specific ground investigation report to determine the infiltration capacity of the underlying geology and the ground water level as well as details of how the scheme shall be maintained and managed after completion.
2. 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.
3. As the site is of long historic use there may be unexpected materials or structures in the ground. It is the responsibility of the Applicant to ensure safe and secure conditions, so any indications of potential contamination problems should be forwarded to the Contaminated Land Officer, Andre Douglas, for advice, on 0300 300 4004 or via andre.douglas@centralbedfordshire.gov.uk.
4. 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 at the junction onto Church Street. 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 the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Technology House, 239 Amphill Road, Bedford MK42 9BD.

The applicant is advised that if it is the intention to request the Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways

together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Highways Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford Bedfordshire SG17 5TQ. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010"

5. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.

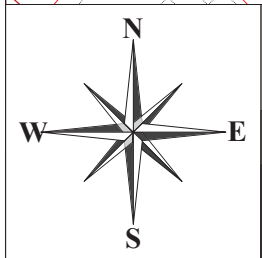
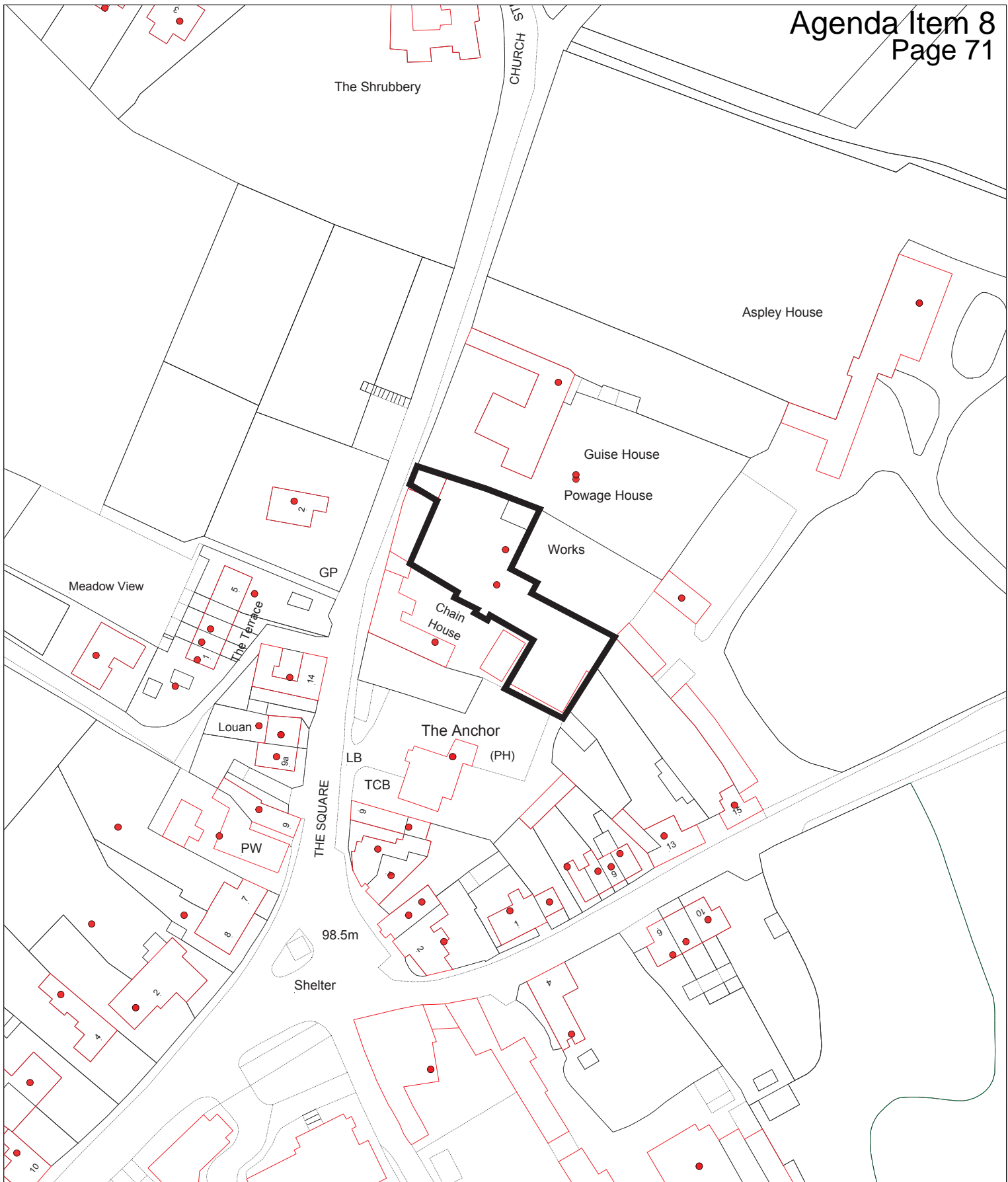
Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

The application is recommended for approval. 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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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 24:February:2015
Map Sheet No

Application No:
CB/15/00132/Full

Scale: 1:1250

Rear of Powage House, Church Street, Aspley Guise, MK17 8HE

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Item No. 08

| | |
|--|---|
| APPLICATION NUMBER | CB/15/00132/FULL |
| LOCATION | Rear Of, Powage House, Church Street, Aspley Guise, Milton Keynes, MK17 8HE |
| PROPOSAL | Demolition of existing warehouse to the rear of Powage House with the erection of two detached dwellings and associated car parking. |
| PARISH | Aspley Guise |
| WARD | Aspley & Woburn |
| WARD COUNCILLORS | Cllr Wells |
| CASE OFFICER | Annabel Robinson |
| DATE REGISTERED | 15 January 2015 |
| EXPIRY DATE | 12 March 2015 |
| APPLICANT | Abbeymill Homes Limited |
| AGENT | |
| REASON FOR COMMITTEE TO DETERMINE | Called in by Councillor Wells "Two levels of windows overlooking the bedroom and ground floor of the adjacent property, Chain House" |
| RECOMMENDED DECISION | Full Application - Approval |

Summary of Recommendation:

The planning application is recommended for approval, the design of the dwellings would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1, CS2, CS5, DM4, DM13, CS15. It would not have a significant impact upon the residential amenity of any adjacent properties, the significance or the setting of the adjacent Listed Buildings, or the Aspley Guise Conservation Area and would result in a new development suitable for the location. It is considered that the design is in accordance with the Central Bedfordshire Design Guide and the submitted Development Strategy and National Planning Policy Framework.

Site Location:

The site is located on the east side of Church Street 100m north of the village square in the centre of Aspley Guise within the Green Belt Infill boundary and in the Aspley Guise Conservation Area. The northern boundary of the site is shared with the Grade II* Listed 'Guise House' There are mature trees in the garden of 'Guise House' on the boundary and to the immediate south of the site is 'Chain House' which is Grade II listed. The remainder of this southern boundary is shared with The Anchor Public House car park. The east end of the site backs onto the end of the rear gardens of properties in Bedford Road.

It supports a large, two storey, non listed office building built up to the road frontage which is to be retained and to the rear of this was a single storey steel framed industrial warehouse building which was a former printing works building. Demolition has commenced on site and has been largely completed. The site levels at the rear of the site are at a lower level than the site frontage.

The Application:

This is a full application for the demolition of the former industrial warehouse building - sited to the rear of the frontage office building - and the erection of two detached dwellings together with associated drive access and on site parking. There has previously been an application for the demolition of the rear former printing works building under ref: CB/13/01860/CAC. A large proportion of the demolition has already taken place.

RELEVANT POLICIES:

National Policy

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies - North 2009

- DM3 Amenity
- DM6 Infill Development within the Green Belt Infill boundary
- CS14 High Quality Development
- CS15 Heritage
- DM13 Heritage in Development
- CS1 Development Strategy

Submitted Development Strategy for Central Bedfordshire 2014 (Submitted October 2014)

- Policy 43 High Quality Development
- Policy 45 The Historic Environment.
- Policy 37 Development within Green Belt Infill boundaries.

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

Supplementary Planning Guidance

Design in Central Bedfordshire A Guide for Development:

- Supp 5: The Historic Environment
- Supp 1: New Residential Development
- Supp 3: Town Centre and Infill Development

Aspley Guise Conservation Area document dated 19/03/2008

Planning History – relevant

Application: Planning
Validated: 17/10/2014
Status: Decided
Summary:
Description: Demolition of existing warehouse to the rear of Powage House with the erection of two detached dwellings and associated car parking.

Number: CB/14/03962/FULL
Type: Full Application
Date: 12/12/2014
Decision: Full Application - Granted

This application is subject to Judicial Review in respect of procedure

Application: Planning
Validated: 26/06/2013
Status: Decided
Summary:
Description: Demolish existing warehouse at rear of Powage House and erect 1 pair of semi detached 2 bedroom houses and 1 No3 bed detached house with parking

Number: CB/13/01859/FULL
Type: Full Application
Date: 21/08/2013
Decision: Full Application - Granted

Application: Planning
Validated: 26/06/2013
Status: Decided
Summary:
Description: Demolish existing warehouse at rear of Powage House and erect 1 pair of semi detached 2 bedroom houses and 1 No3 bed detached house with parking

Number: CB/13/01860/CA
Type: Conservation Area
Date: 21/08/2013
Decision: Conservation Area - Granted

Representations: (Parish & Neighbours)

Aspley Guise Parish Council No response received

Neighbours 3 objections received:

Guise House:

I am objecting to this application on the following grounds:-

- *Design and access*
- *Conservation area issues*
- *Sun lighting and daylighting within the development*
- *Privacy*

Design:

The plot is in the centre of Aspley Guise surrounded by two listed buildings and the Anchor pub, in a conservation area. On the 16th March 2014, The Sunday Times published a supplement entitled "101 Best Places to live in Britain.". These covered cities, towns and villages. Aspley

Guise was one of those select few and the only one in the county. What impressed the panel were the "traditional sleepy village" and the 30 listed buildings (which is one of the highest ratio to population in the country). The panel were also impressed by the traditional Anchor pub at the heart of the traditional village. Within the centre of Aspley Guise the buildings are either old or have been designed in a way to blend sympathetically with the historic environment. The previous building, now demolished was single storey and flat roofed in parts. It was of no great architectural merit but had the advantage it could only be seen from aerial photographs.

The Government document "Planning Practice Guidance" (<http://planningguidance.planningportal.gov.uk>) chapter 7 "Requiring good design" states that it is proper to seek to promote or reinforce local distinctiveness, to integrate the new development into the historic environment and be compatible with the existing townscape. They should also reflect the identity of local surroundings (and this is meant figuratively rather than promoting large expanses of glass). The proposed buildings will be the first in the centre of Aspley Guise to have glazed gables, round windows, triangular windows and glass balconies. They are not examples of innovative design - they are not dissimilar to stock designs found in large numbers in nearby towns - the only innovation is that they have not previously been allowed in this locale. A sympathetic design would be made of quality red brick, with rectangular windows with glazing bars and in wooden frames, black rainwater handling and a tiled or slated roof taking styling cues from the surroundings and blending in.

The building P2 will be visible from Church St along the entire stretch in front of the Anchor pub, right at the centre of the village and will be the dominant view from the beer garden at the rear of the pub. It will also be visible from Bedford road. It is adjacent to a grade II and a grade II listed buildings. The design and access statement states that adequate visibility splays exist on either side of the access thus ensuring safe egress onto the public highway. This is not the case. It is stated the boundary vegetation is to remain yet the developer has indicated they will seek to remove the trees along the boundary in due course. In the conclusion it states there are only minor alterations to the scheme from the previously approved application. This is clearly not the case. The new proposal is on a much bigger scale and too big for the site. Planning application CB/13/01860 shows a design sympathetic to the location is possible, allowing the site to be used for housing.*

Conservation area issues:

In the accompanying map the warehouse to the rear of Powage house is designated as building of local interest. It also states "To maintain the distinctive character of the Aspley Guise Conservation Area it will be necessary to: 1. Retain listed buildings and buildings of local interest." "Ensure that all new development is sympathetic to the settings of listed buildings and/or the character and appearance of the conservation area in terms of siting, scale, design, materials and detail." Unless there has been a re-appraisal of the conservation area or the strict rules under NATIONAL PLANNING POLICY FRAMEWORK (NPPF) with regard to HERITAGE ASSETS permission should not be granted for this application that includes the demolition of the warehouse. The plans have changed significantly since the information in the Albion Architecture heritage report for CB/13/01860. In particular the view depicted in image 9 will be dominated by the proposed building P2 Sunlighting and daylighting within the development The National Legislation, The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 documents the statutory requirement for the adequate provision of lighting to housing. This document refers to the British Standard (BS) 8206: Lighting for buildings, Part 2: 2008 Code of practice for daylighting. BRE . Report 209 'Site Layout planning for daylight and sunlight: A guide to good practice' is also be referred to by the statutory requirements. This must be considered in the planning process. The proposed development is in a small plot surrounded by walls, high trees and existing buildings and it needs to be established that the proposed buildings comply with national requirements on daylighting and sunlighting and, if not, amended to comply. Within these documents are given the 25 and 45 degree rule to decide whether a detailed report is needed. For each window of the lowest habitable room on any elevation you consider obstructions to light both in front of (25 degree rule) and perpendicular to (45 degree rule).

- In P1, south west elevation fails the 25 degree rule with respect to Chain House (30 degrees) and the 45 degree rule to Powage House (60 degrees).*
- In P1, north east elevation fails the 25 degree rule with respect to Guise House (55 degrees) and the 45 degree rule to Powage House (60 degrees)*
- In P2, north east elevation fails the 25 degree rule with respect to Guise House Boundary wall and trees (90 degrees).*
- In P2, north west elevation fails the 45 degree rule with*

respect to trees (80 degrees).

Therefore this requires BRE detailed calculations and a report produced by a qualified person and should cover the windows on each of the elevations above. Calculations should include :-

- Vertical sky component
- Daylight distribution / No sky line
- Average daylight factor (where BRE appendix F criteria apply)
- Annual Probable Sunlight hours

Suitable choice of scale of buildings, positioning of windows and location of the buildings within the site it is possible to achieve a design with suitable daylighting and sunlighting, as demonstrated by planning application CB/13/01860

Privacy

The north east elevation of P1 has windows to habitable rooms approximately 12.5m from the windows of habitable rooms in the south west facade of Guise House. This well below the guidelines on acceptability. These are shown on the plan as being below the "boundary wall height". However as the windows in Guise House are above the height of the wall and the sight lines from these windows will give full view. There is also on this elevation of oversized window of approximately 10 square metres. Although this is not a window onto a main habitable room, the size and close proximity (12.5m) means that it would result in a significant loss of privacy.

Suitable plans for developing the site and maintaining the privacy of both Chain House and Guise House can be achieved, as demonstrated by planning application CB/13/01860

Chain House:

I have tried to break down my objections into 2 clear areas. Design and privacy. Before I elaborate further I would like to mention as I have done on many occasions that I have no issue with the development of the plot for residential use. In fact in 2013 when the initial plans were applied for I made this clear and in fact supported the overall development not least because I felt the designs and plans were sensitive to their surroundings and did not feature a single overlooking aspect to Chain House.

PRIVACY

I note that the developers have moved the South-West elevation back slightly so that it is now 21 metres away

from Chain House. However I know that Budge Wells agrees with me that the development is overlooking our property and in such a way that it is overbearing and ruins the privacy that my property has enjoyed for many decades and indeed centuries. The South-West elevation of Plot 1 is my major concern; see below along with my comments...

*Plot 1 Bedroom 2 window
Plot 1 Master Bedroom window*

I remain to be convinced that no aspect of the balcony facing Chain House will be visible to the Master Bedroom and En-Suite. Large gabled windows facing directly towards Chain House Master Bedroom and En-Suite. The size, height and scale of these windows mean that this elevation will be significantly higher than the press and so will be overbearing on Chain House. In addition other aspects and elevations for Plot 1 seem to be more concerned with respecting privacy but sadly to the other new plot and not existing dwellings. In particular I would like to draw your attention to the South-East elevation for Plot 1... Note that this elevation is facing the other plot on the development but maintains privacy levels for Plot 2 but not for Chain House or Guise House. Common sense would suggest to me that a repositioning of the gabled windows away from the South-West elevation to the South-East elevation would be respectful to existing properties. The balcony and ground floor orientation could remain the same.

Aside from my particular concern regarding the South-West elevation, overall I feel that the plans have been created in such a way so as to respect the privacy of Plots 1 and 2 at the expense of the privacy of Chain House and Guise House.

DESIGN

The plot resides behind Powage House but major elements of Plot 2 will be visible from Church Street near the Anchor Public House and also houses on Bedford Road will be overlooked by both plots. In addition both houses are being built between a Grade 2 Listed Building (Chain House) and a Grade 2 Listed Building (Guise House) in the middle of a conservation area.*

Such a contemporary design with large gabled windows, stainless steel handrails on glassed balconies with little attempt to blend in to the surrounding area is at odds with other properties in the area. Again the previous plans that were approved in 2013 were respectful to the other properties in the area from a design perspective as well as

from a privacy perspective.

I find it concerning that such a design could set a precedent for further developments in the village that will conflict with the historical buildings in the village and detract from the appeal and beauty of the village as a whole.

OVERALL

I think that with a more respectful design approach and a rebalancing of the privacy issues for Chain House a plan can be created that I would be delighted to approve. Throughout the planning process I have made clear my understanding for the need to develop Powage Press. In fact we actively support the development of the plot, however these plans do not respect the privacy of Chain House at all.

As a result I have no hesitation in objecting to these plans in the strongest possible terms. I also understand that Budge Wells is still minded to call the matter in for a proper review by the planning committee. I sincerely hope that a better solution can be reached in due course.

13 Bedford Road:

Our garden and house back onto the plot and the larger of the two houses that are detailed on the plans are against our boundary. Our objection is based on the fact that the plans show balconies off the two bedrooms which will be side on to our boundary. Based on this any use of the balconies will mean the owner has an unobstructed view into our garden and house.

There is a further concern relating to the demolition activity which is well underway. Since the demolition of the building which was attached to our boundary wall there is significant damage that has been done to the top of the boundary wall. There was a bush growing out of the top of the wall from Powage House which has since been removed but this has left the wall with bricks missing and the top 5 rows of bricks of this 10 foot wall very loose. Our drive is on the other side of this wall and it is where we park our cars and have our bins located so we are up and down the drive regularly. I have two concerns one of our personal safety and the other is with regards to any potential damage to our cars. We have already found small cement pieces from the wall on our cars which has been caused by all large heavy diggers working so close to the boundary.

App Adv

No comments received

Consultations/Publicity responses

Highways Officer

This submission follows the pre-application scheme considered under reference CB/14/02753/PAPC. You will be aware from my response to that consultation that there is no overriding highways objection. "Despite the obvious limitations with visibility for and of vehicles emerging from the existing access, given the existing and previous use of the site, on balance, there is no fundamental highway objection to this proposal for two detached dwellings."

The submitted plan indicates adequate access and an appropriate provision of parking for both cycle and cars. Mention is also made of the provision of on-site storage and contractor parking during the construction period.

Archaeological Officer

The proposed development site lies within the historic core of the settlement of Aspley Guise (HER 16891), under the terms of the *National Planning Policy Framework* (NPPF) this is a heritage asset with archaeological interest.

Aspley is recorded in a Charter of AD 969 (the suffix "Guise" dates to after the de Gyse family acquired the manor in the middle of the 13th century) and at the time of the Domesday survey in 1086 AD it was assessed at 10 hides, with a suggested population of around 100 people; it, therefore, has origins in at least the Late Saxon period. The Saxon and medieval settlements appear to have been fairly compact; the latter focused upon the church of St Botolph's (HER 1007) and the moated manor (HER 10112) to the north of the application site. By the middle of the 13th century Aspley Guise had the right to a weekly market and a yearly fair, which would have been held around the crossroads at West Hill-Bedford Road and Church Street-Woburn Lane.

The application contains a *Heritage Asset Assessment* (Albion Archaeology 2013). This document was prepared for an earlier planning application (CB/13/01859/FULL), however, the information it presents is still relevant and sufficient to assess the impact of the proposed development on archaeology. It describes the archaeological and historic context and potential of the application site. The *Assessment* rightly identifies the site as being within the historic core of the settlement of Aspley Guise. There are very few finds of Saxon and medieval archaeological material from in and around Aspley Guise, but this reflects a lack of archaeological

research and fieldwork in the area rather than a real lack of surviving archaeological remains. It is suggested that the site has low to moderate potential to contain Saxon and medieval remains, partly on the basis of the lack of finds in the surrounding area. I do not agree with this assessment of potential. The site is located within the identified historic core of the historic settlement, archaeological investigations in similar locations in Bedfordshire have shown that archaeological deposits relating to the origins and development of settlements survive well. Therefore, in my opinion the site should be considered to have moderate to high potential for the Saxon and medieval periods. There is cartographic evidence for structures on the site during the post-medieval period, which suggests that there is potential for the site to contain archaeological remains of this period. The *Assessment* says that the site has low to moderate potential to contain post-medieval remains. Again I do not agree with this conclusion, on the basis of the evidence presented I think that the site has high potential for the post-medieval period.

In considering the impact of the proposed development the *Assessment* notes that eastern part of the site contains basements and that the present buildings on the site and possible machine footings will have had an impact on archaeological deposits, destroying or damaging them in places. However, it is also noted that it has been frequently demonstrated that archaeological deposits survive in such circumstances. This is likely to be the case at Powage House.

The site is within a heritage asset with archaeological interest and has the potential to contain archaeological deposits relating to the Saxon, medieval and post medieval origins and development of the settlement and possibly remains of earlier occupation. The investigation of rural Saxon, medieval and post-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; Edgeworth 2007, 121-123 and Medlycott 2011, 70).

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* (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 record and advance understanding of the archaeological 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.

Tree Officer

Having carefully examined both applications, and can see no significant difference in the building footprint layouts being proposed for either scheme.

It is also noted that the arboricultural reports and plans prepared by Steve Jowers Associates, namely the Arboricultural Survey and Assessment, Arboricultural Implications Assessment, Arboricultural Method Statement, Arboricultural Implications Assessment Plan, Arboricultural Survey and Assessment Plan and the Tree and Ground Protection Plan, and also the Arboricultural Method Statement submitted (by others) in respect of required demolition procedures, do not fully address the specific requirements of the original conditions imposed regarding CB/14/03962/FULL , so I recommend that my previous conditions must therefore still apply, except those relating to demolition, as these works have been undertaken. These are:-

Provision of a "No -Dig" driveway and parking area in vicinity of "off site" trees.

Prior to development full details of a "no- dig " driveway and parking area construction shall be submitted to the Local Planning Authority for approval. This construction shall be based on a cellular confinement system and shall be so constructed to avoid any changes to the soil levels, or cause any root severance of all "off-site" trees, located in the neighbouring property of Guise House.

REASON

To protect the rooting medium and rooting system of "off-site" trees located in the neighbouring property of Guise House, from the construction of new parking and vehicle access areas, in order to maintain their good health, anchorage, screening and amenity value.

Access Facilitation Pruning

Before development begins, a tree survey shall be undertaken by a qualified and competent arboriculturist, to include the identification of the pruning of overhanging "off-site" trees, located in the neighbouring property of Guise House, which is to be required to facilitate the development, and shall be submitted to the Local Planning Authority for approval. The survey shall only recommend the minimum access facilitation work required to accommodate the approved building works, and the work shall not exceed that required to facilitate development, with the emphasis on maintaining the natural shape and amenity value of the respective crowns. The survey recommendations shall be based on BS 3998 : 2010 "Tree Work Recommendations" and the approved recommendations shall only be carried out by qualified and competent tree surgeons, who have the ability to comply with the BS 3998 : 2010 British Standard.

REASON

To ensure the quality of approved work and to prevent any excessive and disfiguring pruning work that goes beyond that required to facilitate development, in the interests of maintaining the health and natural appearance of the "off-site" trees, located in the neighbouring property of Guise House.

Conservation Officer

Previous full planning permission has been granted under CB/2013/01859/FULL which was for the demolition of the existing warehouse at the rear of Powage House and the erection of 1 pair of 2 bedroom semi detached houses and 1 3 bedroom detached house with parking.

The principle of demolition and development has therefore been accepted. Previous conservation advice has been given. See below under PAPC 3216.

Pre application observations (PAPC 3216)

"The site is a very irregular shape and this combined with its size presents challenges in trying to achieve a replacement development that is of high quality and appropriate for this very sensitive site but is possible if carefully designed so as not to cause harm to the setting of two listed buildings and detract from the character of

the conservation area and maintain the present street frontage Powage House”.

That pre application advice recommended that the residential units be reduced from three to two dwellings thereby reducing the density of the site.

Observations on the submitted scheme

Impact on the character of the conservation area.

The character of Aspley Guise is made up of mixture of enclosed and open areas. The enclosed elements consist of building frontage which extend along the street together with high hedges and trees. The area around Powage House is made up of mixture of these different elements.

There are existing views of the print works from the car park of Anchor Inn and that of the Powage House looking along Church Street. Therefore distance views of rooftops is not alien to the character of the conservation area. The proposed development will be visible set amongst existing roofscapes as is Powage House, Chain House and among the existing tree canopy.

Impact on the setting of neighbouring listed buildings

The workshops were attached to Powage House, a former print works. The workshops covered almost the entire site bar the narrow strip at the south-east corner.

Guise House is immediately adjacent and beyond that Aspley House. To the south the site is bordered by Chain House. Guise House and Chain House are both listed buildings. Chain House and Guise House are believed to have earlier origins. The existing buildings are the results of a C20 rebuild on the same building footprint as those identified on the c19 maps.

In 1911 Powage House was rebuilt following almost complete destruction with the same footprint as the 1901 building. The workshops date from the late 19 century and the flat roof extension on the north-west and south-east of the building were added in the second half of C20. Therefore the proximity of a built footprint has been existence for some time. Records show that the footprint of the print works is in fact greater than that of the proposed development (see 1974 OS extracts in Albion Archaeology report).

The impact of the proposed two new dwellings

considered low density will have a minimal impact on the neighbouring heritage assets (Listed Buildings) given the history of the site and the mixed character of the this part of the conservation area.

The retention of locally buildings of interest

There is a presumption to retain local buildings of interest but that by no means that is a definitive approach. Individual cases will be judged on its merits. Powage House as already stated is a rebuild (1911). The print works would have value by association with the Powage House. This is well documented and will serve as a historical record.

Design

The proposal does differ however in design approach and introduces basements to both new dwellings. This is considered acceptable as the accommodation is below ground level and will not have any detrimental impact on the conservation area or the setting of the neighbouring listed buildings.

The introduction of balconies at first floor levels is considered acceptable.

The proposed roof profiles to both new dwelling are acceptable so long as the roof is covered with a good quality slate to compliment the local palette of materials.

The siting of the proposed dwellings has been well designed in order to avoid a cluttered and congested appearance. Boundary treatments should be designed to provide privacy from the neighbouring properties at all times.

Summary

In summary the proposed development is considered not to have a harmful impact or conflict with the setting of the neighbouring listed buildings nor the character of the conservation area.

No comment to make

Environmental Health
Officer

Ecology

Bat activity surveys have been undertaken and confirm the presence of bats in the building. The proposed demolition will result in the loss of a low level roost site but the ecological consultant believes that works could proceed without the need for an EPS licence under the

observation of a licensed bat worker. As such I would have no objection to the proposals but would ask for a condition to be added requiring the applicant to follow the mitigation plan, as detailed on page 11 of the 2014 Protected Species Survey, during demolition works to ensure favourable conservation status of the species is maintained.

Do not wish to comment on this application.

English Heritage

Determining Issues

The main considerations of the application are:

1. Background and Policy
2. Size, Siting and Design in relation to the visual amenities of the site and the area generally
3. Impact on amenities of neighbours
4. Access, Parking
5. Tree considerations
6. Any other considerations

Considerations

1. Background and Policy

Background:

This planning application has been made following Planning permission (CB/14/03962/FULL) which has been granted for two dwellings in a similar location to that subject of this application. The planning permission is currently subject to a Judicial Review, concerning procedure. The Council is not challenging as it accepts that the decision was made under delegated powers, when the application had been called for determination by Development Management Committee and was therefore not determined fully in accordance with the Councils procedures. The applicant is also a signatory to the decision not to challenge. Should the decision be quashed, the application would be returned to the Council for re-determination.

This is a new planning application, and there have been a number of changes to the previously considered plans:

- Unit 1 has been moved to specify that it is 21m away from Chain House, rear to side facing 1st floor windows.
- Re-plan the first floor to Unit 1 to remove the window to bedroom 3 on the North elevation facing Guise House and repositioning it on the east elevation,
- Reduce the width of Unit 1 in width to provide a slightly reduced ridge height.
- Remove the window from Unit 2, bedroom 3 on the North elevation to the

boundary of Guise House to the west elevation above the garage roof.

Policy:

The site lies in the centre of Aspley Guise near the historic core of the village. Aspley Guise is categorised as a Small Village - where excluded from the Green Belt - under Policy CS1 of the Core Strategy. Policy DM6 of this policy document states that the principle of Infill development is acceptable in the defined Green Belt Infill boundary. Infill development can be described as small scale development utilising a vacant plot which should continue to compliment the surrounding pattern of development. Policy 37 of the submitted Development Strategy for Central Bedfordshire states that the Council will consider infill development acceptable in principle within the defined Green Belt boundaries and that particular attention will be paid to assessing the quality of development proposed and the likely impact on the character of the settlement and its surroundings.

Policy CS14 of the Core Strategy states that the council will require development to be of the highest quality by respecting local context, spaces and building in design... as well as focusing on the quality of buildings individually. Policy CS15 of the Core Strategy states that the Council will protect, conserve and enhance the integrity of the local built and natural environment. Policy DM13 of the Core Strategy and Development Management Planning Document states that planning applications for development within the Conservation Areas will be assessed against the Conservation Area appraisals and that inappropriate development will be refused.

In view of the above, there are no objections in principle to the proposed development. The northern boundary of the site is shared with the Grade 11* listed Guise House and identified by a combination of a 2.0m high brick wall (to the Guise House side) and warehouse flank wall.

2. Size, Siting and Design in relation to the visual amenities of the site and the area generally. Impact upon the setting of the Listed Buildings and the Conservation Area.

The industrial building covered the whole of the rear area and backed onto the adjacent property boundaries being screened from Church Street by a roller shutter door service access. The east end of the warehouse backed onto the rear boundaries of residential properties fronting onto Bedford Road. To the immediate south of the site is the property Chain House which is Grade II listed and its rear courtyard/garden backs directly onto the flank wall of part of the warehouse. The remainder of the boundary is shared with the Anchor Public House car park.

The Church Street frontage building is currently in office use which is to be retained. A detached dwelling is to be erected to the rear of the development which is the lower section of the site and one single detached dwelling to the immediate rear of the office building. Car parking is being provided on the site for the dwellings only (not the offices to the front of the site) and the properties are to have their own garden areas. The site boundary walls are to be retained

and made good where needed.

The houses are contemporary in design, including a significant level of glazing, and basement levels on both dwellings. The applicant has advised that external materials will be chosen from a palette that is sympathetic to the areas character and these details are to be conditioned. This will include a quality brick and a slate roof.

The Conservation Officer is of the view that the proposed development will generally improve the appearance of the site and that it will appear as being less cluttered and the proposals will preserve the character of the Conservation Area and the setting of the adjacent Listed buildings. Any planning consent should include a condition that requires details of materials to be submitted for approval and details of doors and window design and finishes as well as details of the roof lights.

The site is bounded by old walls which the applicant advises are to be retained. A condition is to be attached regarding the retention of these walls as they form part of the character of this site and the area generally.

The site is partly bounded by very mature trees particularly those in the garden of Guise House (a Grade II* Listed Building) to the north. These will provide a good screen to the new development for much of the year especially when viewing the site for the north.

3. Impact on amenities of neighbours

The site is between Guise House to the North, Chain House and the Anchor Public House to the South, 13 and 15 Bedford Road to the East and the office building known as "Powage House" to the West.

It is considered that the proposed development would not significantly impact upon the residential amenity of any neighbouring property.

Impact upon Light:

The two dwellings are of sufficient distance from the site boundaries, and the adjacent properties to ensure that there would be no significant impact upon the light into any of the adjacent properties. There is a substantial level of landscaping on the northern boundary, which would further reduce any possible impact upon light into the adjacent properties.

Impact upon Privacy:

Unit 1 – Unit 1 is orientated so the longest elevations face Chain House and Guise House, with a gable end facing Powage House, and a gable end facing the proposed Unit 2. There is a 21 metre distance between the proposed bedroom 1 and 2 windows and the side facing bedroom window of Chain House. There is a 12 metre distance between the landing window of unit 1 and the side facing bedroom window of Guise House. It is considered that these distances are acceptable and in accordance with Central Bedfordshire Design Guidance.

Unit 2 – Unit 2 is to the rear of the site, there would be 22 metres between the 1st floor side facing elevations of the two properties. To the North are mature conifers, which provide a substantial level of screening between the Unit 2 and Guise House, however there is also a distance of approximately 30 metres from the proposed dwelling to this property. This unit is in excess of 40 metres from numbers 13 and 15 Bedford Road, it is considered that the windows and balconies would not significantly impact upon privacy to these properties. It is considered that this distance is in excess of Design Guide standards regarding privacy. The outbuilding associated with Chain House, would largely obscure views from this property, there is also a separation distance of some 19 metres between 1st floors. However these views are not parallel.

It is considered that there would be no undue loss of privacy to adjoining properties.

Impact upon Outlook and the causing of an overbearing impact:

It is considered that neither of the units would be close enough to any adjacent residential property to cause an overbearing impact, or significant loss of outlook.

Three letters of objection have been received and the concerns are addressed below:

- Design

Concerns have been raised that the design of the buildings are “too modern” and “out of character” for the area. The site is a Conservation Area, and between two Listed Buildings. It is considered that on this brown field plot, predominantly screened by existing development, the design approach that has been taken is acceptable. The Conservation Officer raises no objections to the development. It is considered that at times a more contemporary approach highlights the significance of the heritage assets, as they do not attempt to mimic the design, it is however considered appropriate to ensure that a traditional material pallet would be suitable to compliment the surrounding development.

- Conservation area issues

The Conservation Officer raises no objections to this scheme, this matter is addressed elsewhere in the report.

- Access

The Highways Officer is satisfied that this development would be less intensive than the previous use, and previously approved scheme for three dwellings.

- Sun lighting and daylighting within the development

It has been raised that for Unit 2 the future amenity of the potential

occupier would be compromised by the existing landscaping to the North of the site. The future amenity has been assessed, and it is considered that all habitable rooms have large windows, suitable to obtain a reasonable level of natural light; there is a 2 metre gap between the site boundary and the dwelling. The only rooms within this unit that are served by a single window on this elevation are a 1st floor landing, a ground floor stair well, and a ground floor en suit, it is judged that none of these rooms are habitable rooms, and the level of natural light would be acceptable.

- Loss of Privacy and privacy issues caused by balconies on Unit 2:

This matter has been fully considered above.

- Concerns of on site safety during construction, and damage to site wall:

A large proportion of the demolition has already taken place, site safety and any concerns regarding damage to property is a civil matter and not a planning consideration.

4. Access and Parking

A new access driveway is to be constructed to the side and rear of Powage House using the existing forecourt access crossover and will serve the proposed dwellings. The parking provision for the proposal is considered to be acceptable.

The level of pedestrian/driver intervisibility at the existing access is poor and would ordinarily attract a reason for refusal if it could be proven that a proposed development would result in an intensification in the use of such an access. The previous application was considered acceptable in this aspect. The proposed development reduces the number of dwellings to 2 and therefore would reduce the traffic generation. It is therefore considered that the access is acceptable.

5. Trees and Landscaping

The Tree Officer has advised that the application fails to identify the significance of off- site trees in particular those that are in the neighbouring property known as Guise House.

It is noted that there is a mature Sycamore tree within this neighbouring property that overhangs the application site and which is to be used as a parking area. The existing use of this proposed car parking area is for warehouse building that would already have an impervious covering over the rooting area. Therefore, given the existing usage, the impact on the root system of this tree should not necessarily be significant if procedures are stipulated by way of a condition attached to any consent.

There is further implication that there is a tall hedge of Leylandii that borders the property of Guise House with the application site, which would become implicated in the high hedge legislation that is included in Part 8 of the Anti-Social Behaviour Act 2003. Although the tree officer is aware that this is not a planning constraint the possible requirements for this boundary hedge to be

substantially lowered - which may kill it - needs to be taken into account when considering the visual impact of the development on the neighbouring properties. It is considered that the Leylandii hedge does not contribute significantly to the special character of the Aspley Guise Conservation Area.

6.

Other Considerations

Archaeology:

It is recommended that a condition be attached to any consent which requires that no development take place until a written scheme of archaeological investigation has been undertaken and submitted to the Local Planning Authority and that any development of the site only takes place in full accordance with the approved archaeological scheme.

Contributions

The development falls below the Central Bedfordshire threshold for requiring an element of affordable housing. The Ministerial Statement of 28 November 2014 set out the Government's new policy that affordable housing and tariff-style planning obligations should not be sought for certain small developments (10 dwellings or less or 1,000 square metres of gross floorspace). This is a material consideration of significant weight to be taken into account in decision-making on planning applications.

However, significant weight should also be given to the National Planning Policy Framework, which calls for the achievement of the three dimensions of sustainable development: economic, social and environmental. It is considered that Policy 19 of the emerging Development Strategy for Central Bedfordshire is in accordance with the National Planning Policy Framework. This states that developers are required to make appropriate contributions as necessary to offset the cost of providing new physical, social, community and environmental proposals. It is considered that the proposal would not conflict with the requirements of the National Planning Policy Framework to provide sustainable development, and with policy 19 of the emerging Development Strategy for Central Bedfordshire, therefore financial contributions are not required in this instance.

Contamination

With regards to any contamination of the site arising from the use of the site by the former printing works a condition is to be attached to this consent which requires that a survey of the site be undertaken and remediation measures put forward to resolve any contamination of the site.

Conclusion

The Powage House development is a sensitive site, located in a constrained location. The development proposed is considered to be of a suitable quality and a reasonable form of development. It is judged that the proposal would comply with the Central Bedfordshire Design Guide, the Aspley Guise Conservation Area Appraisal Document, the policies within both the Core Strategy (2009) and

the Development Strategy (Submitted 2014) and conforms with the sustainable principles set out within the National Planning Policy Framework (2012).

Human Rights issues

There are no Human Rights issues

Equality Act 2010

There are no issues under the Equality Act

Recommendation

That Planning Permission be granted subject to the following;

- 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 Development shall be carried out in accordance with the Phase II Environmental Assessment Report (14th January 2014). No part of the site shall be occupied until the remediation measures identified in the report have been completed in accordance with the approved details.

Reason: To ensure that any contamination which exists on the site is dealt with in the interests of the amenities of the future occupiers of the site and of the surrounding area.

- 3 **No development shall take place until the following details are submitted to and approved in writing by the Local Planning Authority and shall be carried out in full accordance with such approved details:**

- **Samples of materials to be used in the external finishes of the development hereby approved.**
- **Drawings of all new proposed doors and window to a scale of 1:10 or 1:20, together with a specification of the materials and finishes. Details provided should clearly show a section of the glazing bars, frame mouldings, door panels, the depth of the reveal and arch and sill details.**

Reason: To ensure that the proposed development is carried out in a manner that safeguards the historic character and appearance of the Conservation Area and setting of adjacent listed buildings.

- 4 The proposed development shall be carried out and completed in all respects in accordance with the access siting and vehicular layout illustrated on the approved plan and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local

Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.

- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage and car port accommodation on the site shall not be used for any purpose, other than as vehicle garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 6 No development shall commence until full details of a "no-dig" driveway and parking area construction have been submitted to the Local Planning Authority for approval. This construction shall be based on a cellular confinement system and shall be so constructed to avoid changes to the soil levels, or cause any root severance of all "off -site" trees, located in the neighbouring property of Guise House. Only the approved details shall be implemented

Reason: To protect the rooting medium and rooting system of "off-site" trees located in the neighbouring property of Guise House, from the construction of new parking and vehicle access areas, in order to maintain their good health, anchorage, screening and amenity value.

- 7 **No development shall commence until, a tree survey undertaken, to include the identification of the pruning of overhanging "off-site" trees, located in the neighbouring property of Guise House, which is to be required to facilitate the development, and has been submitted to and approved in writing by the Local Planning Authority. The survey shall only recommend the minimum access facilitation work required to accommodate the approved building works, and the work shall not exceed that required to facilitate development, with the emphasis on maintaining the natural shape and amenity value of the respective crowns. The survey recommendations shall be based on BS 3998 : 2010 "Tree Work Recommendations" and the approved recommendations shall only be carried undertaken by qualified and competent tree surgeons, who have the ability to comply with the BS 3998 : 2010 British Standard.**

Reason: To ensure the quality of approved work and to prevent any excessive and disfiguring pruning work that goes beyond that required to facilitate development, in the interests of maintaining the health and natural appearance of the "off-site" trees, located in the neighbouring property of Guise House.

- 8 **Boundary walls to this site must be retained at all times. If they become damaged in any way or fall down then details of new works shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented on the site. These works shall be completed prior to the first occupation of the development hereby approved.**

Reason: To safeguard the character and appearance the Aspley Guise Conservation Area and the amenities of occupiers of neighbouring properties in accordance with the NPPF and policies 43 and 45 of the emerging Development Strategy for Central Bedfordshire dated 2013.

- 9 A scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Policy 43, DSCB)

- 10 **No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping.
(Policies 43 and 58, DSCB)**

- 11 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no extensions or alterations shall be carried out to the development hereby permitted without the prior approval by way of a planning consent from the Local Planning Authority and only the approved details shall be implemented.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 12 **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.

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers ASP-001; ASP-002; ASP-003; ASP-004B; ASP-005B; ASP-006C; ASP-007C; ASP-008A; ASP-009B; ASP-010B; ASP-011C; ASP-012B; ASP-013B; ASP-015A; ASP-016B, ASP-017A; Design and Access Statement; Phase I Geo-Environmental Assessment; Phase II Environmental Assessment Report; Protected Species Survey.

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 applicant is advised that 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.

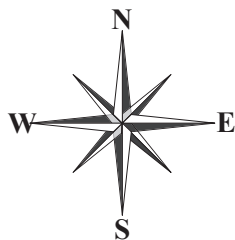
Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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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Central Bedfordshire Council
Licence No. 100049029 (2009)

Date: 20:February:2015

Grid Ref: 599542; 220169

Application No.
CB/15/00239/FULL

Scale: 1:1250

The Paddocks, Springfield Road, Eaton Bray,
Dunstable, LU6 2JT

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| Item No. 9 |
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|--|--|
| APPLICATION NUMBER | CB/15/00239/FULL |
| LOCATION | The Paddocks, Springfield Road, Eaton Bray, Dunstable, LU6 2JT |
| PROPOSAL | Change of use from residential home for the elderly to domestic dwelling. |
| PARISH | Eaton Bray |
| WARD | Eaton Bray |
| WARD COUNCILLORS | Cllr Mrs Mustoe |
| CASE OFFICER | Nicola Darcy |
| DATE REGISTERED | 21 January 2015 |
| EXPIRY DATE | 18 March 2015 |
| APPLICANT | Mr K Janes |
| AGENT | Mr CA Emmer |
| REASON FOR COMMITTEE TO DETERMINE | Applicant is a Ward Member |
| RECOMMENDED DECISION | Full Application - Recommended for Approval |

Summary of Recommendation

The conversion of the residential care home to a domestic residential dwelling is accepted in principle. The proposal would complement and harmonise with its surroundings and would not have a detrimental impact on the openness of the Green Belt or amenity of surrounding residents and would have an acceptable impact on the surrounding highway network. The proposal is therefore considered to be in accordance with the National Planning Policy Framework, Policies BE8, T10 and NE12 of the South Bedfordshire Local Plan Review, policies 1, 2, 3, 27, 31, 36, 43, 50 and 52 of the emerging Development Strategy and the Central Bedfordshire Design Guide.

Site Location:

The Paddocks comprises a two-storey building in use as a residential care home.

The original property was built as an agricultural dwelling in 1987 with an agricultural tie. In November 1997 planning permission was granted for the change of use of the property to a residential care home. The rest of the land to the south west of the principal buildings is shown on the plans submitted with the application as paddock land and a builder's yard.

The Application:

Permission is sought for the change of use of the existing residential care home to a four bedroom residential dwelling with associated off-street parking for at least four vehicles and a residential garden area.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced most of the previous national planning policy documents, PPGs and PPSs. The following sections are considered directly relevant:

- Section 1: Building a strong, competitive economy
- Section 6: Delivering a wide choice of quality homes
- Section 7: Requiring good design
- Section 8: Promoting healthy communities
- Section 9: Protecting Green Belt Land

South Bedfordshire Local Plan Review Policies

- BE8 - Design Considerations
- T10 - Parking - New Development
- NE12 - Reuse of Rural Buildings

(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, policy BE8 is still given significant weight. T10 and NE12 are afforded less weight.)

Development Strategy for Central Bedfordshire

- Policy 1: Presumption in Favour of Sustainable Development
- Policy 2: Growth Strategy
- Policy 3: Green Belt
- Policy 27: Car Parking
- Policy 31: Supporting an Ageing Population
- Policy 36: Development In the Green Belt
- Policy 43: High Quality Development
- Policy 50: Development In the Countryside
- Policy 52: Re-use of Buildings in The Countryside

(Having regard to the National Planning Policy Framework, 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 was submitted to the Secretary of State in October 2014.)

Supplementary Planning Guidance

Central Bedfordshire Council Design Guide (adopted March 2014)

Planning History

| | |
|-----------------------|--|
| Case Reference | SB/06/01187/LDCE |
| Location | Land Rear Of The Paddocks, Springfield Road, Eaton Bray |
| Proposal | Continued use of outbuilding as builders workshop and yard |
| Decision | Application Disposed Of |

| | |
|-----------------------|--|
| Decision Date | 27/02/2012 |
| Case Reference | CB/11/01430/FULL |
| Location | The Paddocks, Springfield Road, Eaton Bray, Dunstable, LU6 2JT |
| Proposal | Change of use from builders yard to all weather riding arena and construction of stables |
| Decision | Full Application - Granted |
| Decision Date | 24/06/2011 |
| Case Reference | SB/09/00008/FULL |
| Location | The Paddocks, Springfield Road, Eaton Bray, Dunstable, LU6 2JT |
| Proposal | Erection of single storey side extension to care home |
| Decision | Full Application - Refused |
| Decision Date | 30/04/2009 |
| Case Reference | SB/05/01149 |
| Location | The Paddocks, Springfield Road, Eaton Bray, LU6 2JT |
| Proposal | Erection of single storey side extension to residential home providing 4 no. bed spaces with wc facilities |
| Decision | Full Application - Refused |
| Decision Date | 16/12/2005 |
| Case Reference | SB/05/00103 |
| Location | The Paddocks, Springfield Road, Eaton Bray, Dunstable, LU6 2JT |
| Proposal | Continued use of part of outbuilding as office, laundry and stores and retention of covered link |
| Decision | Full Application - Granted |
| Decision Date | 17/03/2005 |
| Case Reference | SB/02/00228 |
| Location | The Paddocks Residential Care Home, The Paddocks, Springfield Road, Wellhead, Eaton Bray. |
| Proposal | Erection of single storey side extension to provide 6 additional bedrooms to residential care home |
| Decision | Full Application - Refused |
| Decision Date | 24/07/2002 |
| Appeal Decision Date | 25/07/2003 |
| Appeal Decision | Planning Appeal Dismissed |
| Case Reference | SB/99/00343 |
| Location | The Paddocks, Springfield Road, Eaton Bray. |
| Proposal | Erection of side conservatory |
| Decision | Full Application - Granted |
| Decision Date | 04/08/1999 |
| Case Reference | SB/98/00206 |
| Location | The Paddocks, Springfield Road, Wellhead, Eaton Bray. |
| Proposal | Erection of two storey side extension to house, lift shaft and motor room |
| Decision | Full Application - Granted |
| Decision Date | 23/04/1998 |
| Case Reference | SB/97/00772 |
| Location | The Paddocks, Springfield Road, Wellhead, Eaton Bray. |
| Proposal | Change of use from agricultural dwelling to residential care home |

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| | with associated parking |
| Decision | Full Application - Granted |
| Decision Date | 26/11/1997 |

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|-----------------------|---|
| Case Reference | SB/96/00766 |
| Location | The Paddocks, Springfield Road, Wellhead, Eaton Bray. |
| Proposal | Change of use from agricultural dwelling to residential care home with associated parking |
| Decision | Full Application - Refused |
| Decision Date | 15/01/1997 |

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|-----------------------|---|
| Case Reference | SB/96/00663 |
| Location | The Paddocks, Springfield Road, Wellhead, Eaton Bray. |
| Proposal | Levelling and landscaping part of rear paddock |
| Decision | Full Application - Granted |
| Decision Date | 23/10/1996 |

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|-----------------------|---|
| Case Reference | SB/95/00002 |
| Location | The Paddocks, Springfield Road, Eaton Bray. |
| Proposal | Change of use from agricultural dwelling to residential elderly care home with access and parking |
| Decision | Full Application - Refused |
| Decision Date | 21/02/1995 |

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|-----------------------|---|
| Case Reference | SB/94/00111 |
| Location | The Paddocks, Springfield Road, Eaton Bray. |
| Proposal | Change of use from agricultural dwelling to residential elderly care home with associated parking |
| Decision | Full Application - Refused |
| Decision Date | 12/04/1994 |

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|-----------------------|--|
| Case Reference | SB/91/00168 |
| Location | The Paddocks, Springfield Road, Eaton Bray. |
| Proposal | Change of use from residential to part bed and breakfast accommodation |
| Decision | Full Application - Refused |
| Decision Date | 10/04/1991 |

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|-----------------------|---|
| Case Reference | SB/87/01149/RM |
| Location | The Paddocks, Springfield Road, Eaton Bray. |
| Proposal | Erection of detached chalet bungalow |
| Decision | Reserved Matters- Granted |
| Decision Date | 04/11/1987 |

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|-----------------------|---|
| Case Reference | SB/87/00318 |
| Location | The Paddocks, Springfield Road, Eaton Bray. |
| Proposal | Erection of detached bungalow (outline) |
| Decision | Full Application - Granted |
| Decision Date | 08/07/1987 |

**Representations:
(Parish & Neighbours)**

None received at the time of writing this report.

Consultations/Publicity responses

None received at the time of writing this report.

Determining Issues

The main considerations of the application are:

- 1. Background**
- 2. Impact on the Openness of the Green Belt**
- 3. Design Considerations**
- 4. Impact on the Local Residential Amenity**
- 5. Highway Safety Considerations**
- 6. Other Issues**

Considerations

1. Background

The applicant no longer wishes to continue to provide an elderly care home but will still continue to use part of the site and adjoining buildings commercially for a building workshop and uses associated with the continuation of the care home business, off-site.

Policy 31 of the Development Strategy deals with the provision of care for the elderly, the loss of the care home is not considered to be contrary to policy and the impact of the loss of a care home upon care provision throughout the authority's area is not considered to be within the control of the planning authority.

2. Impact on the Openness of the Green Belt

The site is located within the Green Belt, so the application must be assessed carefully against the Section 9 of the National Planning Policy Framework (NPPF) and policy 36 of the emerging Development Strategy for Central Bedfordshire. These policies both set out a list of forms of development which are not considered to be inappropriate within the Green Belt, providing that they preserve the openness of the Green Belt; included within this list is the reuse of buildings of substantial and permanent construction. The building in question is an existing residential care home for the elderly, as such, is of substantial and permanent construction, it is therefore considered that in principle the change of use of the care home would not result in inappropriate development within the Green Belt.

National advice is clear that in giving consideration to proposals on previously developed land, Local Planning Authorities should have regard to whether or not the new development would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Therefore the curtilage of the dwellinghouse and the use of the associated land with the building would need to not compromise the openness of the Green Belt.

The application site is located in a residential location, with the properties of Springfield Road to the north of the site, the proposed garden area would be closest to the residential character of the location, rather than the open countryside, therefore the provision of a modest garden area adjacent to an existing paddock is not considered to adversely impact on the openness of the Green Belt. The curtilage of the proposed new property as defined by the red outline, is no larger than necessary as it encompasses only the requirements of the new dwelling in terms of adequate garden space and parking requirements. As the original building has already been extended and in order to ensure that the proposal would not result in a further impact on the character and openness of the Green Belt in the future, permitted development rights will be removed for any further extensions and as per condition 3.

Policy NE12 of the South Bedfordshire Local Plan Review and policy 52 of the emerging Development Strategy for Central Bedfordshire address the re-use of buildings within the countryside. NE12 only permits the conversion of rural buildings for residential purposes in very specific circumstances, however, the care home was originally a domestic residential dwelling and as such, the policy would not be relevant in this instance. In any case, policy NE12 is not considered to conform with the policies within the NPPF and therefore is given little weight. Policy 52 of the Development Strategy for Central Bedfordshire is considered to conform with the policies within the NPPF and is therefore given more weight. Policy 52 encourages the re-use of existing buildings in the countryside, providing that the conversion would be sympathetic and in keeping with the character of the rural surroundings. The building's current use is as a residential care home for the elderly, therefore it is considered that the proposal would conform with policy 52 of the Development Strategy for Central Bedfordshire.

3. Design Considerations

Local Plan Policy BE8 states that proposals should take full account of the need for, or opportunities to enhance or reinforce the character and local distinctiveness of the area; and that the size, scale, density, massing, orientation, materials and overall appearance of the development should complement and harmonise with the local surroundings, particularly in terms of adjoining buildings and spaces and longer views.

Design Supplement 1 of the Central Bedfordshire Design guide states that proposals should be visually distinctive and should be designed as a sensitive response to the site and its setting.

Only two external alterations are proposed to the building, the addition of a new window on the rear elevation to serve an ensuite bathroom and the replacement of a window to bi-fold doors, also on the rear elevation. On this basis, the proposal is considered to conform with policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

4. Impact on the Local Residential Amenity

The conversion of this existing care home to a domestic residential dwelling

would likely improve the amenity of nearby residents by reducing the activity associated with such a use, therefore the change of use would conform with policy BE8 of the South Bedfordshire Local Plan Review and policy 43 of the emerging Development Strategy for Central Bedfordshire.

5. Highway Safety Considerations

The existing access is proposed to be used for the proposed new residential unit, the number of vehicle movements would be significantly reduced compared with the care home use, therefore there would be a material benefit to the safety of the access as a result of the domestic conversion.

The site can accommodate at least four parking spaces associated with the domestic dwelling, which is sufficient to provide adequate off road parking for residents and visitors and in accordance within the Councils Parking Standards and therefore it is considered that the application would conform with policy T10 of the South Bedfordshire Local Plan Review and policies 27 and 43 of the emerging Development Strategy.

6. Other Issues

Human Rights issues

The proposal raises no Human Rights issues.

Equality Act 2010

The proposal raises no issues under the Equality Act.

Recommendation

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS

- 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 The residential curtilage of the proposed dwellinghouse is defined only by the extent of the red outline shown on approved drawing No. 2015/01 01 03 received 16/02/14.

Reason: To limit the extent of the residentially used land having regard to the rural Green Belt location of the site and the need to protect the visual amenities and openness of the Green Belt.
(Policies BE8 S.B.L.P.R and 36 & 43 D.S.C.B).

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting

that Order with or without modification), no extensions to the building hereby permitted to be converted shall be carried out without the grant of further specific permission from the Local Planning Authority.

Reason: To control the external appearance of the building in the interests of the amenities of the area and to protect the openness of the Green Belt. (Policies BE8 S.B.L.P.R and 36 & 43 D.S.C.B).

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2015/01 01 03 received 16/02/15, 2015/01 01 01 & 2015/01 01 02.

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

Notes to Applicant

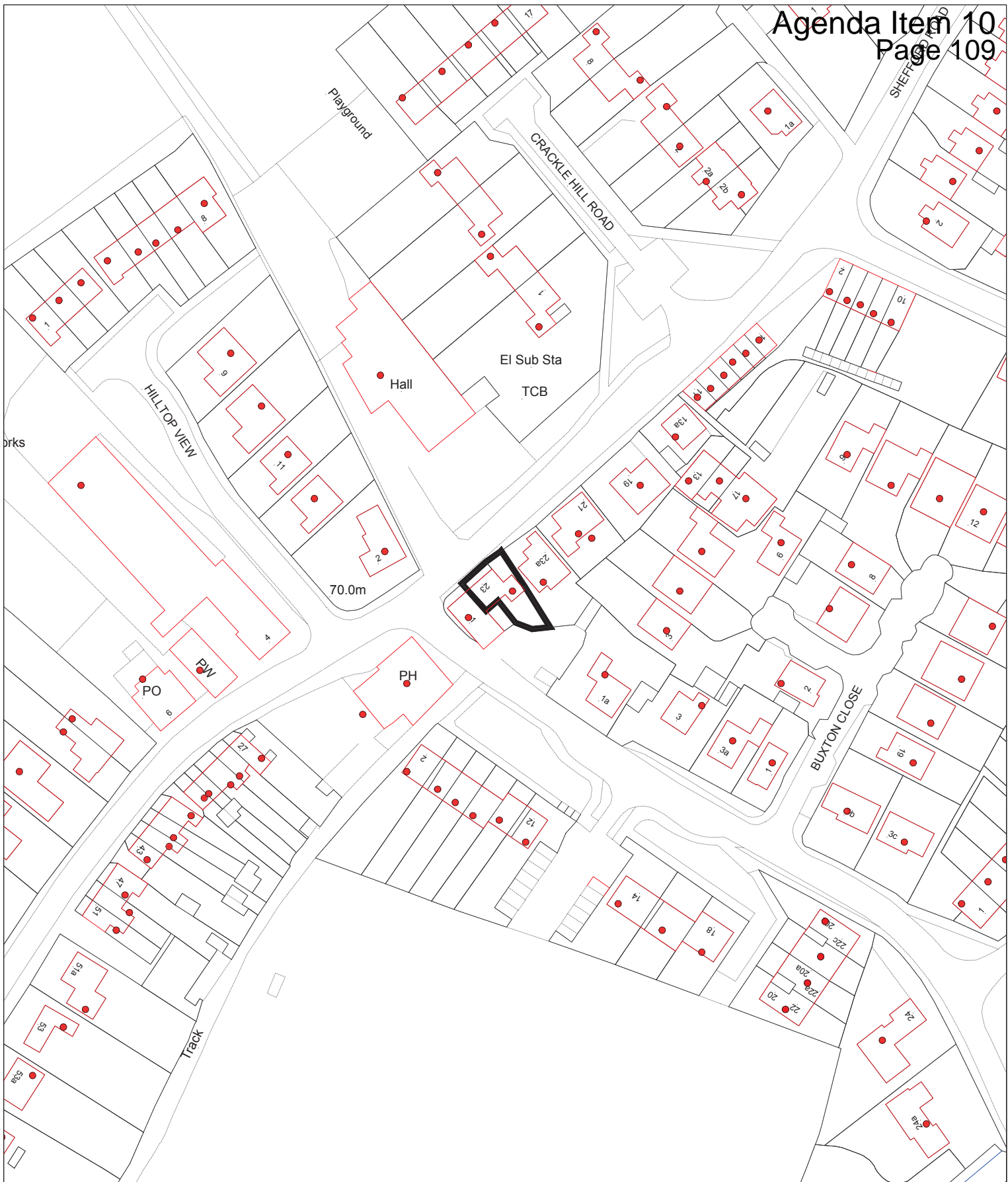
1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
2. 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.

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

Planning permission has been recommended for approval for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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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| | © Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009) | <h3>Application Number CB/15/00299/FULL</h3> |
| | Date: 24:February:2015 | |
| | Map Sheet No | |

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| Scale: 1:1250 | <h2>23 High Street, Meppershall, Shefford, SG17 5LS</h2> |
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| Item No. 10 |
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| APPLICATION NUMBER | CB/15/00299/FULL |
| LOCATION | 23 High Street, Meppershall, Shefford, SG17 5LS |
| PROPOSAL | Proposed part garage conversion |
| PARISH | Meppershall |
| WARD | Shefford |
| WARD COUNCILLORS | Cllrs Birt & Brown |
| CASE OFFICER | Nicola Stevens |
| DATE REGISTERED | 04 February 2015 |
| EXPIRY DATE | 01 April 2015 |
| APPLICANT | Mr Mardell |
| AGENT | |
| REASON FOR COMMITTEE TO DETERMINE | Call in by Cllr Brown on the grounds of: The current garage is of a irregular shape and size which prevents it form being used successfully and the approved option of it serving as a utility room could not function nor could the front doors be closed if it was so used. The garage is unusable for car parking purposes and the condition should be removed. |
| RECOMMENDED DECISION | Full Application - Refusal |

Reasons for Recommendation

The proposal is unacceptable in terms of highway safety therefore by reason of its site, design and location, is not in conformity with Policy DM3 of the Core Strategy and Management Policies, November 2009; National Planning Policy Framework (March 2012). It is further not in conformity with the technical guidance Central Bedfordshire Design Guide 2014.

Site Location:

The application site is a semi-detached 2 storey dwelling located on the south side of the High Street. It is bounded by residential development to the sides and rear with the village hall located opposite.

The Application:

The application seeks permission for proposed part garage conversion to living accommodation.

Application ref: CB/14/04011/FULL for the same proposal was withdrawn in December 2014. There is no change in this current application with the exception of a planning statement submitted by the applicant in support of the proposal.

RELEVANT POLICIES:

National Policies

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies Adopted November 2009

| | |
|------|--|
| CS14 | High Quality Development |
| DM3 | High Quality Development |
| DM4 | Development Within and Beyond Settlement Envelopes |

Supplementary Planning Guidance

Central Bedfordshire Design Guide Adopted 18 March 2014

Planning History

| | |
|-----------------------|---|
| Case Reference | CB/14/04011/FULL |
| Location | 23 High Street, Meppershall, Shefford, SG17 5LS |
| Proposal | Proposed part garage conversion to living accommodation |
| Decision | Application Withdrawn |
| Decision Date | 09/12/2014 |

| | |
|-----------------------|---|
| Case Reference | MB/03/00896/FULL |
| Location | 23 High Street, Meppershall, SG17 5LS |
| Proposal | Full: Two storey side/rear extension with integral garage following demolition of existing attached garage. |
| Decision | Full Application - Granted |
| Decision Date | 21/07/2003 |

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|-----------------------|--|
| Case Reference | MB/02/00469/FULL |
| Location | 23 High Street, Meppershall, SG17 5LS |
| Proposal | Full: Two storey side extension with integral garage following demolition of existing attached garage. |
| Decision | Full Application - Granted |
| Decision Date | 30/05/2002 |

Representations: (Parish & Neighbours)

| | |
|----------------------------|---|
| Meppershall Parish Council | No comments received at the time of writing this report. Any comments received will be reported to the committee meeting. |
| Neighbours | No comments received |

Consultations/Publicity responses

| | |
|-----------------------|----------------------------------|
| Highway Officer | Object to the loss of the garage |
| EHO Contamination | No comments received |
| EHO Public Protection | No comments to make |

Determining Issues

The main considerations of the application are;

1. Principle of development
2. Visual impact
3. Residential amenity
4. Highways
5. Other issues

Considerations

1. Principle of development

The site lies within the settlement envelope of Meppershall. Policy DM4 of the Core Strategy makes provision for the extension of existing properties provided they meet certain local plan criteria which will be assessed below.

The reason for the application is that Permitted Development rights have been removed for the property. Condition 4 of application 03/00896/Full states:

'Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.'

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.'

2. Visual impact

The application site is a two storey semi-detached dwelling, constructed of yellow facing brown brickwork with cream painted pebble dash render on the side. It has been extended previously with a two storey side/rear extension which included the integral garage the latter being the subject of this application. This proposal is for part garage conversion to living accommodation. An integral wall will be erected to achieve this. A small area at the front will be used as a store. No external alterations are proposed to the front of the garage and the doors will be retained. As such it is not considered that the proposal will adversely affect the character and appearance of the area.

Whilst not included in the description of development the existing ground floor kitchen window will be made smaller. Although this external alteration could be undertaken under permitted development as it is shown on the plans it is noted here and would not be visually out of keeping with the dwelling.

3. Residential amenity

No 23A High Street is a detached two storey dwelling to the east of the application site. It has a ground floor lounge window with obscure glazed window above on its front elevation closest to the shared boundary. As no external alterations are proposed to the front of the garage there would not be any undue loss of light, privacy or overbearing impact as a result of the proposal on the occupiers on that neighbouring property.

Whilst the existing ground floor rear kitchen window will be made smaller this minor external alteration will not adversely affect any adjoining residential amenity given the residential context of the site and existing boundary treatment.

No other surrounding properties will be unduly affected in terms of residential amenity due to the distances and relationships involved.

4. Highways

The application proposes the conversion of the existing garage to provide additional living accommodation and a store room to this three bedroom dwelling. No changes are proposed to the existing means of access to the highway.

The existing garage is stated to measure 2.662m in width by 4.340m in length shown to the front of the existing utility area. It is stated by the applicant to be too small to be used for vehicle parking including a modern small or medium sized car and that it is not used by the current occupier for parking. It is also put forward that the approved garage size was arguably below standards at that time let alone current standards.

However the garage was constructed as part of the two storey extension permitted under MB/03/00896/FULL on 21st July 2003 following the demolition of the then existing garage. The size of the garage was deemed acceptable and Condition 4 of the consent was attached to ensure that the garage was only used for garage accommodation.

Whilst it is acknowledged that the internal dimension of the garage is below current design requirements now adopted by the Council for garage accommodation, and as such not capable of accommodating a number of large and even medium sized vehicles, notwithstanding the comments of the applicant it does still offer a parking space for a considerable number of makes and models of medium and small sized vehicles.

The adopted parking standards requires a three bedroom dwelling to be provided with a minimum of two parking spaces clear of the public highway. At present this three bedroom property complies with those standards. Whereas if this proposal is granted planning approval the dwelling would be left with just a single off-road parking space and reliance on the public highway for parking would continue in perpetuity. Whilst parking on High Street is not prohibited and indeed takes place at the moment such parking cannot be relied upon.

In these circumstances the Highway Officer recommends that planning permission should not be granted for the following reason "The applicant is not able to provide adequate provision of space within the site for parking of vehicles clear of the highway. The development if permitted would therefore be likely to lead to unwarranted on-street parking to the detriment of public and highway safety".

The applicant contests the Councils viewpoint for a number of reasons

discussed further here. Although the applicant has referred to Bedford Borough Council standards, as they do not apply in this location within Central Bedfordshire which has its own adopted parking standards (March 2014), this is not considered relevant and has not been discussed here.

Regarding the size of the garage it is acknowledged the utility area at the rear of the garage was shown on the approved plans however the parking space shown was deemed acceptable at the time the application for the extension was approved. It is also noted that the length of the garage space within the garage is annotated at 4.340m but measures off at approx 4.58m to the garage doors. It is also acknowledged that the garage is an irregular shape but it is the Councils view that it is still a usable parking space.

If the planning application were to be approved there can be no dispute that this three bedroom property will be left with just a single parking space, leaving the current and future occupiers of the property, who may have two vehicles no option but to park on High Street or seek alternative parking arrangements. The applicant states that this is already the case and is not to the detriment of highway safety. However, the Parking Standards that this authority have adopted for a three bedroom property is a minimum requirement of two spaces with a suggested requirement of 3 spaces but with the possibility of one of those spaces being accommodated on street. The Council does not dispute that the existing garage may not meet current size requirements but it is capable of accommodating a vehicle either with or without the door closed and hence parking for two vehicles within the curtilage of the site. On street parking cannot be relied upon to serve the dwelling.

5. Other issues

Sufficient private amenity space would be retained.

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

There are no further considerations to this application.

Recommendation

That Planning Permission be Refused for the following reason:

RECOMMENDED CONDITIONS / REASONS

- 1 The applicant is not able to provide adequate provision of space within the site for parking of vehicles clear of the highway. The development if permitted would therefore be likely to lead to unwarranted on-street parking to the detriment of public and highway safety. As such the proposal is contrary to Policy DM3 of the Core Strategy and Development Management Policies Document (Adopted 2009) and Central Bedfordshire Design Guide (Adopted March 2014).

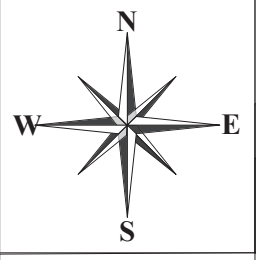
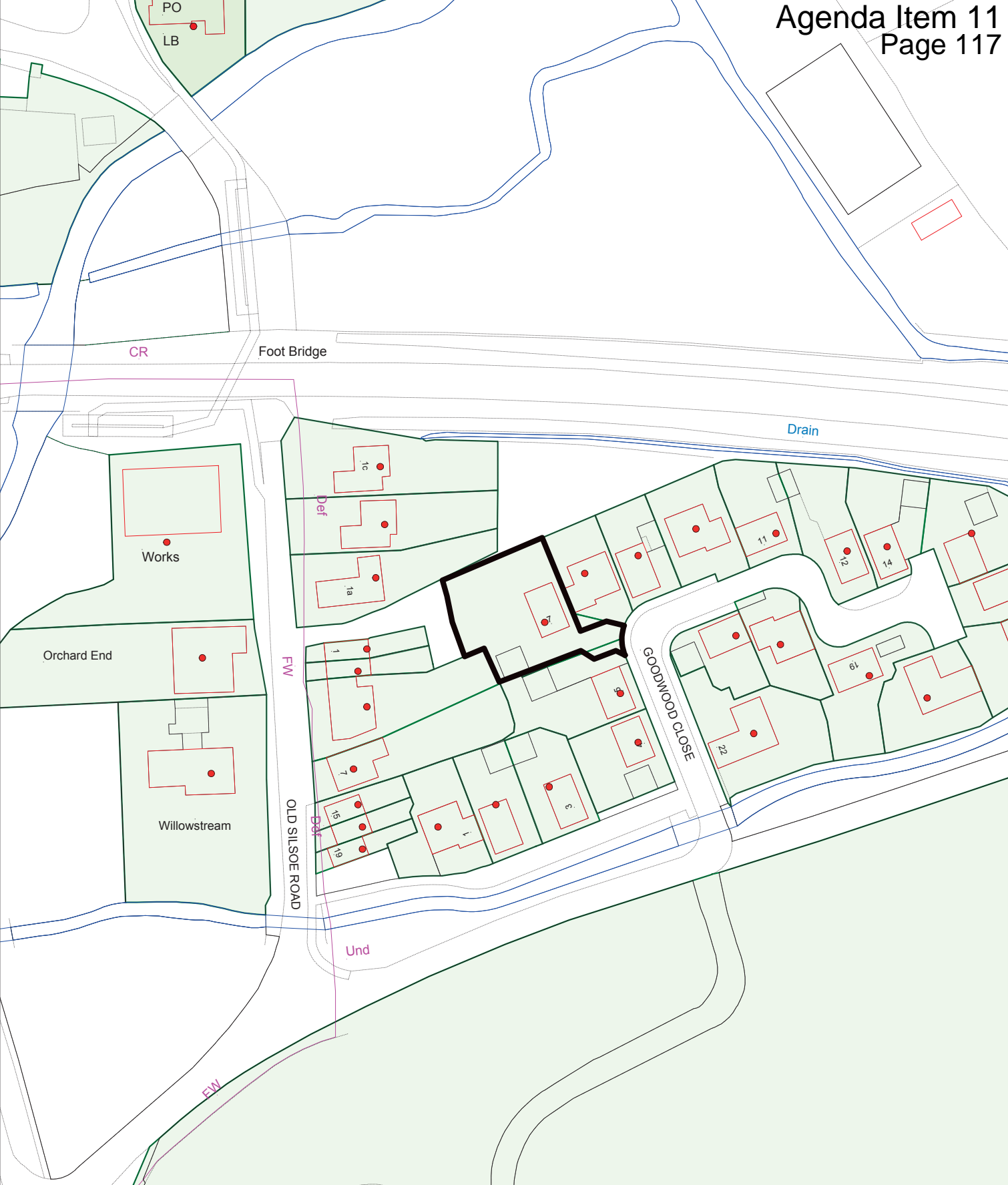
Notes to Applicant

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

In the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. The applicant was invited to withdraw the application but did not agree to this. The Council has therefore complied 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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Licence No. 100049029 (2009)

Date: 24:February:2015

Grid Ref: 508292, 237577

Application No:
CB/15/0077/FULL

Scale: 1:1250

7 Goodwood Close, Clophill, Beds. MK45 4FE

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Item No. 11

| | |
|--|---|
| APPLICATION NUMBER | CB/15/00077/FULL |
| LOCATION | 7 Goodwood Close, Clophill, Bedford, MK45 4FE |
| PROPOSAL | Conversion of loft with 3 dormer windows and rooflights |
| PARISH | Clophill |
| WARD | Amphill |
| WARD COUNCILLORS | Cllrs Duckett, Blair & Smith |
| CASE OFFICER | Lisa Newlands |
| DATE REGISTERED | 07 January 2015 |
| EXPIRY DATE | 04 March 2015 |
| APPLICANT | Mr & Mrs K Garwood |
| AGENT | FOD Limited |
| REASON FOR COMMITTEE TO DETERMINE | Loss of privacy to neighbouring property, lack of parking and existing drainage capacity problems. |
| RECOMMENDED DECISION | Full Application - Granted |

Summary of representations

The proposed development would consist of a revision to the previously approved large flat roof dormer, with the creation of two smaller pitched roof dormers to the garden elevation and one to the elevation facing 8 Goodwood Close. It is considered that the proposed development would reduce the bulk of that previously approved and would not result in any detrimental impact on the residential amenities of any neighbouring residential properties; as such the proposal is in conformity with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) and Policy 43 of the emerging Development Strategy for Central Bedfordshire. It is also in conformity with the technical guidance within the Design Guide for Central Bedfordshire.

Site Location:

The application site is a detached four bedroomed dwelling on the west side of Goodwood Close in a housing development with a mix of varying styles and sizes. Access is from Goodwood Close from a shared access serving the application site and the neighbouring properties. There is a detached double garage to the south-west corner of the site and parking in front of the garage.

The Application:

Planning permission is sought for the conversion of the loft with 3 dormer windows and rooflights. This scheme seeks to revise a previously approved scheme for the loft conversion which involved a large flat roof dormer along the west side of the property.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

Core Strategy and Development Management Policies - North 2009

Policy DM3 - Amenity

Emerging Development Strategy for Central Bedfordshire (2014)

Policy 43 - High Quality Development

Supplementary Planning Guidance

Design in Central Bedfordshire A Guide for Development:

Supp 4: House Extensions and Alterations

Planning History

| | | | |
|---------------------|---|------------------|------------------------------------|
| Application: | Planning | Number: | CB/14/00480/FULL |
| Validated: | 11/02/2014 | Type: | Full Application |
| Status: | Decided | Date: | 26/03/2014 |
| Summary: | | Decision: | Full Application - Granted |
| Description: | Erection of single storey rear extension and conversion of loft with new dormer window. | | |
| Application: | Planning | Number: | CB/14/00156/LDCP |
| Validated: | 21/01/2014 | Type: | Lawful Development Cert - Proposed |
| Status: | Decided | Date: | 18/03/2014 |
| Summary: | | Decision: | Lawful Dev - Proposed - Granted |
| Description: | Lawful Development Certificate Proposed: Siting of a mobile home. | | |

**Representations:
(Parish & Neighbours)**

Parish/Town Council Several near neighbours have made representation to the council on the size of this property but it is noted that most of the material alterations have been previously approved and the villagers concerned have been informed. One point my councillors have asked me to raise with you are the height of the new dormer windows. It had previous been thought that they should be subservient to the main building and in the drawing submitted they appear not to be. In the circumstances the parish council however does not object to this application other that forward the comments made.

Neighbours 2 objections received from 5 and 8 Goodwood Close raising the following issues:

- The inclusion of dormer windows will reduce the natural light to our property;
- the dormer window on the side elevation will reduce privacy and be overbearing to our property;
- The dormer window will overlook the highway and be fully visible from the Close. Not in keeping with the

- residential properties within this small development;
- Access and parking - the property would become a 6 bedroom dwelling with a two bedroom mobile home in the garden, thus now 8 bedroom. Resulting in increased traffic and serious issues regarding parking;
- overdevelopment
- serious drainage issues within the Close;
- permission has not been sought from the Residence Association for any alterations to the property, which is a requirement on the deeds of all properties within the Close;
- Turning circles for vehicles are restricted due to overparking;
- dormer windows will enable our property to be overlooked as well as our gardens;
- loss of privacy;

Consultations/Publicity responses

Site Notice displayed

04/02/15

Highways Officer

No objection received

Determining Issues

The main considerations of the application are;

1. The impact of the proposal on the character and appearance of the surrounding area;
2. The impact of the proposal on the residential amenities of any neighbouring properties;
3. Access and parking;
4. Other considerations

Considerations

1. The impact of the proposal on the character and appearance of the surrounding area;

The application site lies within a small residential area within Clophill. It is a large corner plot, with its front facing gable end elevation facing southwards towards number 5 Goodwood Close.

The loft area is proposed to be converted into two bedrooms with a shower room. The previous application proposed a loft conversion with a flat roof dormer and the creation of a master bedroom and dressing room, with en-suite.

The proposed development would involve two smaller pitched roof dormers in place of the large flat roof dormer. They have been amended from the original submission setting them down below the ridge line, to appear more subservient. A further dormer is proposed on the elevation fronting 8 Goodwood Close. A

window was originally proposed in this dormer, however, due to concerns regarding loss of privacy to the neighbouring property, the window has been removed and replaced with blank elevation and two rooflights as it primarily serves the shower room.

The proposed dormers will be readily visible from various locations around the site including from the A507. It is considered that the proposed development would reduce the bulk of the previously approved flat roof dormer and would be more attractive within the street scene.

The proposals are in compliance with policies in the Core Strategy and Development Management Policies for Central Bedfordshire (North) and policies within the Emerging Development Strategy for Central Bedfordshire as well as the technical guidance within the Design Guide for Central Bedfordshire.

2. The impact of the proposal on the residential amenities of any neighbouring properties;

The proposed development would involve the creation of three dormer windows, two of which would be in place of the previously approved flat roof dormer and the third on the elevation facing 8 Goodwood Close.

Concern has been raised regarding the loss of privacy from the proposed dormers. The dormer fronting 8 Goodwood Close would be a blank elevation with rooflights in the pitched roof and would serve the shower room. It is therefore not considered that there would be any loss of privacy to 8 Goodwood Close from this dormer.

The remaining two dormers would have a separation distance of some 38 metres to the rear of the dwellings within Old Silsoe Road and would have direct views over the garden/ mobile home within the application site. Given the design and orientation of the proposed dormers it is not considered that there would be any loss of privacy to 5 Goodwood Close, with no windows providing any direct overlooking to this neighbour.

Given the design and scale of the proposed development, it is not considered that it would result in any detrimental loss of light, privacy or overbearing impact on any neighbouring residential properties.

3. Access and parking;

There is a double garage on site and to the front of this three car parking spaces are shown on the revised plan. The highways officer has advised that five car parking spaces would be acceptable for this proposed development and in accordance with the Council's guidance.

The applicant has confirmed that the red line area of the access is owned by them but the neighbour at number 5 Goodwood Close has rights of way across the access. The area that has to be kept available as a right of way is indicated in hatching on the revised plan.

4. Other considerations

With regards to the drainage at the site this has been raised by a number of residents and was fully considered in the last application where the single storey extension was proposed. This application does not involve the creation of any further floor space on the ground and therefore is not considered to be issue for consideration in this application.

Human Rights issues

There are no relevant Human Rights Issues

Equality Act 2010

There are no relevant issues under the Equality Act

Recommendation

That Planning Permission be granted 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 Site Location Plan; GAR/01P/Sk(A)14 I; GAR/02P/Sk(A)14 I

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.

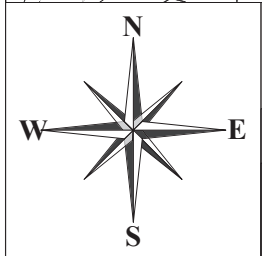
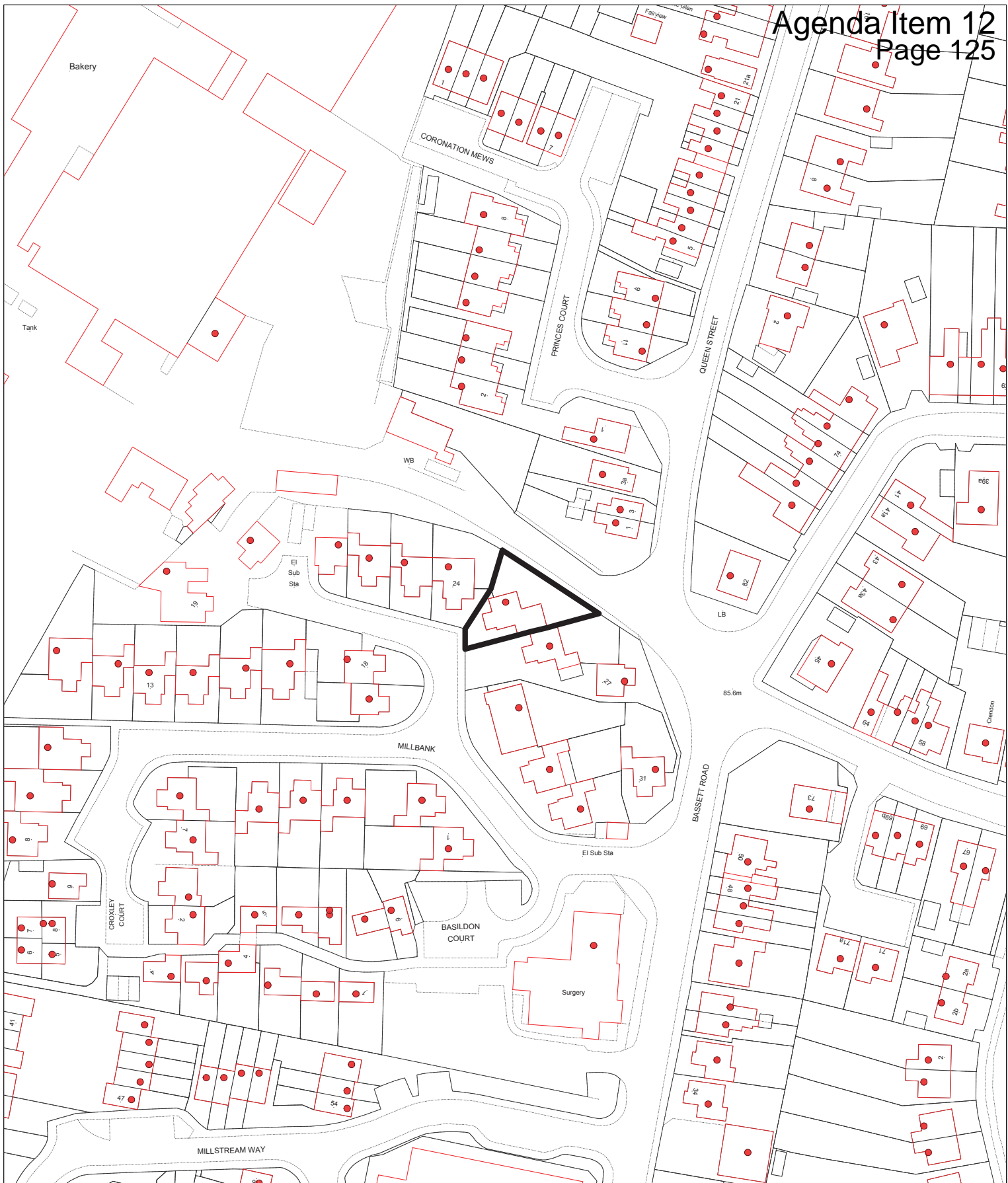
Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax. If however you add an annexe to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

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 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: 20:February:2015
Grid Ref: 491935; 225564

Application No.
CB/15/00095/FULL

Scale: 1:1250

25 Millbank, Leighton Buzzard, LU7 1AS

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Item No. 12

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|--|--|
| APPLICATION NUMBER | CB/15/00095/FULL |
| LOCATION | 25 Millbank, Leighton Buzzard, LU7 1AS |
| PROPOSAL | Change of use of the property from residential to a mixed use of residential and chiropody surgery, which would result in the garage being converted into a clinic room. |
| PARISH | Leighton-Linslade |
| WARD | Leighton Buzzard North |
| WARD COUNCILLORS | Cllrs Johnstone, Shadbolt & Spurr |
| CASE OFFICER | Debbie Willcox |
| DATE REGISTERED | 12 January 2015 |
| EXPIRY DATE | 09 March 2015 |
| APPLICANT | Mrs Cohen |
| AGENT | |
| REASON FOR COMMITTEE TO DETERMINE | Called-in by Councillor Shadbolt on the grounds that he disagrees with the recommendations of the Highways Officer, taking into account the personal circumstances of the household and the nature of the business. |
| RECOMMENDED DECISION | Full Application - Recommended for Refusal |

Summary of Recommendation

The proposed development would lead to an increase in on-street parking thereby resulting in traffic congestion and additional hazards for highway users and the residents of Millbank and thus would conflict with the National Planning Policy Framework, and policies 25 and 27 of the emerging Development Strategy for Central Bedfordshire.

Site Location:

The application site comprises a detached, four bedroom dwelling located on the north east side of the cul-de-sac of Millbank in Leighton Buzzard. The dwelling has an attached single garage and parking for three vehicles on the property frontage.

The Application:

The application seeks planning permission for the change of use of the property from residential to a mix of residential and D1 to allow the owner to run a chiropody surgery from the premises. To facilitate this, the garage would be converted to a surgery.

The surgery would be run solely by the homeowner and there would be no additional employees. The proposed opening hours would be 8.45 am - 5pm on Tuesdays, Wednesdays and Thursdays, with around 14 patients treated per day or 40 per week.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

South Bedfordshire Local Plan Review Policies

BE8 Design Considerations

H7 Controlling the Loss of Residential Accommodation

T10 Parking - New Development

(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, policies BE8 & H7 are still given significant weight. Policy T10 is afforded less weight).

Development Strategy for Central Bedfordshire (June 2014)

Policy 21: Provision for Social and Community Infrastructure

Policy 25: Functioning of the Network

Policy 27: Car Parking

Policy 43: High Quality Development

(Having regard to the National Planning Policy Framework, 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 was submitted to the Secretary of State on 24 October 2014.)

Supplementary Planning Guidance

Central Bedfordshire Design Guide: A Guide for Development (2014)

Planning History

| | | | |
|---------------------|-------------------------------|------------------|----------------------------|
| Application: | Planning | Number: | SB/00/00662 |
| Validated: | 11/07/2000 | Type: | Full Application |
| Status: | Decided | Date: | 16/08/2000 |
| Summary: | | Decision: | Full Application - Granted |
| Description: | ERECTION OF REAR CONSERVATORY | | |

| | | | |
|---------------------|--------------------------------|------------------|----------------------------|
| Application: | Planning | Number: | SB/76/00019 |
| Validated: | | Type: | Full Application |
| Status: | Decided | Date: | 16/02/1976 |
| Summary: | | Decision: | Full Application - Granted |
| Description: | EXTENSION TO EXISTING DWELLING | | |

Representations:

(Parish & Neighbours)

Leighton-Linslade Town Council Discussion took place regarding planning application CB/15/00095 (25 MILLBANK). It was felt that the change of use, as proposed, was not unreasonable but that a condition be placed on the approval ensuring the change of use be subject to the applicant only.

RESOLVED that no objection be made to Central Bedfordshire Council regarding planning application CB/15/00095 (25 MILLBANK) but that the Town Council request the approval be subject to the applicant only.

Neighbours (No. 26
Millbank)

Object to the proposal for the following reasons:

- The conversion works would cause disruption and may result in damage to neighbouring occupiers by tradesmen.
- The garage is not sound proofed and its use as a surgery could lead to noise transfer to the neighbouring occupiers. Should planning permission be granted, sound proofing should be a condition of the approval.
- Vehicles parked in the parking space nearest the garage prevent pedestrians from walking to the garage due to the limited width of the parking area. Therefore people accessing the garage have to walk on the garden of No. 26. If this parking space is not used so that access is provided to the proposed surgery, this will limit the parking provision on the site.
- Parking on Millbank is limited and the proposal could worsen the parking situation.
- Visitors walking up the drive will have full views into the main front window of No. 26, thus detrimentally affecting privacy.
- Concerns over potential future businesses taking place in the converted garage should the current occupants sell the property.

Consultations/Publicity responses

Highways Officer

The applicant wishes to develop the existing garage serving the residential property in order to provide a chiropody surgery.

There are three main issues here which should be considered, as a result of the proposed development, they are as follows:

- The loss of a garage/parking space.
- The additional traffic generated by the development.
- The affects on the public highway of any additional and displaced on-street parking.

The loss of the garage would mean a loss of a parking space, however I am satisfied that the hard paved driveway is capable of allowing three vehicles to park clear of the highway, in accordance with the parking standards and hence in terms of maintaining the residential use, there is no objection to the loss of the garage.

In terms of traffic generation, the proposed use as a chiropody surgery will not generate significant volumes of traffic and therefore will not affect the wider highway network in terms of capacity.

The residential element of the development requires three parking spaces in accordance with the parking standards. The parking strategy document also recommends five parking spaces per consulting room for a surgery (D1) use. I would expect this standard to be more appropriate for larger doctor's surgeries, therefore I consider it reasonable to accept the surgery element of the proposal would require two parking spaces (one client in the surgery and one client waiting for appointment).

If the three off-street parking spaces are in use by the residential development, then any car borne clients to the surgery will be required to park on-street. Unfortunately the layout of this section of Millbank is such, that there is very little opportunity for on-street parking. That is to say due to the location of vehicle crossings, the turning head and the horizontal alignment of the carriageway (which are all areas to be kept clear of obstruction) there is very little space left to park on-street without causing a danger or inconvenience to users of the highway. The situation regarding on-street parking may be further exacerbated when you consider access to the pedestrian entrance of the proposed surgery would be restricted by parked vehicles for the residential property. This may then result in part of the residential parking element also being displaced on-street, if adequate pedestrian access to the surgery is to be maintained.

I would recommend that the application is refused for the following reason.

The proposed development would lead to an increase in on-street parking thereby resulting in traffic congestion and additional hazards for highway users and the residents of Millbank.

Public Protection Officer No comments.

Determining Issues

The main considerations of the application are;

- 1. Principle of the Change of Use**
- 2. Impact on Residential Amenity**
- 3. Parking and Highway Safety**
- 4. Other Issues**

Considerations

1. Principle of the Change of Use

Policy H7 of the South Bedfordshire Local Plan Review states that

"Planning permission will not be given for development which would result in the loss of residential land or buildings for redevelopment or change of use of residential accommodation for non-residential purposes where this would represent an unacceptable loss to housing stock."

In this case the dwelling would remain in residential use and only the garage would be lost to non-residential purposes. The proposal is therefore not considered to conflict with policy H7 of the South Bedfordshire Local Plan Review.

Policy 21 of the emerging Development Strategy for Central Bedfordshire encourages the provision of social and community infrastructure, including health centres and clinics, within the community, providing that the proposal would not result in an unacceptable impact to users of the neighbouring land and the location is appropriately accessible and the proposal would not result in unacceptable levels of traffic generation. Therefore, subject to these elements, which will be considered below, it is considered that the proposal is acceptable in principle.

2. Impact on Residential Amenity

The garage that would be converted into a surgery does adjoin the flank wall of No. 26, however the proposed business would operate three days a week and it is not considered that the nature of the business would result in a significant level of noise and disturbance from within the building that would result in a material loss of amenity to the occupiers of the neighbouring dwelling or other neighbouring occupiers. However, this is only considered to apply to the proposed business and not necessarily any business under Class D1. It is therefore considered that, should planning permission be granted, a condition should be imposed restricting the planning permission to use as a chiropody surgery and another condition should be imposed restricting opening hours from 8.45am to 9pm, Tuesdays - Thursdays.

The window mentioned by the occupier of No. 26 is set back from the garage by 3 metres and is already fully visible from the roadside. It is therefore not considered that the proposal would give rise to a significant loss of privacy to the occupiers of No. 26.

The comments made by the neighbouring occupier in reference to potential disruption and damage during the conversion works have been noted, however, this is not a material planning consideration and should not be considered during the determination of this application.

On balance, and subject to the appropriate conditions described above, it is considered that the proposal would not have a significant detrimental impact upon the amenity of neighbouring occupiers. The proposal is therefore

considered to be in accordance with policy BE8 of the South Bedfordshire Local Plan Review and policy 43 of the emerging Development Strategy for Central Bedfordshire.

3. Parking and Highway Safety

The proposal would involve the loss of the garage space and an increase in the demand for parking provision at the site. It should be noted that the conversion of the garage to a residential use would not require planning permission and therefore this parking space could be lost under existing permitted development rights.

The Highways Officer has acknowledged this in his comments and has not objected to the loss of the garage. However, he has raised concerns in regards to the proposed change of use and the impact it would have on parking provision both on the site and within the vicinity of the site and the effects that this would have on highway safety.

The National Planning Policy Framework, in Section 4 requires the provision of safe and suitable access and layouts which minimise conflicts between traffic and cyclists or pedestrians. Policy 25 of the emerging Development Strategy for Central Bedfordshire states that planning permission will be granted where it can be demonstrated that development will not endanger highway safety or prejudice the free flow of traffic on the highway network. Policy 27 of the Development Strategy states that parking for commercial developments must be provided in accordance with the standards set out in the Central Bedfordshire Parking Strategy. Based on the comments of the Highways Officer, the parking provision available at the site and the limitations of the Millbank, it is considered that the application site could not provide sufficient parking for the existing residential use and the proposed commercial use and therefore the proposal would give rise to an increase in on-street parking to the detriment of the safety and convenience of residents and users of Millbank. It is therefore considered that the proposal would be contrary to policies 25 and 27 of the emerging Development Strategy and would thus be unacceptable.

4. Other Issues

Human Rights issues

The proposal raises no Human Rights issues.

Equality Act 2010

The submitted application does not include any reference to accessibility. Should planning permission be granted, it is considered appropriate to add an informative advising the applicant of their responsibilities under the Equality Act 2010.

Recommendation

That Planning Permission be REFUSED for the following:

RECOMMENDED REASON

- 1 The proposed development would lead to an increase in on-street parking thereby resulting in traffic congestion and additional hazards for highway users and the residents of Millbank and thus would conflict with the National Planning Policy Framework, and policies 25 and 27 of the emerging Development Strategy for Central Bedfordshire.

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

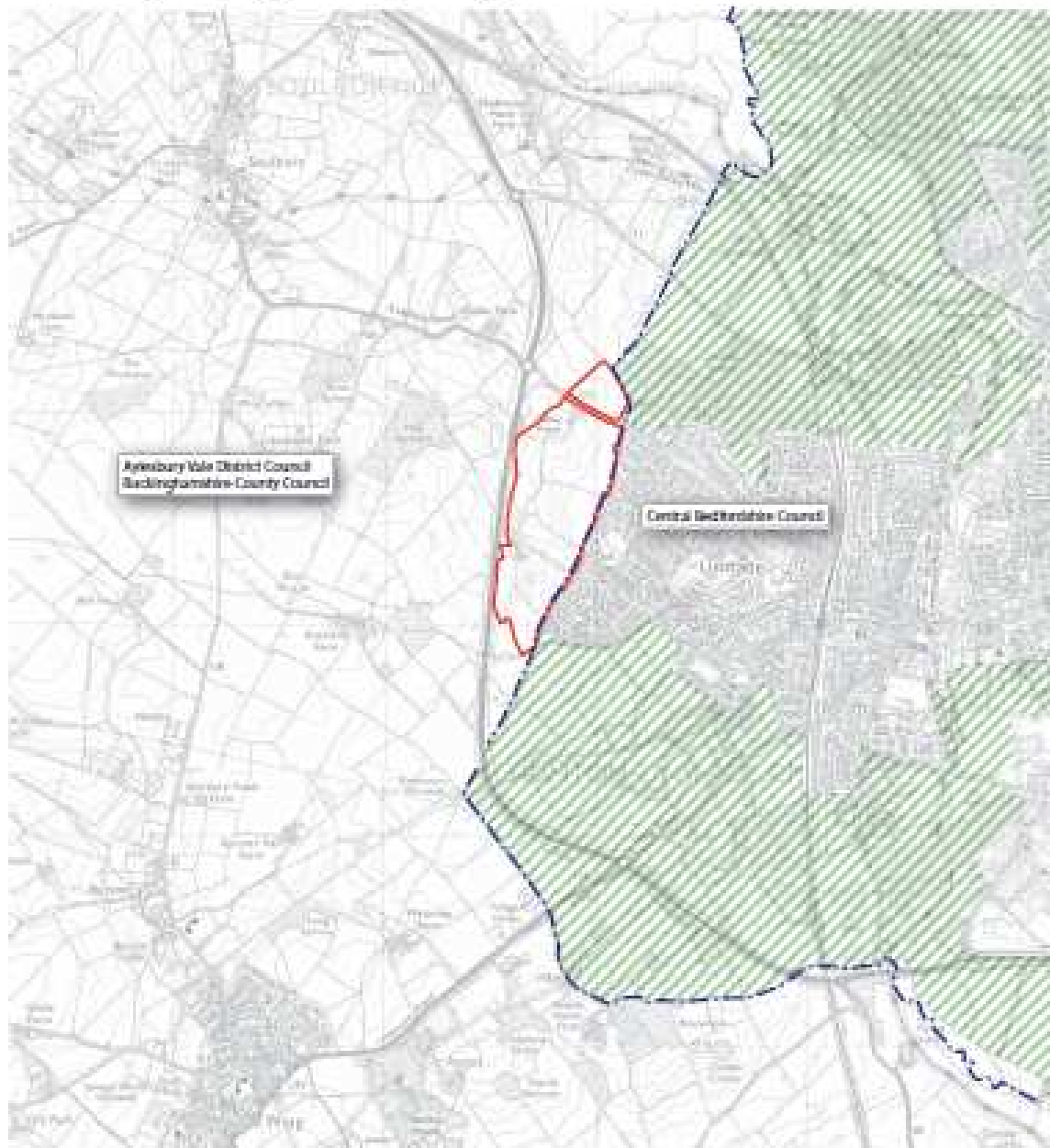
Planning permission is recommended for refusal for this proposal for the clear reasons set out in this report. In the Council’s view fundamental objections cannot be overcome through dialogue. The applicant was invited to withdraw the application to seek pre-application advice prior to any re-submission but did not agree to this. The Council has therefore complied 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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Application No. CB/15/00210/QAC
Land at Valley Farm, Leighton Road, Soulbury, Bucks



-  District Council and Regional
-  Green Belt

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|  West Lindsey, Soulbury | |
| Environmental Statement Volume 8: Plans and Figures | |
| Drawing No: Figure ES.2.1: Administrative Boundaries and Green Belt | |
| Scale: 1:50,000 e.t.d. | Drawing No: ES.2.1 |
| Date: 02/11/16 | Drawing: 01 |
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Item No. 13

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| APPLICATION NUMBER | CB/15/00210/OAC |
| LOCATION | Land at Valley Farm, Leighton Road, Soulbury, Bucks |
| PROPOSAL | Other Authority Consultation: Outline planning permission with means of access to be determined and all other matters reserved for mixed used development including residential uses (C3) - some 300 dwellings, Employment use (B1), Commercial (A1-A5 inclusive), Leisure and Community (D2) and Ambulance Waiting Facility (Sui Generis) Land uses and associated roads, drainage, car parking, servicing, footpaths, cycleways and public open space/informal open space and landscaping |
| PARISH | Leighton-Linslade |
| WARD | Linslade |
| WARD COUNCILLORS | Cllrs Hopkin, Janes & Warren |
| CASE OFFICER | Vicki Davies |
| DATE REGISTERED | 21 January 2015 |
| EXPIRY DATE | 11 February 2015 (extension agreed with AVDC) |
| APPLICANT | Paul Newman Homes |
| CONSULTED BY | Aylesbury Vale District Council Planning Department |
| REASON FOR COMMITTEE TO DETERMINE | Brought to the Committee at the discretion of the Development Infrastructure Group Manager having regard to the significant public interest and interest from adjoining Ward Members. |
| RECOMMENDED DECISION | Other Authority Consultation - Objection |

Site Location:

The site comprises two dwellings and approximately 42.4ha of agricultural land, it is located within the parish of Soulbury immediately adjacent to the western built up edge of Leighton Linslade between the existing town and the Stoke Hammond-Leighton Linslade bypass.

The B4032 Soulbury Road/Leighton Road runs through the northern part of the site. The site extends southwards alongside, and as far as, the extent of the existing residential development in the Derwent Road/Bideford Green area of Leighton Linslade.

The site is wholly within the Aylesbury Vale District. The site is located some 2km from the village of Soulbury and some 2.4km from the centre of Leighton Buzzard.

The Application:

Central Bedfordshire Council has been consulted by Aylesbury Vale District Council on a planning application for:

Outline planning permission with means of access to be determined and all other matters reserved for mixed used development including residential use (C3) - some 300 dwellings, Employment use (B1), Commercial (A1 - A5 inclusive), Leisure and Community (D2) and Ambulance Waiting Facility (Sui Generis) Land uses and associated roads, drainage, car parking, servicing, footpaths, cycleways and public open space/ informal open space and landscaping on land At Valley Farm, Leighton Road, Soulbury Buckinghamshire.

The application plans also show a “potential phase 2 development” which comprises 75 dwellings, 309m² single storey multi-use building (use to be determined), pedestrian and vehicular access (main point of access to Derwent Road), internal roads, car parking, cycleways, footpaths, footbridges, ponds for nature conservation purposes, balancing ponds, associated drainage systems, lighting and sewers and laying out of strategic landscaping.

The phase 2 development is not part of this current application and would require further planning applications to be made, one to AVDC for the development and one to CBC for the access, off Derwent Road.

This application proposes on 42.2ha of land:

- Not more than 300 dwellings – mix of 1 and 2 storey (this includes the loss of 2 dwellings)
- 1,116m² of buildings for employment use – mix of 1 and 2 storey
- Community building with a footprint of 145m² – 2 storey
- Ambulance waiting facility of 50m² – 2 storey
- Commercial floorspace (A1 – A5) – area not specified
- Playing fields and open space
- Roads, cycleway, footpaths, drainage, lighting, parking etc.

The Planning Statement set out that the whole site is not constrained by any statutory environmental or landscape designations within the saved policies of the Adopted Aylesbury Vale Local Plan (AVLP). It is:

- Not located within the designated Green Belt;
- Not located within a significant Flood Plain;
- Not located in the designated Area of Outstanding Natural Beauty;
- Not located in any designated Area of Attractive Landscape;
- Not located in any designated Local Landscape Area; and
- Not included within any other landscape / environmental protection designation save for a small part of the site which is Local Wildlife Site which will be retained and enhanced.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

4 - Promoting sustainable transport

6 - Delivering a wide choice of high quality homes

- 7 - Requiring good design
- 8 - Promoting healthy communities
- 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

Central Bedfordshire Council planning policies are not relevant to the determination of the application but guidance may be used to assess the impacts of the proposal and consider appropriate levels of s106 contributions.

Supplementary Planning Guidance

Planning Obligations Strategy 2009

Planning History

Aylesbury Vale District Council

10/00500/AOP
(CB/10/04616/OAC) Outline application for mixed use development including Residential (C3) - 900 dwellings, Employment (B1), Commercial (A1,A2,A3,A4,A5) Primary School, Health Centre (D1), Leisure and Community (D2), Land Use and associated Roads, Drainage, Car Parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and landscaping. Refused 4/8/10. Appeal dismissed 30/1/12.

11/00426/APP
(CB/11/00842/OAC) Application for full planning permission for a Primary access off Leighton Road/Soulbury Road. This application relates solely to an access arrangement revision to the application 10/00500/AOP for mixed use development including Residential (C3) - 900 dwellings, Employment (B1), Commercial (A1,A2,A3,A4,A5) Primary School, Health Centre (D1), Leisure and Community (D2), Land Use and associated Roads, Drainage, Car Parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and landscaping. Refused 1/6/11. Appeal dismissed 30/1/12.

Central Bedfordshire Council

SB/09/00176/FULL Construction of vehicular access off Derwent Road in conjunction with proposed development within Aylesbury Vale District for outline planning application for a mixed use development (900 residential dwellings, Commercial A1, A2, A3, A4, A5, Primary school, Health centre (D1), Leisure and community(D2) land uses and associated roads, drainage, car parking, servicing, cycleways, public open space/informal open space and landscaping. Withdrawn 3/6/09.

CB/10/00859/FULL Formation of a secondary vehicular access on land off Derwent Road to serve development proposed within

Aylesbury Vale District under an outline planning application for Mixed Use Development including Residential (C3), some 900 dwellings, Employment (B1) Commercial (A1, A2, A3, A4, A5), Primary school, Health centre (D1), Leisure and Community (D2) Land uses and associated roads, Drainage, Car parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and Landscaping (revised application SB/09/00176/TP). Refused 24/6/10. Appeal withdrawn.

CB/11/00750/FULL Revised scheme for the formation of a secondary vehicular access on land off Derwent Road to serve development proposed within Aylesbury Vale District under an outline planning application for Mixed Use Development including Residential (C3), some 900 dwellings, Employment (B1) Commercial (A1, A2, A3, A4, A5), Primary school, Health centre (D1), Leisure and Community (D2) Land uses and associated roads, Drainage, Car parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and Landscaping (revised application CB/10/00859/FULL). Refused 26/5/11. Appeal dismissed 30/1/12.

**Representations:
(Parish & Neighbours)**

Although CBC has not consulted the Town Council or neighbouring residents, a number of comments have been received regarding the application. AVDC do not send letters to residents alerting them to planning applications however in this case they have erected a number of site notices within their District and along relevant points on the border to ensure residents of both AVDC and CBC are notified.

Leighton Linlade Town Council The Town Council has objected and the content of their response sent to AVDC is provided below.

"At its meeting held 26th January 2015, my Council resolved to object to the above planning application. Before considering the reasons, my Council wishes to question why it has not been formally consulted on the proposal which will by virtue of its size and juxtaposition have a material impact upon this Parish to the detriment of its existing residents. The lack of meaningful engagement (by either the determining planning authority or the applicant) with this Council is remarkable given the dependency on this parish; a point founded within the supporting statement which accompanies the planning application. This makes clear that in order for the proposal to demonstrate it is sustainable, it will be forced to look toward this parish to meet its schooling, leisure, open space, employment, transportation and retail provision. Yet no meaningful engagement has to date taken place which is clearly at odds with the principles of front loading consultation to which national planning policy espouses.

The Proposal:-

- The amended scheme follows the refusal of a previous scheme which was duly refused on appeal and subsequent to this, by the Secretary of State. Despite the fact that the proposal is reduced in scale, it is clear that the applicant intends to develop the site in planned phases. In its decision to uphold the appeal refusal, the Secretary of State makes clear at paragraph 82 that once permission had been granted, it would be hard to contain the spread of the urban area further to the north-west. Mindful of this, my Council remains of the opinion that once the principle of development has been established, it will indeed prove difficult to contain the further spread of development.
- The proposed development would be located in open countryside, causing substantial harm to landscape character. The proposal therefore lies at odds with local, regional and national planning policy which seeks to safeguard land from inappropriate development. Whilst reduced in scale and despite amendments, the proposal would intrude into a sensitive, open landscape area. No amount of soft landscaping would overcome the visual as well as physical impact the proposal would have on the landscape hereabouts. Moreover, for the parish, the Town Council maintains its objection on the grounds that the site represents a valuable green buffer, a green lung to counteract the development taking place both to the east and south of the parish.
- The unplanned development to the west of the parish is unsustainable given my Council and Central Bedfordshire's commitment to mixed use growth to the east and south of the parish. The proposed unplanned development would place further unreasonable demands on an already overburdened infrastructure which is struggling to meet its own locally derived demands let alone those derived from a hostile planning application. As the determining authority is minded, the site was considered as part of the call for sites exercise (to inform the Joint Core Strategy) but was rejected on appropriateness grounds.
- The planning application fails to demonstrate how it intends to meet the burden it will inevitably place on scarce service resources. Moreover, even if the application were deemed acceptable in planning terms, it appears that neither this parish or indeed the principal authority will benefit from New Homes Bonus, Council Tax or S106 monies despite the burden the application

will inflict on those scarce resources be it education or traffic for example. This is neither fair nor reasonable and therefore, my Council seeks reassurance that this will not be the case."

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| Neighbours | CBC has received 7 letters of objection to the application, which have also been sent to AVDC. The reasons for the objections are: |
| 3 Alwins Field | |
| 381 Bideford Green | – the development would given rise to serious traffic congestion resulting in danger to both motorists and pedestrians; |
| 92 Himley Green | |
| Himley Green (no number provided) | – installation of traffic lights in a significant dip on a bend would create dangerous congestion; |
| 3 Milebush | |
| 23 Milebush | – pedestrians choosing to walk into Linslade would require a footpath either side of the AVDC and CBC boundary leading to Derwent Road where a pedestrian crossing would be required; |
| One letter with no address provided | – the development would impact on Central Bedfordshire not on AVDC or Bucks CC; |
| | – the proposed cut through from the land through Linslade Wood without discussion with CBC would be illegal; |
| | – environmental sensitivity of the area, both in terms of flora and fauna; |
| | – visual impact of the development; |
| | – Valley Farm helps to reduce the negative impact of the bypass, both in noise and pollution; |
| | – the developers have not updated their EIA; |
| | – overstretched sewage system; |
| | – lack of housing need, there is no shortage of housing; |
| | – groundwater vulnerability with ground stability hazards; |
| | – adverse impact on Leighton Buzzard town centre; |
| | – contrary to policy; |
| | – unsustainable development; |
| | – precedent; |
| | – taxes, income and s106 would go to AVDC or Bucks CC; |
| | – insufficient spaces in local schools. |

Some objectors incorrectly state that the site is in the Green Belt, AGLV or AONB.

Consultations/Publicity responses

Details of consultation responses from CBC consultees are included and considered in the report below.

Determining Issues

The main considerations of the application are;

1. Background & Planning History
2. Planning Policy
3. Education
4. Ecological Impact
5. Landscape Impact
6. Highways, Public Transport and Sustainable Transport
7. Consultation responses which do not raise concerns
8. Other Issues
9. Proposed Response to AVDC

Considerations

1. Background and Planning History

The site has been subject to previous planning applications in 2009, 2010 and 2011.

The development proposals were submitted in outline and included 900 dwellings (C3), Employment (B1) Commercial (A1, A2, A3, A4, A5), Primary school, Health centre (D1), Leisure and Community (D2) Land uses and associated roads, Drainage, Car parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and Landscaping.

In addition, due to the configuration of the development, an application was submitted to Central Bedfordshire Council for a secondary vehicular access and associated works on land off Derwent Road to serve proposed development.

Early applications were subsequently withdrawn by the applicant.

A decision on the resubmitted applications was taken by Central Bedfordshire Council (24th June 2010) and related primarily to highways matters. The second decision was taken by Aylesbury Vale District Council, dated 4th August 2010, and dealt with the more substantive planning policy, housing land supply, infrastructure and environmental matters. Appeals against these decisions were subsequently lodged in December 2010 (Case References APP/P0240/A/10/2143323 (subsequently withdrawn) and APP/J0405/A/10/2143343).

In order to deal with the technical reasons for refusals relating to highways matters in both applications, revised applications were submitted to both Aylesbury Vale and Central Bedfordshire. These were both subsequently refused and appeals submitted and conjoined with the above appeals (Case References APP/J0405/A/11/2154252 and APP/P0240/A/11/2154254).

The Inspector in his report to the Secretary of State recommended that all three appeals be dismissed and the Secretary of State agreed with the conclusions for reasons set out in the decision letter dated 30 January 2012, including those matters set out in paragraphs 14-24. The overall conclusions were set out in paragraph 24 as follows:

“The Secretary of State concludes that Appeal A is not in accordance with the development plan or with national policy with regard to environmental and economic sustainability. He therefore concludes that, although the Appeal A

scheme gains some limited support from other matters, those material considerations are not of sufficient weight to determine the appeal other than in accordance with the development plan. He also concludes that, as the proposals forming Appeals B and D are inextricably linked with Appeal A, they should follow the outcome of that appeal.”

The Secretary of State's decision gave weight to the fact that the land was not allocated for residential development; the proposal would have a harmful effect on the character and appearance of the open countryside and is therefore not environmentally sustainable and the imbalance of on-site employment opportunities.

In terms of the impact on the Council's approach to the east of Leighton Linlade allocation, the Secretary of State considered that no weight should be given to the Inspectors conclusion that the proposal would prejudice the delivery of the comprehensive and locally supported package to the east of Leighton Linlade.

The application is accompanied by an Environmental Impact Assessment, the EIA is however the same one as was submitted with the 2010 application which brings into question the appropriateness of the information contained within it. It is considered that concerns should be raised with AVDC regarding this point.

2. Planning Policy

The Local Development Framework Team comment as follows.

This site was assessed by the Council's planning policy team following a 'call for sites' in 2012. This assessment was originally included within the Sustainability Appraisal for the emerging Development Strategy but was removed as the site is outside of Central Bedfordshire. The assessment however, is still considered to be a fair indication of the suitability of this site for development.

Of most notable concern is that the landscape sensitivity is rated as moderate to high. It was concluded that even a development of 250-500 dwellings would still result in a significant loss of landscape quality, harm the rural setting of Linlade and potentially damage mature landscape features. Proposals at the time stated that less than 50% of the site would be developed but sufficient landscape mitigation was still not proven. The assessment gave the site an amber rating which means that some concerns and/or constraints were identified.

It is noted that Aylesbury Vale do not have a five year housing land supply and therefore the presumption in favour of development applies. This is however outweighed by the need to protect this valued landscape west of Linlade. It is also unclear as to what extent this development would contribute towards housing need in Aylesbury Vale. The site's location abutting the existing settlement of Linlade would more realistically mean that it would contribute towards the local needs in Leighton Linlade.

3. Education

The School Places Team has responded as follows, with detailed information on current capacity at schools in Central Bedfordshire and how these schools would be affected by the proposal.

The location of the site, and local education provision

The proposed 300 dwelling development at Soulbury is within Aylesbury Vale but the population of the development would likely look to closer schools in Leighton Buzzard. Greenleas Lower School, for example, is closer to the development site than the catchment primary school within Buckinghamshire which is Cottesloe Primary in Wing, around 3 miles from the centre of the development site.

School places in Leighton and Impact of Development

On the basis of Central Bedfordshire's forecasts of pupil yield assumptions a development of this size would be expected to create around 12 pupils per year group. Greenleas Lower School is the closest school to the development and pupils attending that school would be expected to feed into Leighton Middle School and then Cedars Upper School, all within Leighton Buzzard. Pressure for school places is already forecast in Leighton Linslade as a result of approved housing development on allocated sites in the local area.

Full financial contributions for all levels of educational provision would ordinarily be required from this development, an area of land may also be requested to be provided within the development site to enable the future expansion of a school. The exact form of the contributions would be subject to further discussion with Aylesbury Vale District Council and Buckinghamshire County Council which should be informed by feedback from local schools and feasibility studies on their ability to accommodate expansion.

Difficulties for Central Bedfordshire Council

300 homes in this location would create challenges for schools in Central Bedfordshire. Although this development is outside of Central Bedfordshire the proximity to Leighton Linslade would mean that the residents of the development would likely apply to CBC schools and be allocated places under the distance admission criteria, which would affect the ability of the schools to provide for CBC residents. Housing development elsewhere in Leighton Linslade has created a pressure for places across all phases of education and plans are in place to manage this, but an additional 12 pupils per year group would require further action. It is impossible to plan for piecemeal development on unallocated sites such as this in a strategic way, meaning that the authority is forced to take reactive action which is not ideal, as well as being disruptive for the schools involved.

For example, Greenleas is a popular and successful good school which managed an expansion onto a second site within the Sandhills estate for September 2013. An option for providing for the population of a development at Soulbury may be to increase Greenleas, Derwent Road to 2.5 or 3 forms of entry, with a detached playing field within the proposed housing development. While this would provide the pupil places it is far from ideal for the school which has recently faced a great deal of disruption due to the previous expansion. In addition, at this point in time there is no certainty around the actual deliverability or cost of a project at this school as a feasibility study has not been undertaken to understand the ability of the school building to expand, nor have the school been involved in any discussions with the authority regarding the possibility of expansion.

Political background- the policy principles

In addition to the practical difficulties in expanding Greenleas Lower School and the organisational problems associated with a 2.5fe school, to do so would go against CBC policy principles which set out that a lower school should only be expanded to or above 3 forms of entry in exceptional circumstances. (CBC policy principles which were delivered to Executive in February 2013):

"30. Ideally lower schools should have 2 forms of entry (i.e. two classes per year group), leading to a school size of 300. For Primary Schools this leads to a school size of 420. This gives headteachers a balance of some teaching, as well as time to manage and monitor, with the ability to employ appropriate non-teaching support in the school.

31. Above 3 forms of entry (450 pupils for lowers, 630 pupils for Primary Schools) it becomes increasingly difficult to maintain consistency, coherence and a 'whole school' ethos appropriate to pupils of this school age. The Council acting as the Local Authority consider it preferable to promote the expansion and creation of new lower/primary school provision at or above 3 forms of entry only in exceptional circumstances.

32. The larger the school, the more likely it is that the Headteacher and senior staff will spend most of their time managing resources rather than on education. If this time is spent on key issues known to promote school improvement in driving the ethos of the school towards raising attainment by a focus on pupil level data management, engagement with the teaching and learning process etc. their offer outside that of classroom input can accelerate school improvement and outcomes."

It is clear from the comments provided that the proposed development would have a significant impact on Central Bedfordshire schools and that if AVDC are minded to approve the application that the full level of financial contributions must be secured and paid to CBC along with the provision of a suitable area of land to enable the expansion of Greenleas Lower School, Derwent Road.

4. Ecological Impacts

The Council's Ecologist comments as follows:

I would only offer one observation in relation to the ecological receptors the Ecological Survey identifies in 3.76. In 3.5 it states that 'With the exception of Valley Farm Fen LWS, the statutorily and non-statutorily designated sites are not considered as Valued Ecological Receptors (VERs) and therefore need no further consideration within the EclA. This is due to the spatial arrangement of the Sites and their separation from the proposed development, leading to the consideration that they will not be significantly impacted by the proposals.'

The sites may be separated and not immediately adjacent to the development area as the LWS is but the impact will be felt once the development is complete in the form of increased recreational pressure. Sites such as Linslade Wood, an area of ancient woodland, and Rock Lane, an old green lane, will suffer from an increase in footfall which is inevitable when 300 new homes are built on a site within 500m of the CWSs. Hence I would seek to ensure any future development of this area addresses potential impacts, demonstrates adequate

on site provision of open space and buffering and enhancement of edge habitats.

It is therefore considered that in the event that planning permission is granted that a scheme of mitigation for Linslade Wood and Rock Lane is secured along with appropriate levels of financial contribution to enable the mitigation to be undertaken and managed for a period of 10 years.

5. Landscape Impacts

The Landscape Officer has provided the following comments.

Having studied the application documents and visited the site and surrounds I have serious concerns regarding negative impact of proposals on landscape character and visual amenity and object to the proposals:

- The proposed development will result in the encroachment of built form in to open, elevated, distinctive rural countryside which is contiguous with adjoining rural designated high quality landscapes.
- The proposed development cannot be adequately or appropriately mitigated due to the elevated open character of the application site and location in relation to the wider landscape character and setting.

Application Site and Surrounds

The application site is located adjacent to the Central Bedfordshire Council / Buckinghamshire County Boundary which is demarcated by a historic hedgerow running along the elevated ridgeline. The existing urban area of Leighton Linslade is generally contained by topography set back further to the east of the ridgeline and generally screened by hedgerows/ hedgerow trees. Existing residential edge rear of Malvern Drive on the ridge is partially visible with reduced landscape screening to back gardens.

The application site is entirely within greenfield agricultural land extending from the elevated ridgeline west of the existing urban area of Leighton Linslade and extending down slope to the Stoke Hammond Bypass (A4146) constructed in 2007. Beyond the application site and bypass the landscape then rises up to form the western valley-side to the rural Soulbury plateau with reciprocal views across the valley back to the ridgeline east of the application site. *This view is described in Viewpoint 7.*

Leighton Road (B4032) runs through the northern portion of the application site comprising open pastures rising to the north and Linslade New Wood (publicly accessible land owned by CBC and managed by the Greensand Trust) with the Ouzel Valley and Greensand Ridge beyond further to the north east.

The application site as a whole presents a pastoral scene of fields enclosed by hedgerows and hedgerow trees and forms a rural approach to Leighton Linslade. The Stoke Hammond bypass follows the valley floor in part with landscape mitigation associated with the bypass maturing and the visual impact of the road thus reducing.

Landscape designations

The application site is located between the northern and southern areas of

South Bedfordshire Green Belt but is not designated as Green Belt. On site the landscape flows with no distinguishing or distinctive change in the high quality rural landscape to that in areas designated as Green Belt. The application site performs a vital role in linking the two areas of Green Belt, reinforcing the pastoral character and openness of the local Green Belt landscape.

The Design & Access Statement *Fig 3.7 Landscape Data Plan* describes landscape designations surrounding the application site and relationship of the application site with the surrounds. The reasons for the application site not being included in any spatial or landscape designation appears an anomaly associated to local authority boundaries on plan, the distinctive rural qualities of the site and surrounds are continuous on site in reality.

Environmental Sensitivity Assessment

The application site and surrounding landscape has been assessed previously to consider the environmental sensitivity and capacity for growth including land west of Leighton Linlade part of which includes the application site:

'Environmental Sensitivity Assessment (ESA) South Bedfordshire Growth Area; Supplementary Report Relating to portions of Land Adjoining Council Areas potentially Affected by the Delivery of Growth'; Land Use Consultants (LUC) 2008.

The ESA considers landscape immediately west of Leighton Linlade described as 'Area A' and including the application site and wider landscape further to the west, described as 'Area A1'

The ESA comments on:

- The distinctive, rural character of the landscape within Area A including the application site and described as highly representative of the district landscape character area.
- Views to Area A and importance of high sensitivity of the elevated areas along the ridge in providing a rural backdrop to the bypass and wider Ouzel valley.
- Evaluation of views and visual amenity concluded that new development to the west facing slopes would be highly visible and prominent within the rural landscape setting.
- The overall sensitivity of Area A is assessed as Grade 1 ('significant constraints such that it is not considered appropriate for development to take place'. *Table 2 Sensitivity Grading*) due to containment of the existing settlement edge and providing a rural edge and approach to western Linlade.
- Given the high sensitivity of the landscape development cannot be mitigated and is not recommended.

The ESA also specifically comments on the sensitivity of the wider landscape area to any future expansion of Linlade and is assessed as Grade 1 overall – development is not recommended.

Proposed development and landscape mitigation

The proposed development describes built form extending downslope, down a valley side westwards and up to the northern ridge adjoining Linlade Wood.

Development is shown on the steeper westerly facing slopes (*D&AS Fig 3.8 Topography Plan*) where landscape mitigation is shown primarily reliant on street trees along tree lined boulevard (*ES Fig 6.6 Design strategy; Landscape Strategy Plan.*) There appears no other evidence describing effectiveness of proposed mitigation in the form of updated sections, photomontages, etc.

The capacity of the proposed landscape mitigation to effectively integrate development is of considerable concern especially given the topographic character of the site and surrounding landscapes and assessed as having a high sensitivity to change

Conclusion

I conclude; due to the site landscape character and visual relationship with adjoining landscapes, that the site cannot accommodate development without resulting in significant visual impact and change in landscape character associated with the application site and wider surrounding landscapes both in Central Bedfordshire and Aylesbury Vale DC.

Independent landscape sensitivity assessments confer the high sensitivity of landscape to change and need to resist development of this site. Effective landscape mitigation is not demonstrated or assured. Therefore I confirm my objection to this application.

If the application were to be approved I request that a developer contribution be agreed towards Green Infrastructure in response to the impact of future users on GI and GI facilities within Central Bedfordshire.

6. Highways & Sustainable Transport

Highways Development Control

It is proposed that in the future a secondary access serving the southern portion of this site is to be provided. This secondary access would be taken directly to/from Derwent Road which falls within the jurisdiction of this highway authority.

The principle vehicular access to this site falls outside of the Central Bedfordshire area and as such, this office's comments will be limited to the potential vehicular impact upon CBC's highway network.

The first point to note is that the application suggests a development of some 300 residential dwellings, whereas the submitted Transport Assessment is basing its assessment upon a proposed development of some 900 dwellings. This discrepancy is not understood.

In terms of traffic generation and trip distribution, this is a matter for Buckinghamshire County Council to comment on in their capacity as local highway authority.

Therefore, taking the submitted traffic generation estimates on face value, the Soulbury Road/Derwent Road roundabout, the junction would appear to operate within its theoretical capacity limits during the 2020 "Do Something" Scenario.

With regards to the Bunkers Lane/Wing Road T-junction. Operational assessment illustrates that there are currently capacity issues being experienced at this junction, and these will continue into the 2018 "Do Minimum"

AM Peak. The PM peak hour operates at a sufficient level during all scenarios and operates below its theoretical capacity limit during the 2020 “Do Something” scenario.

In terms of the AM peak the results of the modelling equate to an operational assessment that gives this office cause for concern with regards to excess queuing and delay. Although this office agrees with the Transport Assessment to the limitations of PICADY once a junction becomes over saturated. On this basis, the local highway authority would require a Transport Assessment Addendum to focus on this specific junction in order to assess the operational benefits of the proposed modifications further.

With regards to the Soulbury Road/Station Road junction, the submitted operational assessment confirms that the junction will continue to operate well within theoretical capacity limits throughout the assessment period.

With regards to the junction of Stoke Road/Old Road LINSIG modelling confirms its operation within optimum efficiency and delay levels throughout the assessment scenario periods.

With regards to the junction of West Street/Wing Road, operational assessment confirms it will operate within theoretical capacity limits during all of the assessment period scenarios.

With regards to the junction of West Street/Vimy Road ARCADY modelling confirms it will operate within theoretical capacity limits during all of the assessment period scenarios.

With regards to the junction of West Street/Bridge Street, ARCADY modelling suggests that the West Street arm of the junction will operate at near to its theoretical capacity limit during the 2020 “Do Minimum” scenario. The introduction of development traffic further exacerbates this issue.

The TA puts forward some design modifications for the junction where operational assessment illustrates the junction will operate below an RFC of 0.750 during the 2020 “Do Something” Scenario. In order for this office to be satisfied with this proposal, a TA addendum focusing on this issue would be required for further review.

With regards to the junction of West Street/Friday Street/Bassett Road, modelling confirms it will operate within theoretical capacity limits during all of the assessment period scenarios.

With regards to the junction of West Street/Waterborne Walk, modelling confirms it will operate within theoretical capacity limits during all of the assessment period scenarios.

With regards to the junctions of West Street/North Street and West Street/Hockliffe Street/Leston Road some moderate performance issues are being reported with associated mitigation works. Again, this office would request a TA addendum be submitted that deals with these issues more closely for further review.

In light of the above, this office raises concerns with regards to the number of junctions within the capacity study area that are predicted to operate close to or above their theoretical capacity limits without mitigation schemes being put into place.

As an adjoining highway authority consultation, this office makes no comment or decision upon the correctness or validity of the traffic data, trip generation data or trip assignment data used to inform the operational modelling. This is for the determining highway authority to pass comment upon; however on face value this office raises an objection to this proposal subject to the determining highway authority passing comment upon the TA data. At that point, this highway authority may lift its objection or alternatively request a TA addendum to be submitted that deals with the above concerns for further review.

Sustainable Transport

Whilst this application is within Aylesbury Vale, it essentially represents an urban extension to Leighton Linlade. Consequently whilst Aylesbury Vale District Council and Buckinghamshire County Council will be responsible for 'servicing' the development the direct impact will be upon a Central Bedfordshire town.

Central Bedfordshire will therefore need to ensure that the development is sustainable in transport terms and maximises the opportunities provided locally in terms of the retail offer, access to London or Milton Keynes, access to further education for instance. To this end therefore connectivity is crucial to the local area for those without access to the private car whilst also seeking to reduce the impact of potential increase in traffic flow on local infrastructure in Leighton Linlade.

Unfortunately the TA that is presented is dated March 2010 and requires updating to reflect recent changes. For instance, the submission refers to a previously proposed scheme whereby buses accessed the site via Derwent Road, which does not feature as a proposal in this particular application.

In order to be considered sustainable in transport terms the following commitments need to be made:

- A bespoke public transport service linking the development to the town via the railway station. This would need to provide a service between 07:00 and 19:00 (Mondays to Fridays); 0900 and 17:00 (Saturdays). The frequency of the service would be one per hour approximately, with one two hour gap on Saturdays to meet drivers' regulations. The officer has assumed a daily price of £480 per day, Mondays to Fridays; £360 per day Saturdays. Final prices will depend on tender results prevalent at the time. For budgeting purposes I estimate £139,800 per year. Prices are based on an hourly cost of £40 per hour (current rates vary between £35 and £50 per hour), with fares revenue going to the bus operator. It is suggested that the support for the bus service should be a minimum of 3 years, with the service starting once 25% of the dwellings are occupied. The financial contributions required would therefore total £419,400 at £139,800 per year for 3 years plus the installation of bus stops.

- Highway design within the development to allow for public transport, minimum 6.5metres.
- Bus stops on site such that no dwelling is more than 400m from a bus stop. New bus stops should have a raised kerb, pole with bus stop flag and timetable case. At least one stop should have a bus shelter with real time screen.
- A contribution to improvements to the railway station forecourt to reflect the requirement for increased capacity due to increases in service from the new developments.
- Shared use path along Soulbury Road as indicated on the TA.
- Footway from the proposed pedestrian/cycling access off Derwent Road to Greenleas School.
- Raised crossing point linking to the school and CBC ROW 59 adjacent to Greenleas School and linking to the pedestrian route to the station.
- Raised crossing point to be incorporated into a school safety zone with a 20mph speed limit.
- Improvements to CBC ROW BW52, Rock Lane, providing links from the south of the site to the railway station and the town. In conjunction with an upgrade to the PROW to BW to which this connects within Aylesbury Vale in order to provide continuity of provision. Improvements to surfacing and lighting in order to maximise the opportunity that this route provides with regard to access to the station, local schools, leisure facilities and the town centre.
- Travel planning measures including contributions to CBC that directly benefit Leighton Linlade and in line with those proposed for other urban extensions in the South Central Bedfordshire growth area.
- Cycle parking in each property (residential and non residential) according to CBC policy.
- Enhanced crossing linking the proposed north - south footpath across Leighton Road onto existing cycle paths to connect to Sustrans National Route 6 on the canal towpath.
- High quality foot and cycle paths within the development.
- Road design to ensure cycle use is not hampered by parked cars.

Travel plan commentary

As part of this application, Aylesbury Vale District Council should take into account the following points regarding their community framework travel plan document for the site:

The plan is clearly based on information available at the time of writing of the transport assessment. Updates should be requested to the plan both in terms of statistics (census data, traffic counts etc.) but also references to funding and planned works. It is important to base the travel plan on the situation as it is currently.

AVDC should be requesting interim modal share targets at this stage, to be revised upon actual travel data becoming available. As many of the facilities residents will use are in the CBC area we will have an interest in what the interim targets are for reducing single occupancy car trips.

The travel plan steering group/working group should seek to include local groups such as Buzzcycles in Leighton Buzzard to co-promote initiatives throughout the area.

More details should be requested as to how the measures are to be financed, managed and secured - understandably detailed measures will be brought forward in time but it should be made clear what the mechanism for delivery of measures will be and how this ties in to CBC schemes and promotions in the area.

The travel plan will need to re-think using the Leighton Buzzard station travel plan steering group as a mechanism for discussion/ action as this was a funded group which is currently inactive. Members of the group are still actively promoting issues but the group itself is on hold at present.

It is clearly unacceptable for the applicant to submit a TA which does not address the current application proposal rather a previous larger scheme. It is also not clear whether the TA takes into account the impact of the East of Leighton Linslade proposals which were submitted in 2011 after the 2010 TA was produced. The validity and accuracy of the TA are therefore brought into question.

7. Consultation Responses which do not raise concerns

The Climate Change Officer commented that the proposed sustainability and energy standards for residential and non-residential buildings are similar to standards required by the CBC's policies.

The Archaeologist comments that "the development lies wholly within Buckinghamshire. The Environmental Statement deals with the impact of the proposed development on archaeology (Chapter 15). It is clear from this that the Buckinghamshire County Archaeology Office has been involved in discussions about this application and are in a position to comment on this application.

The proposal will not directly impact on any archaeological remains in Central Bedfordshire and would be unlikely to have a major impact on the setting of any designated heritage assets in the Authority area. Therefore, I have no objection to this application on archaeological grounds nor do I have any additional comments to make on it."

8. Section 106 and Other Issues

In the event that AVDC are minded to grant planning permission for the proposal CBC should be party to the Section 106 agreement to ensure that appropriate contributions are secured.

It is not considered that the consideration of this application raises any Human Rights issues.

It is not considered that this application raises any issues for CBC under the Equality Act 2010.

9. Proposed Response to AVDC

It is proposed that a copy of this report would be provided to AVDC and the wording below would be included in the covering letter from Andrew Davie, Development Infrastructure Group Manager.

I refer to your letter of 21 January 2015 regarding the planning application as shown above and would confirm that Central Bedfordshire Council wishes to object to the proposed development on the following grounds.

1) Planning application documents

Central Bedfordshire Council raises significant concerns that the Environmental Impact Assessment is from 2010 and relates to a different proposal. The Transport Assessment is also from 2010 and it is not clear whether it adequately takes into account recent and future development. Overall the submitted documents do not reflect the current application proposals and this is a matter of concern.

2) Principle

A planning application for a larger, but similar residential development in this area was refused by AVDC and dismissed at appeal in 2012. The Secretary of State in his conclusions set out that "*The Secretary of State concludes that Appeal A is not in accordance with the development plan or with national policy with regard to environmental and economic sustainability*". It is our opinion that nothing has changed to warrant moving away from this point of principle.

Central Bedfordshire Council object on the basis that the proposal is not in accordance with national policy in relation to environmental or economic sustainability.

3) Housing need

The proposal would clearly have numerous impacts on Leighton Linlade, which would effectively receive a western urban extension. The Council gave consideration to extending Leighton Linlade to the west or to the east and took the view that the most sustainable and appropriate location for the extension of the town would be to the east and planning applications have been made to deliver this development. The LDF Team commented that an assessment of the site has been made previously but the landscape sensitivity is rated as moderate to high and the proposals at the time stated that less than 50% of the site would be developed but sufficient landscape mitigation was still not proven. The LDF Team also highlight that the proximity of the site to Central

Bedfordshire brings into question which authority's housing need would actually be met by the development proposal.

Central Bedfordshire Council object as the site is unacceptable in principle having previously been considered during a call for sites and discounted due to the landscape sensitivity. Central Bedfordshire Council can demonstrate a 5 year housing land supply and as the proposed development relates better to Leighton Linlade it would contribute to housing need in Central Bedfordshire rather than in Aylesbury Vale, limited weight should therefore be given to the argument that the proposal would contribute to AVDC need for housing.

4) Infrastructure Impacts

There would be significant impacts on the town of Leighton Linlade in terms of additional pressures on all types infrastructure with the application acknowledging that the town would meet the needs of the residents of the proposed new houses in terms of the town centre with wide variety of shops, Tiddenfoot Leisure Centre, Leighton Buzzard Library Theatre, schools, railway station, bus services to the station and other destinations and employment opportunities.

Central Bedfordshire Council object to the proposal due to the adverse impacts it would have on the town of Leighton Linlade by placing significant additional pressures on all infrastructure and services.

5) Impact on Leighton Buzzard town centre

The new residents of the proposed development would use Leighton Buzzard Town Centre for their day to day needs as the next nearest settlement of a similar size would be Bletchley some 11km away. Leighton Linlade town centre is already under pressure and CBC has two development briefs in place to expand town centre retail, commercial and residential provision.

Central Bedfordshire Council objects to the application on the basis that it would have an adverse impact on the infrastructure and services of Leighton Linlade town centre and no mitigation is proposed.

6) Tiddenfoot Leisure Centre

Tiddenfoot Leisure Centre is already under severe pressure by meeting the needs of the existing population of Leighton Linlade and cannot accommodate the additional pressures that the proposal would bring.

Central Bedfordshire Council objects to the application as it would place unacceptable pressure on Tiddenfoot Leisure Centre which is already under severe pressure and there are no proposals to mitigate this impact.

7) Education

The children generated by the development would be most likely to attend schools within Central Bedfordshire rather than AVDC as the nearest schools would be in Leighton Linlade. 300 dwellings would generate 12 pupils per year group which cannot be accommodated within existing schools within Leighton Linlade without extensions. Financial contributions would be able to mitigate the impacts and provide funding to extend schools as required. In the specific case of Greenleas Lower School, Derwent Road which would be under the

greatest pressure, there is no room on the site for any further extensions. This would therefore need to be mitigated by the applicant providing a suitable area of land. The land would be within the application site and would therefore have to be used as a detached playing field, this would not be ideal but if necessary would be acceptable. If this were to be the case, a safe crossing or bridge would also be needed, also paid for by the applicant.

If AVDC are minded to approve the application, Central Bedfordshire Council objects due to the impact on education provision, unless full contributions are secured and passed to CBC, a suitable area of land for a detached playing field is provided along with a safe crossing point or bridge at the applicants cost.

8) Highways

The Transport Assessment submitted is from 2010 and deals with the previous application proposals for 900 dwellings, it is therefore not directly relevant to the current application. A TA addendum is required to address the junctions which are close to or above their theoretical capacity limits.

Central Bedfordshire Council objects to the proposals on highway grounds until a TA addendum to ensure that the information is relevant to the proposal under consideration is submitted to address the junctions identified as near capacity.

9) Sustainable Transport

The development would need to provide and incorporate significant measures to enable it to be considered sustainable in transport terms.

Central Bedfordshire Council therefore objects to the application unless funding for a bespoke bus service for at least 3 years is secured, along with an appropriate highway design to allow easy access for public transport; shared use paths, footways and crossing points; improvements to public rights of way; cycle parking provision; travel planning measures and contributions to the station forecourt to allow the extra capacity to be accommodated.

10) Landscape Impacts & Green Infrastructure

Serious concerns regarding negative impact of proposals on landscape character and visual amenity have been raised and Central Bedfordshire Council therefore objects to the proposals.

The proposed development would result in the encroachment of built form in to open, elevated, distinctive rural countryside which is contiguous with adjoining rural designated high quality landscapes and cannot be adequately or appropriately mitigated due to the elevated open character of the application site and location in relation to the wider landscape character and setting.

Due to the site landscape character and visual relationship with adjoining landscapes, the site cannot accommodate development without resulting in significant visual impact and change in landscape character associated with the application site and wider surrounding landscapes both in Central Bedfordshire and Aylesbury Vale DC and there would thereby be an unacceptable impact.

Independent landscape sensitivity assessments confer the high sensitivity of landscape to change and the need to resist development of this site. Effective

landscape mitigation has not been demonstrated or assured.

The pressure on green infrastructure assets beyond the site boundary would be largely felt by sites in Central Bedfordshire, namely Linslade Wood as a very local site, and Rushmere Country Park as a more strategic scale destination. Given that the impact on green infrastructure sites would be concentrated in Central Bedfordshire, if the development were to be approved, Central Bedfordshire Council would be seeking significant contributions to these sites.

Whilst Central Bedfordshire Council objects to the proposed development and would recommend that the application is refused, if consent is granted then appropriate Section 106 contributions would need to be secured to mitigate the impacts on Central Bedfordshire services and infrastructure and Central Bedfordshire Council would need to be party to the agreement. In light of this it is imperative that a meeting is arranged, as previously requested, between the Councils to discuss the approach to be taken to this matter.

Notwithstanding the urgent need to meet to discuss this application below is an indication of the level of financial contributions and other matters which would need to be addressed through a s106 agreement.

Recommendation

That the response in section 9 above is sent to AVDC along with a copy of this report as Central Bedfordshire Council's objection response to the consultation on the planning application.

DECISION

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