

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Friday, 28 February 2014

### PRESENT

Cllr K C Matthews (Chairman)

Cllrs	P N Aldis	Cllrs	K Janes
	A R Bastable		Ms C Maudlin
	R D Berry		T Nicols
	M C Blair		I Shingler
	D Bowater		B J Spurr
	A D Brown		J N Young
	I Dalgarno		

Apologies for  
Absence:

Cllrs Mrs C F Chapman MBE  
Mrs S Clark  
Mrs B Coleman  
A Shadbolt

Substitutes:

Cllrs C C Gomm (In place of Mrs S Clark)  
R W Johnstone (In place of Mrs C F Chapman MBE)

Members in  
Attendance:

Cllrs A L Dodwell  
M A G Versallion,

Officers in Attendance:

Mr D Ager	Highways Officer
Mrs M Clampitt	Committee Services Officer
Mr A Davies	Senior Planning Officer
Mrs V Davies	Principal Planning Officer
Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
Mr R Fox	Head of Development Planning and Housing Strategy
Mr D Hale	Planning Manager South

### DM/13/85 **Chairman's Announcements**

The Chairman asked all persons present to silence their phones for the duration of the meeting.

Subject to declarable interests all Members of the Committee have the right to vote on all matters of business considered by the Committee.

Rule No. 13.5.5 of the Constitution states that Members do not vote or take part in the meeting's discussions on a proposal unless they have been present to hear the entire debate, including the officer's introduction to the matter.

The Chairman, under Part E3 paragraph 9.2 has a second or casting vote should there be equal numbers of votes for and against an item. This provision makes it quite clear that the Chairman is entitled to vote on any item of business. There is no restriction or limitation on how the second or casting vote should be exercised nor is there a requirement that the right be exercised at all.

A second Late Sheet had been issued to Members of the Committee prior to the meeting. The Chairman asked the Committee if they would like a short adjournment to provide them an opportunity to review the information. The Committee agreed.

**THE COMMITTEE ADJOURNED AT 10.05 AND RECONVENED AT 10.15.**

**DM/13/86 Members' Interests**

**(a) Personal Interests:-**

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr N Young	4	In capacity as Portfolio Holder for Planning knows some Speakers in attendance.	Present

**(b) Personal and Prejudicial Interests:-**

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr R D Berry	4	The northern area of the second application abuts own property but is not part of this site.	Present

**(c) Prior Local Council Consideration of Applications**

<b>Member</b>	<b>Item</b>	<b>Parish/Town Council</b>	<b>Vote Cast</b>
Cllr D Bowater	4	Member of Leighton Linlade Town Council	Attended meetings

**DM/13/87 Late Sheet**

In advance of consideration of the following Planning Applications the Committee received a Late Sheet advising it of additional consultation / publicity responses, comments and proposed additional/amended conditions. A copy of the Late Sheet is attached as an Appendix to these Minutes.

Additional information was received prior to the meeting and a second Late Sheet was prepared for the Committee members, and was published to the Council's website. A copy of the second Late Sheet is attached as an Appendix to these Minutes.

During consideration of the Application the Committee received representations from members of the public in accordance with the Public Participation Procedure as set out in Annex 3 of Part A4 of the Constitution.

DM/13/88 **Planning Application No. CB/11/02827/OUT**

Following the Principal Planning Officer's presentation, the Committee adjourned at 12.05pm and reconvened at 12.15pm. Cllr Dalgarno left the meeting to attend a funeral.

**RESOLVED**

**That, subject to the referral of the application to the Secretary of State, in accordance with the Town and Country Planning (Consultation)(England) Direction 2009, and the completion of a prior Section 106 Agreement that the Head of Development Management be authorised to grant Planning Permission if the Secretary of State does not call in the application and in doing so, to make such amendments to the schedules to the permission as he considers necessary, subject to the conditions as set out in the Schedule appended to these Minutes.**

**A request for a recorded vote upon the decision for this planning application was made and voted upon. Upon being put to the vote to approve the application, including the amended Condition 9, the following vote was recorded:**

**Councillors: Aldis, Bastable, Berry, Blair, Bowater, Brown, Janes, Johnstone, Maudlin, Matthews, Nicols, Spurr and Young.**

**Voted in accordance with the proposal to approve the application.**

**No Councillors voted against the recommendation to approve the application.**

**Councillor Shingler abstained.**

**The recommendation was approved. 13 for, 1 abstained.**

(Note: The meeting commenced at 10.00 a.m. and concluded at 12.55 p.m.)

Chairman .....

Dated .....

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



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

26 February 2014

Dear Councillor

**DEVELOPMENT MANAGEMENT COMMITTEE - Friday 28 February 2014**

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

**Late Sheet**

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Should you have any queries regarding the above please contact Democratic Services on Tel: 0300 300 4032.

Yours sincerely

Martha Clampitt,  
Committee Services Officer  
email: [martha.clampitt@centralbedfordshire.gov.uk](mailto:martha.clampitt@centralbedfordshire.gov.uk)

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## LATE SHEET

### DEVELOPMENT MANAGEMENT COMMITTEE – 28 FEBRUARY 2014

#### ***Item 4 (Page 5-116) – CB/11/02827/OUT – Clipstone Park, Land South of Vandyke Road & North of Stanbridge Road, Leighton Linlade.***

##### **Additional Consultation/Publicity Responses**

###### Campaign to Protect Rural England

Representations made by Campaign to Protect Rural England (CPRE) were received in relation to this application on 21<sup>st</sup> September 2011 but were omitted from the report, the comments are attached.

###### The Fraser Family, Model Farm, Leighton Buzzard

A letter was received on 20<sup>th</sup> February 2014 from Bletsoes, stating that the Fraser family are aware of the planning application and have entered into an arrangement with applicants. A copy of the letter is attached.

###### Chilworth International Corporation

The owners of an area of land to the north of Vandyke Road which is included in the Framework Plan for East of Leighton Linlade but excluded from any planning application before the Council have been in touch through their legal advisors, Hogan Lovells.

The letter raises a number of concerns which are summarised below along with the Council's position which was set out in a reply to the letter.

1. The basis on which the Council considers that the employment provision to be delivered by the applications is adequate and conforms with the Council's Framework Plan, joint Core Strategy and emerging Development Strategy.

*The provision of employment opportunities is a key component of the Clipstone Brook scheme. The Committee Report sets out that the Applicant's have demonstrated how they consider that the proposal will deliver a sufficient number of new jobs to accommodate all of the economically active persons likely to be generated from the whole allocation.*

2. Confirmation that the Council will treat the development of this area in a holistic and cohesive manner to ensure the vision of the Framework Plan and emerging Development Strategy can be realised and delivered.

*The Council will treat the development of the allocated site in an holistic and comprehensive manner.*

3. That the draft s106 for the Clipstone Park application is not available.

*There are no draft Section 106 agreements in the Council's possession.*

4. Confirmation that the s106 agreements will provide legally enforceable mechanisms for the delivery of infrastructure to support the whole of the allocation including the provision of the full quota of employment land.

*This cannot be confirmed until the draft and final agreements are in place.*

5. That the officer's report is not available.

*A link was provided to the Officer's committee report.*

6. The applications were submitted 3 years ago and the base data on which the Environmental Statement supporting the application is based is now significantly out of date.

*The Applicant has not been requested to provide further environmental information.*

### 18 Mercury Way, Leighton Buzzard

The occupier of 18 Mercury Way wished to attend the Committee meeting to speak however she is unable to do so and therefore requested that her comments be presented to the Committee. Her comments are reproduced below:

*"Myself and many others are very disappointed to discover that the meeting is to be held such a long way from the above site, surely if you wish to engage the local people it needs to take place in an area that everyone can reasonably get to. Also a time when most people are not out working.*

*Are we, the citizens of Leighton Buzzard, to have our own debate and make our own decision as agreed by Mr Cameron, the Prime Minister. I thought that local opinions are to be taken into consideration when deciding on planning proposals. We have already shown a NO vote.*

*This particular application has already been given the thumbs down by the residents as we have grown too big, too fast and need a period for infrastructure growth to catch up.*

*Our current road system will not cope with the volume of traffic, and the said link road WILL NOT relieve congestion as the new population will need to cross town to get to the rail links.*

*We have seen far more traffic around the town centre at certain times of the day and this will only get increase.*

*The residents of Leighton Buzzard currently need to travel away from their homes (90% of the work force) for work and this will not change just by building houses and leaving hard spaces for companies to come to the town. What incentives are there to attract new employers.*

*Bedfordshire Police have concerns about the layout as it will be easier for criminals to go about their business. Now that we do not have a manned police station criminal activity will increase.*



*Anglian water also stated that it will propose " an unacceptable risk" of flooding.*

*The developers have stated it is offering affordable houses but as the percentage is so small, will it really make a difference to the people living in Leighton Buzzard or will the houses be given to people outside the area as we are being told.*

*We must all accept change but it has got to be of a benefit to the community and this is not."*

## **Additional Comments**

### Construction Traffic Management

Control over the routing of construction traffic is currently included within the Construction Environmental Management Plan (CEMP) requirements contained in condition 9. It is considered that traffic routing is best controlled through a clause in the s106 agreement. The detail of the wording will need to control construction traffic movements in order to ensure that construction vehicles do not use unsatisfactory routes particularly in relation to Heath and Reach.

### East of Leighton Linslade Framework Plan

The East of Leighton Linslade Framework Plan was endorsed for the purposes of Development Management in May 2013. A link to this document on the Council website has been sent to all Members and hard copies will be available at the meeting.

## **Additional/Amended Conditions**

Amended condition 9 - delete reference to construction traffic routes at d).

No development shall commence in any area, as defined by the areas plan required by condition 4, of the development (including any works of demolition) until a Construction Environmental Management Plan ('CEMP') has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with the Framework Construction Environment Management Plan submitted as part of this planning application and shall include details of:

- a) Environment Management Responsibilities;
- b) Construction Activities and Timing;
- c) Plant and Equipment, including loading and unloading;
- d) Points of access/egress to be used by construction vehicles;
- e) Details of site compounds, offices and areas to be used for the storage of materials;
- f) Utilities and Services;
- g) Emergency planning & Incidents;
- h) Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;
- i) On site control procedures:
  - i. Traffic mitigation measures including traffic management and parking
  - ii. Temporary haulage routes
  - iii. Air and Dust quality
  - iv. Noise and vibration

- v. Waste and Resource Management
  - vi. Agricultural Soils and Materials
  - vii. Temporary surface water drainage during construction
  - viii. Protection of Controlled Waters
  - ix. Trees, Hedgerows and Scrub
  - x. Ecology
  - xi. Archaeological and Cultural Heritage
  - xii. Visual and Lighting
  - xiii. Utilities and Services
  - xiv. Protection of water resources
  - xv. Protection of species and habitats
- j) Detailed phasing plan to show any different phasing, different developers and/or constructors to be updated on an annual basis;
- k) Details for the monitoring and review of the construction process including traffic mitigation (to include a review process of the Construction Environmental Management Plan during development).

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

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



Campaign to Protect  
Rural England  
BEDFORDSHIRE

Trevor Saunders,  
Asst. Director of Planning,  
Central Bedfordshire Council,  
Priory House, Monks Walk,  
Chicksands,  
SHEFFORD, SG17 5TQ

21<sup>st</sup> September 2011

Dear Sir,

Application CB/11/01937/OUT - Chamberlains Barn Quarry, Leighton Buzzard, up to 950 Dwellings etc.

Application CB/11/01940/FULL - Chamberlains Barn Quarry, Leighton Buzzard, Link Road, Heath Road/Vandyke Road etc.

Application CB/11/02827/OUT - Clipstone Park Leighton Buzzard, up to 1280 Dwellings etc., with Link Road, Vandyke Road/Stanbridge Road

We have studied the submissions made in respect of the above, and write to register our objection to all 3 of these applications.

Our grounds for objection are as follows:-

**1. Planning Context**

**1.1** The applications are associated with an emerging Core Strategy which the Secretary of State has now confirmed should be withdrawn. The proposed developments all lie in the South Bedfordshire Green Belt, but would have been facilitated by the Green Belt boundary change which that Core Strategy was proposing. However, with the withdrawal of the Core Strategy, it would seem to us that there is currently no mechanism in place by which the intended Green Belt boundary change can be formally progressed towards adoption.

**1.2** We submit, therefore, that until some other planning framework and mechanism emerges whereby any change to the Green Belt boundaries East of Leighton Buzzard can be formalised, these applications have to be viewed as inappropriate development in the Green Belt, and therefore subject to the 'very special circumstances' test in PPG2.

**1.3** In our view, no sufficient case of 'very special circumstances' currently exists. In this regard, we draw attention to the fact that at the present time there are very substantial tracts of allocated and consented land within the Leighton Buzzard Southern Urban Extension Area (Grovebury Farm and Brickyard

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CPRE, the Campaign to Protect Rural England, is a charity which supports the rural community in England. We welcome positive responses to the applications from all interested parties. Registered in 1971, we have 40,000 members and a branch in every county. Patron: Her Majesty The Queen. President: Sir Bryan

Registered charity number: 1023466  
Printed on 100% recycled paper

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Quarry) which have still to be developed. You are also aware that the Council's refusal of 900 homes on land West of Linslade is currently awaiting the outcome of an Appeal Inquiry. Were the Secretary of State to allow this Appeal, this would quite clearly have major impact on the case for any housing expansion to the East of the town.

## 2. Sustainability

We note that the applicants point to recent initiatives and announcements by the Government designed to drive up the rate of housebuilding, and that they refer in particular to the draft National Planning Policy Framework, currently the subject of consultations, which the Government propose should contain a 'presumption' in favour of sustainable development.

However, the Government has made it quite clear that this presumption is not intended to operate in such a way as to weaken the existing level of protection given to land of Green Belt status.

In any event, the key word underlying the presumption is 'sustainable', and we consider the applicants' proposals fail significantly to meet that criterion.

To be specific:-

### 2.1 Traffic

The applications involve a total of 2230 dwellings and we consider that - especially after taking into account the effects of a fully built out Leighton Southern Urban Extension - proposals of this magnitude must inevitably impose significant unsustainable traffic impacts on the town. Access to the town centre, and cross-urban movement between Leighton Buzzard and Linslade, is already subject to congestion, and the latter flow will be particularly affected by additional traffic seeking access to and from the railway station. The proposed Heath Road - Vandyke Road Link, together with the proposed Eastern Link Road, alterations to road junctions and enhancements to the local bus network, will in our view offer only limited mitigation of these impacts.

Indeed, the effectiveness of the proposed new bus services will depend not just on their frequency but also on their reliability, and this - along with the reliability of the rest of bus network throughout the town - will undoubtedly be severely compromised by the raised levels of traffic and congestion which are bound to be experienced within Leighton Buzzard's urban core.

It is by no means unrealistic to envisage that the applicants' combined proposals could entail some 2500 - 3000 additional cars domiciled within the town's boundaries, and that a high proportion of these will be seeking access to the road network within similar timeframes of the day. Against this background, we submit that the conclusions of the applicants' Transport Assessments that

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*'there are no highway reasons why this proposal should not be permitted'* (Chamberlains Barn) and that there will be a *'nil detriment impact on Leighton Buzzard'* (Clipstone Park) can command no credibility.

## 2.2 Employment & Economy

2.2.1 There have to be serious grounds for concern over the sustainability of the employment prospects associated with the applicants' schemes. Out of the 2230 households proposed, it is not unreasonable to envisage that in well over 1500 of them there will at least one person requiring access to employment. However, the actual number of additional local jobs that could potentially be created within the proposed new employment zones, or be available elsewhere within the town, is clearly not going to meet such a level of requirement. It is certainly well within the bounds of probability that over two-thirds of those requiring access to work will need to out-commute to other locations, placing strain both on road and rail networks and, in the case of the latter, on access to and from the town's rail station.

It is already an unsustainable feature of Leighton Buzzard and its economy that such a high proportion of its residents have to commute elsewhere to work. The scale of the applicants' proposals, relative to their employment creation potential, can only make the existing situation even more unsustainable than it is already is.

2.2.2 The town's most important visitor attraction is the Leighton Buzzard Narrow Gauge Railway, which takes people out to what is currently a pleasant area of open countryside. The applicants' proposals will largely urbanise the whole length of its countryside section bar the last 300 yards, and thus have highly damaging impacts on the attraction of the railway.

In exchange for open green countryside, we get what is described as a 'green corridor' -- albeit one which features close-up views of a new road link and residential development on its north side, and on its south side more views of residential development together with a 'Neighbourhood Centre' incorporating a supermarket and a public house. Moreover, prior to completion of the applicants' developments, the railway would face years of despoiled surroundings while the applicants' extensive schemes were under construction -- construction work which includes the diversion of the railway at one point from its historic route in order to accommodate the junction of Vandyke Road with the proposed Heath Road/Vandyke Road Link.

Not just in the long-term, but particularly through the construction phase, the applicants' proposals show scant regard for the railway's importance to local people, to visitors, and to the local economy. The impacts on the railway are highly adverse, are incapable of effective mitigation, and are therefore by definition unsustainable.

## 2.3 Environment

We wish to draw attention to the Sustainability Appraisal Report (November 2010) prepared in conjunction with the Core Strategy Pre-Submission document. This S.A. report comments at P.74 on the 'First Sieve' output from the S.A. methodology in relation to Sites C and D, i.e. the site areas to which the applicants' proposals relate. It then lists the mitigation measures seen as required should these sites be taken forward for development.

2.3.1 For Site C, the mitigation measures listed include the statement *'Development beyond the urban area up to the Shenley Hill Road is not considered appropriate'*. To a significant extent, the applicant's proposals ignore this important S.A. recommendation. Whilst he appears to seek partially to meet it by proposing the rising area of the land up to Shenley Hill Road be developed as a 'Country Park', the lower area flanking Vandyke Road is shown as almost entirely given over to residential development. Particularly in this respect, we submit that the application involves a major non-compliance with the Core Strategy Sustainability Appraisal.

2.3.2 For Site D, the mitigation measures recommended in the Core Strategy S.A. include the statements *'Development should avoid the sensitive slope and ridge leading up to Charity Farm'*, and *'The setting of Eggington should be safeguarded'*. The applicant's proposals appear to comply with neither of these recommendations. The alignment of the proposed Eastern Link Road appears to cut well into the base of that sensitive slope, and the general setting of Eggington village is undoubtedly adversely affected not only by the encroachment of residential development but by the proposal to site two employment zones alongside the Link Road at its southern end. One of these is even proposed to be on the east side of the Link Road, thus breaching the 'barrier' to development it otherwise affords.

These proposals would bring residential and industrial development within half a mile of the outskirts of Eggington village. We submit that, far from safeguarding the setting and environment of Eggington, the applicant's proposals involve impacts on it that are profoundly adverse, which are incapable of effective mitigation, and which are therefore unsustainable.

## 3. Localism

3.1 The Government's Localism Bill is expected to be on the Statute Book this November. The Bill promotes, inter alia, a planning process in which local communities will have a much greater say in the forward strategy for their areas, based on their own vision of local needs.

The 2,500 homes envisaged for the East Leighton-Linslade SSSA in the Submission Core Strategy has never been a figure based on an estimation of the town's own requirements. It is a figure which originated from the Milton Keynes

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& South Midlands SRS stipulation that a total of some 25,300 additional homes should be delivered within the Luton & South Bedfordshire Growth Area over the period 2001-2021, with provision for a further 15,400 over the years to 2031, figures towards which Leighton-Linslade should make an 'appropriate contribution'. This 'appropriate contribution' became quantified at 2,500 in the Core Strategy Preferred Options document of April 2009.

3.2 Following the Government decision in May 2010 that top-down Regional targets should be abolished, and replaced by targets that reflected local need, the Core Strategy was re-worked and re-based to provide for 23,150 new homes over the period 2011-2026, with contingency provision for some 4,050 homes beyond that date. Notwithstanding the substantial reduction that this represents against the original targets, the 'contribution' to be made by the East Leighton-Linslade SSSA by 2026 has remained unaltered in the Pre-Submission Core Strategy from that originally set in the context of the old MK & SM SRS targets for 2031. This contrasts noticeably with the situation at the other two SSSAs, both of which have seen significant reductions. The reason for this appears, once again, to have little to do with Leighton-Linslade's local needs, but is because the East Leighton SSA is seen as offering the opportunity for a faster start towards delivery of the Core Strategy targets than either of the other two.


3.3 The Pre-Submission C.S. itself states at Policy CS1 that *Leighton Buzzard will be a secondary location for development that will provide development opportunities to meet the needs of the town and make a contribution to meeting the housing needs of the wider area*. Taking that statement at its face value, if the housing needs of the wider area have been marked down it clearly follows that the 'contribution' required from Leighton Buzzard should also be marked down. This has not happened, and in our submission it should have done.

3.4 In any case, the 'contribution to the wider area' approach should now be seen as at fundamental odds with that set out in the Localism Bill, which clearly points to local need as the basis on which local development should take place. Local people have spoken out strongly against development at Leighton-Linslade on the scale proposed. We submit that the principles of the Localism Bill alone – quite apart from the other arguments we have presented – now require that the concept and scale of any development to the east of the town be completely re-evaluated.

#### 4. Conclusion

We urge your Council to give all due consideration to the representations we have made in this letter, and accordingly to refuse the present applications.

Yours sincerely,

  
J.H. Adburgham

Area Representative, South Beds & Luton





Your Ref:  
Our Ref: AYB/VAB/15002

Email: alistair.brodie@bletsoes.co.uk

20<sup>th</sup> February 2014

**By email only: victoria.davies@centralbedfordshire.gov.uk**

Ms Vicki Davies  
Principal Planning Officer  
Development Management  
Central Bedfordshire Council  
Priory House, Monks Walk  
Chicksands, Shefford,  
Bedfordshire, SG17 5TQ

Dear Ms Davies

**Clipstone Park – The Fraser Family**

I confirm that we act on behalf of the Fraser family of Model Farm, Hockliffe Road, Leighton Buzzard, in connection with property matters.

I write to confirm that the Fraser family are aware of the report which is to be considered by Committee shortly, recommending the grant of planning consent for a primarily residential development at the Clipstone Park scheme. I wish to confirm that the Fraser family are aware of the possible grant of planning consent and are fully supportive of the development proposals. Indeed, they have entered into an arrangement with the promoters Willis Dawson Holdings Ltd, designed to steer this proposal through the planning process and, hopefully, secure a formal grant of planning consent, in due course.

My clients are aware that the Committee will be undertaking a site inspection early next week and we understand that Willis Dawson Holdings Ltd will be erecting sighting flags, in order to assist members to understand the position of principal features and facilities and the alignment of roadways, etc.

My clients are aware that, if planning consent is granted and the development comes forward, one of their modern farm buildings sits within the route of the proposed eastern distributor road. My clients are aware of the need to remove this building, if planning consent is granted. Contingency plans are in place to deal with taking down this building and re-locating it onto an alternative site.

My clients hope that the site inspection will go well and look forward to a positive decision being reached by Committee, in terms of passing a resolution to grant planning consent, when the application is considered at the end of next week.

Yours sincerely

A Y Brodie

c.c. [david.hale@centralbedfordshire.gov.uk](mailto:david.hale@centralbedfordshire.gov.uk)  
c.c. Simon Willis

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Central  
Bedfordshire  
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Shefford SG17 5TQ



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

28 February 2014

Dear Councillor

**DEVELOPMENT MANAGEMENT COMMITTEE - Friday 28 February 2014**

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the following additional information.

**Late Sheet**

**3 - 24**

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

Yours sincerely

Martha Clampitt,  
Committee Services Officer  
email: [martha.clampitt@centralbedfordshire.gov.uk](mailto:martha.clampitt@centralbedfordshire.gov.uk)

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## **DEVELOPMENT MANAGEMENT COMMITTEE – 28 FEBRUARY 2014**

### ***Item 4 (Page 5-116) – CB/11/02827/OUT – Clipstone Park, Land South of Vandyke Road & North of Stanbridge Road, Leighton Linlade.***

#### Chilworth International Corporation

The late sheet contains details of a letter received from Hogan Lovells who act on behalf of the owners of an area of land north of Vandyke Road, Chilworth International Corporation.

A further letter was received on 26<sup>th</sup> February 2014 after the late sheet was produced raising a number of points. Each of the points is dealt with below.

The recent letter raises concern that a letter dated 18<sup>th</sup> April 2013 from DTZ, who act on behalf of the above, was not recorded in the report. The letter was incorrectly filed against the Framework Plan; however it is attached for information.

Both letters are attached for information.

- The application is premature. The Council does not have an up-to-date Development Plan and the Development Strategy has not yet been submitted for examination. Greater weight should be given to the Framework Plan, which is a material consideration in the determination of the application.

The Officer's report deals with this issue in detail at sections 1, 3, 4 & 5. In addition the comments of the Local Plans and Housing Team set out the position in relation to the Development Plan. The Framework Plan is a material consideration and the proposal conforms with it.

- Section 5 of the Framework Plan sets out the "essential infrastructure that must be provided for growth to be integrated and sustainable." 16ha of serviced employment land is deemed to be necessary to allow the development to progress. It is therefore surprising that the shortfall of 5ha of employment land provision is not drawn to the Member's attention.

The Framework Plan covers the whole of the Eastern Leighton Linlade allocation and therefore for the total development of 2500 dwellings, 16ha of employment land would be required to deliver the 2,400 jobs specified in policy 62 of the emerging Development Strategy. The planning application before the Committee is for 1210 dwellings and provides 11ha of employment land. The applicant has demonstrated that the 11ha within this application site could deliver sufficient numbers of new jobs, circa 2,400, to accommodate all of the new economically active persons expected to be generated from the whole of the allocation when taken along with those jobs within the Neighbourhood Centre and schools. This point is emphasised in para 4.10 of the Framework Plan.

- At paragraph 5.4 the officer refers to the Framework Plan as setting out 11ha of employment land within the application site. The Framework Plan in fact states that the main employment area is approximately 13ha. Thus the employment provision within the application site is deficient when judged against the Framework Plan.

The report does state that the Framework Plan requires 11ha of employment land within this application. The Framework Plan does in fact state that the main area of employment land is about 13ha. The land is 13ha gross, and 11.43ha net, therefore the area of land which can be used for employment use has been included in the report. The Framework Plan also states at 4.10 point 1, *“Overall it is anticipated that this main employment area together with jobs associated with the Neighbourhood Centre, Local Centre (about 3 ha) and adjoining community uses such as schools, will deliver in excess of the required 2400 jobs.”* It is therefore considered that this application will deliver the appropriate level of employment land and jobs.

- Officers mislead the Members in relation to the number of jobs to be generated by the urban extension.

The Officer’s report clearly states at 6.11 that the very special circumstances put forward by the applicant are set out in paragraphs 6.11 – 6.31. The information contained in paragraph 6.19 is therefore the applicant’s case. Policy 62 of the emerging Development Strategy and the Framework Plan both require that the allocation as a whole should deliver up to 2,400 jobs. This application site could deliver, the applicant contends, 2,000 to 2,150 jobs on the employment land and a further 500 jobs from within the development resulting from the neighbourhood and local centres, schools etc. It is accepted that the other area of employment land is not included in any application and that there is no certainty over the applicant’s estimate that a further 600-700 jobs could be provided on that land. It does not however impact on this application’s ability to provide sufficient employment land and jobs.

- Heads of terms for the Section 106 Agreement are summarised in section 9 of the report. In order to have a comprehensive and holistic development, the s106 will need to deal with the phasing of the infrastructure to support the development. The timing and delivery of employment land is not referred to.

Paragraph 9.19 sets out that the phasing of the development would need to be carefully considered and appropriate triggers secured in the s106 agreement. It will also be necessary for the legal agreements to control the development of all three of the residential development sites in order to deliver the necessary infrastructure at the appropriate point. This paragraph was intended to encompass all infrastructure including the employment land. For the avoidance of doubt the legal agreement will include clauses to deal with the delivery of serviced employment land and the offer made by the applicant is that they would be willing to enter into an agreement which requires the delivery of the first phase of serviced employment land prior to any residential occupation.

- The Luton and South Central Bedfordshire Joint Core Strategy (August 2011) sets out the delivery mechanism and associated timescales for land uses in the urban extension. Employment land is required to be commenced within three years. It is therefore questioned why the applicants are not being

required to comply with this or any other timescale for delivery of employment land.

The table in the Core Strategy sets out a general indication of delivery mechanisms and associated timeframes. It is not considered that the applicants can be required to comply with these timeframes as they are significantly out of date. It is however considered that the early delivery of serviced employment land is vital and would be secured through the s106.

- There is no required provision in the Section 106 Agreement for the applicant to procure the provision of employment land outside the application site to remedy the shortfall.

There is no shortfall of employment land within this application and therefore there is no need to require the applicants to procure additional land.

- It is vital that the Council treats the development of the urban extension in a holistic and comprehensive manner not least to ensure that all essential infrastructure can be delivered. This is recognised by officers at para 9.19. It is therefore concerning that Members are being advised to push ahead with the premature determination in isolation of a single application for only part of the extension.

This argument can only be made in this situation as the Council has planning applications for the remainder of the site. If the Council was in a situation where it only had this application, there would be no reason to prevent its determination whilst further applications for the remainder of the site. The Framework Plan was prepared in order that the site is developed in a comprehensive manner. It is acknowledged that it is vital that the legal agreements appropriately control the developments across the site and the timing of the preparation of the s106 agreements and subsequent planning permissions will need to reflect this approach.

- Members do not have the “full picture” before them and will have no guarantee of the essential infrastructure if the applications are determined in a piecemeal and ad hoc way.

This is not accepted the Members have a comprehensive report before them and along with the relevant policy documents and the Framework Plan are able to appreciate the “full picture”.

- Officers acknowledge at para 9.19 that there is a need for legal agreements for all three residential sites. There is no explanation as to how these will dovetail and ensure that the infrastructure is delivered. There is no analysis or explanation as to why the applications are no being determined together with a single s106 agreement.

The preparation of a single s106 agreement is still an option open to the Council, however it is anticipated that it is more likely that there will be more than one legal agreement all of which would be linked to each other.

- The environmental information forming the basis of the Environmental Statement is woefully out of date. Although the report (para 7.1) refers to the information as being 21/2 years old, this underplays the situation. The base

data for many of the studies is actually 4-5 years old. It would be unsafe for the Council to rely on this data, particularly as the application site lies within the Green Belt. We query how the Council has therefore been able to come to an informed view that there has not been “any significant change to the situation to necessitate any updated material”. It is noted that the applicant for the adjoining sites (Arnold White Estates) saw the need to review and update the environmental information and has submitted an addendum to their Environmental Statement.

In order that the Committee are fully informed each section of the Environmental Statement is dealt with below. It should also be taken into account that the assessment of environmental effects takes into account the construction and operational phases of the development which is expected to take 15-20 years to complete.

The sections entitled Introduction & Assessment Approach; Application site and Proposed Development and Planning Policy Context & Alternatives provide background information and the context to the assessment of the environmental effects of the development.

Socio-Economic Issues – The data included in this section on population, deprivation, employment and unemployment etc could be updated, however it is not considered that the changes to the baseline figures would be so significant to have any impact on the assessment of the effects of the proposal.

Landscape and Visual Issues – There has been no significant change to the landscape, viewpoints or visual impacts to warrant a review of this section.

Ecology – It is acknowledged that the reports and surveys were undertaken in 2010 but there is no evidence that the situation has changed in the areas proposed for development that render this part of the ES time expired. Officers are satisfied that there will be no significant adverse ecological effects arising from the data having been collected in 2010

Cultural Heritage and Archaeology – There has been no significant change to the cultural heritage or archaeological situation which would result in the requirement to review the information.

Agricultural Circumstances – There has been no significant change in the agricultural circumstances to warrant a review of this section.

Transport – The baseline data in this section may have altered slightly but not to such an extent which would require the review of this information.

Noise & Vibration – There has been no significant change in factors in relation to noise and vibration which would warrant a review of this section.

Air Quality - The baseline data in this section may have altered slightly but not to such an extent which would require the review of this information.

Hydrology, Flood Risk and Drainage - There has been no significant change to the hydrology, flood risk or drainage situation which would result in the requirement to review the information.



Geotechnical Issues & Contaminated Land - There has been no significant change to these matters to warrant a review of this section.

Arnold White Estates submitted additional environmental information following amended plans. The information does not review the original environmental statement and only considers whether the changes have any additional or previously unforeseen impacts.

- The advice set out in the report to Members as to why inappropriate and harmful development in the Green Belt is outweighed by very special circumstances in this case is particularly unconvincing. Members should be advised that substantial weight should be given to any harm to the Green Belt when determining the application (NPPF para 88).

Paragraph 88 of the National Planning Policy Framework (NPPF) is reproduced below.

*88. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.*

The case for very special circumstances is set out in the report at section 6. It should be noted that the Secretary of State recently considered a planning application for 5,150 dwellings and associated development in the Green Belt and determined that it should be determined at a local level.

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## **DEVELOPMENT MANAGEMENT COMMITTEE – 28 FEBRUARY 2014**

### ***Item 4 (Page 5-116) – CB/11/02827/OUT – Clipstone Park, Land South of Vandyke Road & North of Stanbridge Road, Leighton Linlade.***

#### **Further public comments received**

4 emails have been received from residents who wished to address the Committee but are unable to attend the meeting. Their comments have been reproduced in full below.

#### **3 Cetus Crescent**

Objections to development on Clipstone Brook.

1. Leighton Buzzard does not have the infrastructure to support large scale developments.
2. The traffic situation is bad already and will be made much worse with large scale growth in the town's population.
- 3 Difficulties in reaching the train station and parking which is very bad at present.
4. Increased chances of flooding in building on a floodplain with the increase in concrete spread. With recent events and climate change this fact that cannot be ignored.
5. Building on green belt land which was provided to protect against any development on green areas surrounding the town.
6. Arnold Whites has a poor record in this town in providing infrastructure under section 106. Sandhills is recognised by most many people in this town as being a dreadful estate. It has taken at least ten years to get a school there.

I feel this development is being treated as a fait accompli and the views of the people in Leighton Buzzard are not being respected, when 10000 people signed a petition against any further development in Leighton Buzzard. I am fed up of getting very little that is good in this town and we seem to get a lot that is bad, including this development.

#### **2 Plummer Haven**

*Points of Concern re Planning Application CB/11/02827/OUT Clipstone Park*

#### **Flooding**

An up to date assessment of the risk of flooding across the land covered by this application should be carried out.

The land in question includes the Clipstone Brook. The Brook has a reputation for being prone to flooding.

In the aftermath of the recent Flood Crisis, the opinion has been raised that the average annual rainfall of the British Isles will increase.

I also understand that large developments in, or near to flood plains decrease the ability of the soil to absorb rain and flood water.

Therefore an up to date assessment of the risk of flooding by the Clipstone Brook is needed before this planning application is given final consideration.

Could the proposed Sustainable Urban Drainage System cope with the kind of winter we have just had? Could it cope when the development is complete, an estimated 15 years from now?

### Traffic

An up to date assessment of the flow of traffic in and out of the proposed development traffic and traffic flows in and around Leighton Linlade and Heath and Reach. How the new traffic generated by Clipstone Park will interact with Leighton Linlade, Heath and Reach, the A5, and the A507 is essential. The proposed Eastern Relief Road does not cross the canal or the River Ouzel. This means that anyone wanting to go to Leighton Buzzard Railway Station, the proposed new Retail Park on Grovebury Road, the proposed new development at Smith's Meadow, or Tesco, will have to use the A507, or the roads leading from Clipstone Park to the Town Centre, or both.

What will be the impact of this on Leighton Linlade Town Centre and the roads that connect Clipstone Park to the Town Centre?

With reference to the East of Leighton Linlade Urban Extension, Draft Development Strategy for Central Bedfordshire Policy 62

According to the Development Strategy, the building of the Eastern Relief Road will not begin until 4 years after the building of Houses begins. Completion of the Eastern Relief Road is expected to take 2 years. This means that for 4 - 6 years people coming to live in Clipstone Park will be totally dependent on Leighton Linlade's existing roads.

The Development Strategy also indicates that Employment Provision within the East of Leighton Linlade Urban Extension will not begin until 3 years after the commencement of House Building. This Employment Provision will continue for another 12 years after this point. This means that people coming to live in Clipstone Park will have to look outside Clipstone Park for their Employment for at least 3 years, and maybe for ever. As a result, they will have to travel outside the development, and/or commute to find work.

There seems to be a tacit assumption that people living in Clipstone Park will be willing to use feet, bicycles, and buses to get to and from Leighton Town Centre and other facilities, such as Leighton Buzzard Railway Station. How realistic is this assumption now, given the distance of Clipstone Park from the Town Centre? How realistic is this assumption given the locations of Leighton Buzzard Railway Station

and Leighton's supermarkets, and the proposed locations of the new Retail Park and Smith's Meadow? When are new bus services likely to become available?  
Can Leighton Linslade and Heath and Reach truly provide the support that Clipstone Park will need?

Can Leighton Linslade and Heath and Reach truly cope with the potential increases in traffic and changes in traffic flows that Clipstone Park will bring?

If the answers to these questions is No, the development known as Clipstone Park should not go ahead.

#### Infrastructure

The delays in the beginning of the Eastern Relief Road, and in Employment Provision have already been mentioned.

Delays in the provision of schools, medical facilities and the Hub are also highly likely to occur.

This means that, for however long a delay is, the people of Clipstone Park will be totally dependent on Leighton Linslade, Heath and Reach and other villages around the development to provide what is needed.

Can Leighton Linslade Heath and Reach and the villages truly afford this situation, now, and into the long term future?

I use the word 'afford' in the widest sense.

If the answer is 'No' in whole or in part, then this development should not go ahead.

With reference to the Draft Development Strategy for Central Bedfordshire: all policies dealing with Green Infrastructure, Green Spaces and the Environment

#### The Green Infrastructure and Green Spaces of Clipstone Park

What protection is there for the Green Spaces and Green Infrastructure of Clipstone Park from encroachment by future development?

The Development Strategy for Central Bedfordshire implies that Housing Density in new developments has become completely flexible.

This further implies that any Housing Density figures in this Outline Planning Application might be allowed to rise in future.

This could lead to loss of Green Space and Green Infrastructure in order to accommodate new building.

If the Green Policies of the Development Strategy are to be fulfilled then protection of the Green Spaces, and Green Infrastructure contained in this Outline Planning Application is essential.

Any approval of this Outline Planning Application should therefore be conditional on the Green Spaces and Green Infrastructure being preserved from future development of any kind.

### Energy Provision

Is the wind turbine proposed for Double Arches expected to contribute to the energy needs of Clipstone Park?

My understanding is that this wind turbine will feed into the National Grid. Is this correct? If it is, then this wind turbine cannot be considered as a point towards the approval of this planning application.

Is it possible to have solar panels installed in each new home, or to offer each buyer of a new home in Clipstone Park the option of having solar panels installed when or before they move in?

Solar panels do not produce the noise pollution and associated medical problems of a wind turbine. As far as I am aware, solar panels do not produce air pollution, either.

### 12 Chestnut Rise

I wish to further object to this development as already said it is a massive development on a town with a Victorian road system, which already gets congested.

1. Building on flood plain with the threat of flooding, which has caused a lot of problems with climate change in the country.
2. Further traffic jams with extra people using present supermarkets as the one on the proposed development **not** adequate. New link road won't help.
3. There is a need for more housing but not on this huge scale to the detriment of this town. Events in the town are already spoilt with the volume of people.

### 9 Chamberlains Gardens – via Andrew Selous MP

It appears that the local council is about to allow Dawson industries to build housing on Greenbelt land on the edge of Leighton Buzzard. This seems to be without any regard for the opposition from the police - who are concerned about security, Anglia Water who say that such a development would increase the risk of flooding to adjacent areas.

There has concern shown by the Government relating to individuals concreting over green areas because of the risk of there being nowhere for drainage and recent events have shown the effect that mass building on flood plains, green belt areas can have. these dangers seems to have bypassed the local councillors in Beds. Further, it has been admitted by the developers that, if the scheme goes ahead, only ten percent of the housing built will be 'affordable housing' which suggests that this is merely a money making scheme with little, or no regard for the local area.

Perhaps you could raise this issue, both with the council and with your colleague The Secretary of State for the Environment, before irreparable damage is done.



125 Old Broad Street  
London  
EC2N 2BQ  
Telephone: 020 3296 2411

18 April 2013

Sue Frost  
Interim Local Planning and Housing Team  
Central Bedfordshire Council  
Priory House  
Monks Walk  
Chicksands  
Shefford  
Bedfordshire  
SG17 5TQ

Dear Ms Frost,

**REPRESENTATIONS TO THE EAST OF LEIGHTON LINSLADE FRAMEWORK PLAN AND ASSOCIATED PLANNING APPLICATIONS ON BEHALF OF ALISON CHILTERN - HUNT**

These representations are submitted on behalf of Alison Chiltern-Hunt, following our meeting with your colleague David Hale on 20 March 2013. Alison Chiltern-Hunt is the freeholder of the land edged red on the attached plan (DTZ1), extending to 5.4 ha (13.4 acres). The land is located to the north east of Leighton Linslade on the northern side of Vandyke Road and currently in agricultural use.

We understand that the public consultation on the East of Leighton Linslade Framework Plan ('the Framework Plan') took place in November / December 2013. We were not contacted as part this consultation despite having had meetings with adjoining land owners (Arnold White Estates) to discuss their proposals in 2011 who could have given your Council our contact details. As such, we have not commented on the proposed Framework Plan to date.

Additionally, up to this point we have not commented on the main planning applications submitted in 2008 and 2011 by adjoining landowners (Chamberlains' Barn - SB/08/00329/OUT, CB/11/01937 and Clipstone Park - CB/11/02827/OUT). These applications do not include the land owned by my client but will have a significant impact on this land if approved.

This letter sets out our comments on the above documents.

*East of Leighton Linslade Framework Plan*

These representations are submitted with reference to paragraph 182 of the National Planning Policy Framework which sets out the tests of soundness against which draft Local Plans are to be examined but also form a strong framework against which all emerging planning policy can be assessed.

These are:

- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

- Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF.

Our client is strongly supportive of the wider intentions of the draft Framework Plan and the principles behind the proposals for the East of Leighton Linlade urban extension. We do not however, consider that the proposed allocation of our client's land for employment use has been considered in sufficient detail to ensure it has been positively prepared, justified, effective or sustainable and in accordance with National Policy.

We understand that the allocation of my client's land reflects the original masterplan for the area produced by Arnold White Estates in their 2008 application and more recent discussions the Council have had with the promoting landowners.

Our concern is that a robust and evidence based case in support of the allocation of this land for employment use has not been made and on this basis we consider that:

- The allocation has not been positively prepared as there has been no employment study undertaken to gauge the viability and sustainability of employment uses at this location.
- The allocation is not currently justified as the two further employment zones located towards the southern end of the proposed extension (circa 11 ha (27 acres)) provide a more sustainable development cluster for employment uses with better transport links and future access to the national motorway network via the proposed Houghton Regis link road to the M1.
- The allocation of the land in question is not effective as it is not deliverable in terms of financial viability and will not be developed for the proposed uses within the development timeframe.

The more accessible employment zones proposed near Stanbridge Road are large enough to generate a 'critical mass' of employment floorspace. This would support ancillary and complementary facilities creating a successful employment hub. Employment development at Vandyke Road would struggle to attract developers and occupiers when in competition with these more sustainable alternatives. As the Stanbridge Road zones would provide a sufficient supply of employment floorspace to satisfy demand generated by the urban extension, Vandyke Road would not be developed for employment use and may subsequently be promoted for alternate uses.

- The development of employment uses in this location would not be sustainable. Notwithstanding the above points, if a further employment zone were developed in this location, occupiers could be drawn away from the town centre. This would damage the economic vitality of the Town Centre and increase the number of car trips generated as occupiers will no longer benefit from the public transport facilities available in central Leighton Buzzard.

We do not consider that the above points are insurmountable but require further robust, evidence based studies to be produced that support of this allocation. These should identify suitable and sustainable employment generating uses and a clear strategy for development of this land for the uses proposed.

#### *Current Planning Applications*

As with the Framework Plan, we are broadly supportive of the development proposals set out in the planning applications CB/11/01937 and CB/11/02827/OUT.



Our concerns are that the land owned by our client has been excluded from the Chamberlains Barn application (CB/11/01937) but the site has been identified as 'future employment land'. Notwithstanding our above comments on the suitability of this land for employment uses in the absence of detailed employment studies, we consider that the exclusion of this land from the planning application would lead to piecemeal development. The impact of this would be magnified as a result of the site's location adjacent to the proposed Neighbourhood Centre, an import focal point for the wider development.

To ensure the development East of Leighton Lindslade is successful and capable of delivery, and the neighbourhood centre is served by complementary employment generating uses, a detailed employment study and development strategy that supports the proposed employment allocation should be produced by the consortium currently promoting the wider development.

To ensure that any development strategy for this land is implemented by the promoters, the development of this area for employment generating uses or other complementary uses should be linked to the planning permission granted for the wider development. To this end we consider that a single s106 agreement tying in all the relevant planning applications would ensure comprehensive delivery of planning obligations.

Our client realises the importance and public benefits that would arise from the development as a whole and would be prepared to consider entering into a s106 agreement that addressed the obvious concerns caused by the proposed employment allocation covering their land.

I hope this is clear but I would welcome the opportunity to discuss our findings with you in further detail.

Yours sincerely,



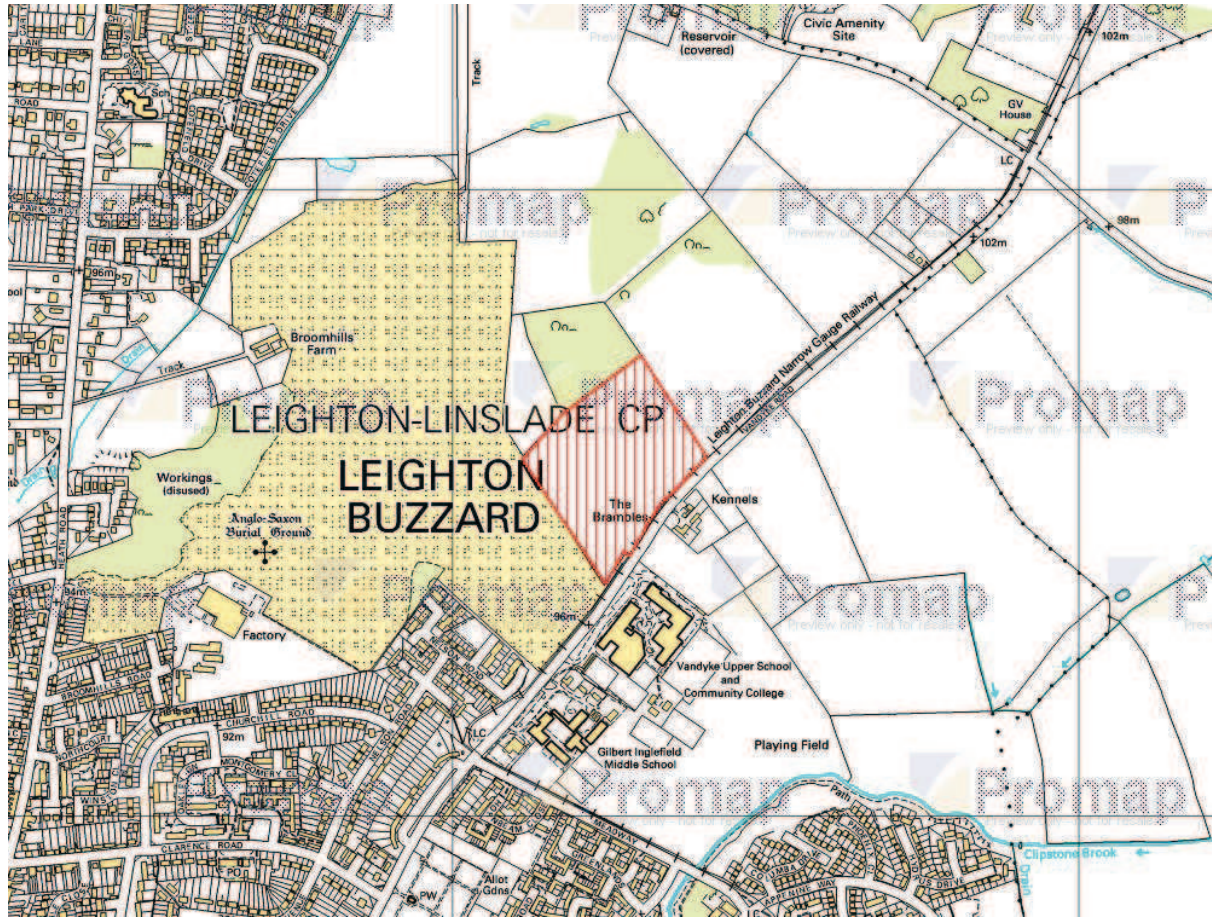
**Gerald Allison**  
Senior Director

**Email:** gerald.allison@dtz.com

**Direct Tel:** 020 3296 2411

Copied to:  
Alison Chiltern-Hunt  
David Hale – Planning Manager South

Alison Chiltern-Hunt – Land ownership



Plan: DTZ1

13 February 2014

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

By email and post

Claire Dutch  
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Our ref C2/CD/4014250  
Matter ref 52881/00019

Attention: Andrew Emerton

Dear Sirs

**EAST OF LEIGHTON LINSLADE - URBAN EXTENSION  
PLANNING APPLICATIONS CB/11/02827/OUT, CB/11/01937/OUT AND CB/11/01940/OUT  
(SUBMITTED BY WILLIS DAWSON HOLDINGS AND ARNOLD WHITE ESTATES)**

We refer to our letter of 23 January. We have now had the opportunity to meet with our client's property agents, DTZ, and we are in a position to set out our client's concerns in more detail.

Our client has serious concerns about the imminent grant of planning permission in relation to the three planning applications that have been submitted for the urban extension to the east of Leighton Linlade. For the sake of brevity, we refer in this letter to application CB/11/01940/OUT and application CB/11/01937/OUT submitted by Arnold White Estates as the "Arnold White Applications" and application CB/11/02827/OUT submitted by Willis Dawson Holdings as the "Willis Dawson Application" (collectively referred to in this letter as "the Applications").

In short, the Applications do not conform with the current and emerging policy framework in place for the urban extension.

**ADOPTED LOCAL PLAN**

The Council does not have an up to date Development Plan. It's adopted Development Plan (South Bedfordshire Local Plan Review 2004) is now 10 years old and makes no provision for the urban extension.

The Joint Core Strategy for Luton and Southern Central Bedfordshire was withdrawn at the advice of the Examining Inspector but relevant policies have been endorsed by your council for development management purposes as an interim measure until such time as the Council's Development Strategy is in place. Policy CS16 supports the allocation of the Strategic Site Specific Allocation ("SSSA") and provides for a masterplan to be prepared to take forward the vision of the SSSA that:

- "1. *identifies sufficient land to provide a mix of uses that delivers about 2,500 dwellings, approximately 16 hectares of employment land ...*
3. *.... provides new employment land in locations that are attractive to employees, giving good access to the primary route network and will provide good quality, local job opportunities" (our emphasis).*

### EMERGING DEVELOPMENT STRATEGY

Policy 62 of the Draft Development Strategy supports the SSSA to the East of Leighton Linlade. It states that the development will provide a mix of uses to achieve a sustainable community comprising (inter alia) "*approximately 16 hectares of employment land creating up to 2,500 new jobs*". It goes on to state that the development will provide "*new employment land in locations that are attractive to employers, give good access to the primary route network and provide good quality, local job opportunities*". We understand that the Council is presently considering responses to the consultation on the Draft Development Strategy before it is to be submitted to the Secretary of State for examination.

### THE FRAMEWORK PLAN

The East of Leighton Linlade Framework Plan ("Framework Plan") was adopted by the Council in June 2013 to provide technical guidance in relation to the determination of applications (that were already before the Council at the time of the Framework Plan's adoption) for the development of the urban extension.

This Framework Plan was adopted "to remedy the deficiency" in that the masterplan prepared by the Council and the Developers in 2010 had not been subject to public consultation. However, in that regard, it is surprising that neither our client nor our client's agents were consulted in relation to the preparation of the Framework Plan.

The legal status of the Framework Plan is not clear. The council is treating the document as a material consideration in relation to the determination of the Applications, although it could be argued that, given the nature of its land use policies, it is actually a Development Plan Document. However, we note that the necessary legal procedures have not been followed to give the document Development Plan Document status.

The Framework Plan is, therefore, at the very least, a material consideration in the determination of the Applications and, in the absence of an up to date Development Plan, should be given significant weight by the Council.

The Framework Plan sets out a vision for the SSSA to be a sustainable and new community with the aim of encouraging inward investment and strengthening the local economy by establishing new jobs in order to reduce the prospects of a dormitory community with predominantly outward commuting. A key part of the vision is, therefore, improving local employment opportunities.

The Framework Plan (at 3.1) states that planning applications will "*also need to demonstrate how the following aims can be delivered to comply with the Development Strategy ... to secure a much better range of serviced employment sites within the town, this will assist with growth within the local economy (in accordance with the National Planning Policy Framework) and improve levels of self-containment thereby reducing outward commuting from the town*" (our emphasis).

At 4.5 (planning and design principles) the development must ensure "*that local employment opportunities are located in areas which are well-connected to the existing and new primary route network but at the same time are not located in areas which are likely to cause a nuisance to existing or new residents*".

At 4.10, the Framework Plan refers to the provision of two main employment areas and refers specifically, by reference to the Concept Plan, to our client's site as the area of employment land immediately to the north of Vandyke Road. It refers to the site's ability to offer the potential to deliver a wide range of employment-generating uses owing to its sustainable location in close proximity to the neighbourhood centre. This land is described as being "*ideally located to provide for slightly smaller-scale employment uses such as serviced activities having a local base and serving the town of Leighton Linlade*".

Section 5 of the Framework Plan sets out the "*essential infrastructure that must be provided for growth to be integrated and sustainable*". Certain facilities are deemed to be necessary to allow development to progress. One of those facilities is employment provision of approximately 16 hectares of employment land. That employment land "*will need to be serviced and brought forward as part of a programme to assist in the creation of local jobs concurrently with new housing*" (our emphasis).

It is, therefore, abundantly clear from the Framework Plan that the policy intention is to provide serviced employment sites of approximately 16 hectares. From what we have seen from the information publically available, the Applications do not provide the level of serviced employment land which is deemed to be "necessary" and "essential" under the Framework Plan. Rather, the Applications combined provide only 11.43 hectares of employment land. We also note that the Willis Dawson Application relies on jobs created generally within the development (such as the local centre and schools) to meet the required employment provisions. It is clear from the Council's Framework Plan which should be given significant weight in the determination of applications coming forward, that the Council's vision for a genuinely sustainable new community cannot be realised without essential provision of a sufficient quantum of serviced employment land and that provision must include our client's land. Further, the Applications do not conform with the emerging Policy Framework, which is also a material consideration in the determination process.

The Applications do not include our client's land and, as far as we are aware, the developers are not being required to procure the provision of off-site employment land to remedy any shortfall.

#### **CURRENT POSITION**

We understand that DTZ have been informed by the Council's officers that the Section 106 Agreement for the Willis Dawson Application is largely settled. We note that a draft of the Section 106 Agreement has not been made available on the Council's website or the Planning Register. The Council has, therefore, not complied with its statutory duty under 36 of the Town & Country Planning (Development Management Procedure) Order 2010 which requires draft Section 106 Agreements to be entered onto Part 1 of the Planning Register. Please therefore rectify this error as soon as possible. We should also be grateful if you would forward to us direct a copy of the draft Section 106 Agreement for the Willis Dawson Application and any other Section 106 Agreement currently being negotiated in relation to the Applications.

Officers have relayed to DTZ that it is likely the Willis Dawson Application will be determined within the next month. We find this surprising as it appears to us that none of the Applications have yet to be referred to committee.

In the absence of any publically available information (eg committee reports, draft/completed Section 106 Agreements), it appears to us and to DTZ that the Council is prepared to determine applications for this important area in an ad hoc and piecemeal manner which runs contrary to the vision and objectives of the Framework Plan and emerging Development Strategy.

Further, we understand that, rather unusually, the Council has not required a single comprehensive Section 106 Agreement providing for the delivery of essential infrastructure (including employment land) for the whole of the urban extension. Rather, separate Section 106 Agreements in relation to the Arnold White Applications and the Willis Dawson Application are to be entered into. This, therefore, raises the question of how critical infrastructure is to be guaranteed and delivered, for example the Eastern Link Road straddles the redline boundaries of the Applications and is not self-contained within a single application. In the event that the Council proceeds to grant planning permission for one of the applications ahead of the others, the delivery of an essential piece of infrastructure in its entirety is not guaranteed.

Please could you provide the following as soon as possible:

1. A full explanation of the basis on which the Council considers that the employment provision to be delivered by the Applications is adequate and conforms with the Council's Framework Plan, the Joint Core Strategy endorsed for development management purposes and the Council's emerging Policy Framework.
2. Confirmation that the Council will treat the development of this area in a holistic and cohesive manner to ensure that the vision of the Framework Plan and emerging Development Strategy can be realised and delivered. In that regard, please confirm that the Council will not determine planning applications for this area in a piecemeal way and will ensure that all Applications are considered and determined at the same time.
3. As stated above, please confirm that you will place any draft Section 106 Agreement(s) on the Planning Register and send copies to us.
4. Please confirm that the Section 106 Agreement(s) will also provide legally enforceable mechanism for the delivery of infrastructure to support the whole of the SSSA including the provision of the full quota of employment land, deemed to be essential to the SSSA.
5. Please send to us copies of any officer's reports to Committee in relation to the Applications.
6. Finally, the Applications were submitted three years ago, in 2011. The base data on which the Environmental Statements supporting the Applications are based are now significantly out of date. Although we note that an Addendum to the Environmental Statement has been submitted in relation to the Arnold White Applications, we cannot find on the Council's website any similar updating information in relation to the Willis Dawson Application. Please confirm that the applicant has been requested to submit this information. Please provide a copy.

Please note that, as stated in our earlier letter, in the event that any or all of the Applications are granted without our client being satisfied in relation to the matters set out in this letter, we are instructed to advise our client on the legal options available to it.

We look forward to hearing from you as soon as possible.

Yours faithfully



26 February 2014

By email and post

Central Bedfordshire Council  
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Monks Walk  
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Claire Dutch  
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Our ref C2/CD//4050112  
Matter ref 52881/00019

Attention: Andrew Emerton

Dear Mr Emerton

**EAST OF LEIGHTON LINSLADE – URBAN EXTENSION  
PLANNING APPLICATION CB/11/0287/OUT (SUBMITTED BY WILLIS DAWSON HOLDINGS)**

As you are aware, we act on behalf of the owners of the land to the north of Vandyke Road, Leighton Linlslade. We refer to your letter of 21 February 2014. We have also now seen the officer's report ("the Report") in relation to the "Willis Dawson Application" which is to be considered at the Council's Development Management Committee meeting on 28 February.

We are surprised and concerned by your response to the issues raised in our letter of 13 February. We have reviewed the Report and note that it is inaccurate and misleading in a number of respects. Disappointingly, we note that the representations made in our letter of 13 February and DTZ's earlier letter of 18 April 2013 have not been referred to at all in the Reports. For this reason and in view of the importance of this matter, we are copying this letter to the members of the Committee.

We OBJECT to the planning application and draw the members' attention to the following points:

- The application is premature. Council's officers are proposing that this application for significant inappropriate and harmful development in the Green Belt is determined in a policy vacuum. The Council does not have an up to date Development Plan and its draft Development Strategy has not yet been submitted for examination. In this regard, we are therefore surprised that officers do not advise members to give greater weight to the East of Leighton Linlslade Framework Plan, which is a material consideration in the determination of the application.
- As stated in our letter of 13 February, section 5 of Framework Plan sets out the "essential infrastructure that must be provided for growth to be integrated and sustainable". 16 hectares of serviced employment land is deemed to be necessary to allow the development to progress. This is to avoid the urban extension becoming an unsustainable dormitory

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commuter sector. It is therefore surprising that the shortfall of 5 hectares in employment land provision is not drawn to members' attention.

- Where the Framework Plan is referred to in the Report, there are inaccuracies. At paragraph 5.4 officers refer to the Framework Plan as setting out 11 hectares of employment land within the application site. In fact, the Framework Plan states that the main employment area is approximately 13 hectares. Thus the employment provision within the application site is deficient when judged against the Framework Plan.
- Officers mislead the members in relation to the number of jobs to be generated by the Urban Extension. The Development Strategy (pre-submission version 2013) allocates 16 hectares of employment land to east of Leighton Linlade, creating 2,400 jobs. The total number of jobs provided within the application site is only 2,000 to 2,150 (paragraph 6.19 of the report). The applicant attempts to make up this shortfall by counting a possible 500 jobs within the neighbourhood centre and educational facilities. Officers refer to our client's land off Vandyke Road as generating a possible further 600-700 jobs although it is noted that no justification is given for this figure and no mechanism to ensure the delivery of these jobs. As you are aware, our client's site has not been included within the planning applications for the Urban Extension. No agreement has been reached between our client and the developers for the delivery of this employment site. Officers' conclusion that the Urban Extension could generate 3,100 to 3,350 jobs is therefore misleading and not fully reasoned or justified.
- The heads of terms for the Section 106 Agreement are summarised in section 9 of the Report. In order to ensure a comprehensive and holistic development, the Section 106 Agreement will have to deal, in some detail, with the phasing of infrastructure to support the Urban Extension. In paragraph 9.20, officers list the infrastructure that will need to be "controlled in connection with the application". Surprisingly, the timing and the delivery of employment land is not referred to. Rather, officers suggest that the legal agreements will merely contain provisions requiring the promotion and marketing of the employment land. This falls well short of legally enforceable commitments from the developers requiring delivery of serviced employment sites. We remind members that 16 hectares of serviced employment land was deemed to be "necessary" and "essential" when members voted to adopt the Framework Plan less than a year ago in June 2013.
- Further, the Luton and South Central Bedfordshire Joint Core Strategy (August 2011) sets out delivery mechanism and associated timescales for land uses in the Urban Extension. Employment land is required to be commenced within three years. It is therefore to be questioned why the applicant is not being required to comply with this timescale (or indeed any timescale at all) for the delivery of the employment land.
- Similarly, it is noted that there appears to be no required provision in the Section 106 agreement for the applicant to procure the provision of employment land outside the application site to remedy the shortfall.
- It is vital that the Council treats the development of the Urban Extension in a holistic and comprehensive manner not least to ensure that all essential infrastructure can be delivered. This is recognised by officers at paragraph 9.19: "it would also be necessary for the legal agreements to control the development of all three of the residential development sites in order to deliver the necessary infrastructure at the appropriate point". It is therefore concerning that members are being advised to push ahead with the premature determination in isolation of a single application for only part of the extension.
- The members therefore do not have the "full picture" before them and will have no guarantee of the delivery of the essential infrastructure if applications are determined in a piecemeal and ad hoc way.



- Furthermore, officers recognise (paragraph 9.19) that there is a need for legal agreements relating to the three sites comprising the Urban Extension. There is no explanation of how the legal agreements will dovetail and will ensure that the infrastructure is delivered. We are concerned that there is no analysis or explanation as to why the applications are not being determined together with a single Section 106 agreement.
- The environmental information forming the basis of the Environmental Statement is woefully out of date. Although the Report (paragraph 7.1) refers to the information as being 2<sup>1</sup>/<sub>2</sub> years old, this underplays the position. The base data for many of the studies within the environmental statement is actually 4/5 years old as it was actually collated as long ago as 2009/2010. It would be unsafe for the Council to rely on this information, particularly as the application site lies within the Green Belt. We query how the Council has therefore been able to come to an informed view that there has not been "any significant change to the situation since the application was submitted to necessitate any updated material" where the Council has not requested the applicant to at least review whether the information submitted in the Environmental Statement still holds good. It is noted that the applicant for the development of the adjoining sites (Arnold White Estates) saw the need to review and update the environmental information and has submitted an addendum to their Environmental Statement.
- Finally, the advice to members set out in the Report as to why inappropriate and harmful development in the Green Belt is outweighed by "very special circumstances" in this case is particularly unconvincing. Members should be advised that "substantial weight is given to any harm to the Green Belt" when determining the application (paragraph 88 NPPF). The case for very special circumstances for a development of this size, impact and magnitude has not been made out.

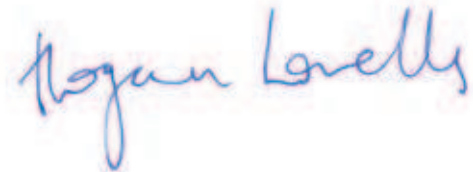
In summary, members should be advised that:

- There is no up to date adopted policy supporting the Urban Extension.
- Officers have, somewhat conveniently, not drawn the required attention to the Framework Plan which was adopted for development management purposes in relation to this site by the Council less than a year ago and, in the absence of an up to date policy framework, should be given significant weight.
- The employment provision is inadequate and does not conform with the Framework Plan and the emerging Development Strategy.
- There is no legal mechanism set out in the report requiring the delivery of employment land which is deemed to be essential infrastructure in the Framework Plan and Emerging Development Strategy.
- The Council is not determining the applications for the Urban Extension in a holistic and comprehensive way. It has no guarantee therefore that the necessary infrastructure will come forward to support the extension.
- The Council has not made a convincing case for very special circumstances justifying harm of this magnitude in the Green Belt.
- The supporting environmental information submitted with the application is out of date and therefore inadequate.

We urge the members to refuse the application or at least to hold it in abeyance until the Development Strategy has been adopted.

We are copying this letter to the Planning Officer and the Director of Planning.

Yours faithfully



CC Nigel Aldis – Member  
Alan R Bastable – Member  
Raymond D Berry – Member  
Michael C Blair – Member  
David Bowater – Member  
Anthony D Brown – Member  
Mrs C Fiona Chapman MBE – Member  
Mrs Sue Clark – Member  
Mrs Bev Coleman – Member  
Ian Dalgarno – Member  
Ken Janes – Member  
Ken C Matthews – Member  
Caroline Maudlin – Member  
Tom Nicols – Member  
Alan Shadbolt – Member  
Ian Shingler – Member  
Brian J Spurr – Member  
J Nigel Young – Member  
Andrew Davy – Head of Planning  
David Hale – Planning Officer  
Martha Clampitt – Clerk to Committee

<b>Item No. 1</b>
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<b>APPLICATION NUMBER</b>	<b>CB/11/02827/OUT</b>
<b>LOCATION</b>	<b>Clipstone Park, Land South of Vandyke Road &amp; North of Stanbridge Road, Leighton Linlade</b>
<b>PROPOSAL</b>	<b>Outline: Mixed use urban extension including 1210 dwellings, 70 units of Assisted Living for the Elderly, Class B1, B2, B8 Employment, Renewable Energy Plant and Recycling Facility, a Neighbourhood Centre comprising Retail Uses (Class A1-A3), a Public House (Class A4), a Multi Purpose Hall (Class D1), a GP Surgery (Class D1), Offices (Class B1), a Childrens Nursery (Class D1) and Associated Car Parking, Community Hall (Class D1), Retail Units (Class A1-A3), an Elderly Person Care Home of up to 70 Beds (Class C2), a New Eastern Link Road between Vandyke Road and Stanbridge Road together with associated residential and employment access roads with associated car parking, the laying out of an area to the north and south of Clipstone Brook as a Park forming part of an Area of Green Infrastructure, the laying out of structural landscaping and green corridors for recreational use, the laying of 7.45 hectares of land as formal pitch provision together with the erection of appropriate changing facilities, the construction of footways and cycleways, the construction of structures to accommodate Sustainable Urban Drainage Systems, the laying out of 0.75 hectares as Allotments, the construction of 2 neighbourhood equipped areas for play and four locally equipped areas of play, a Lower School and Middle School including a Multi Use Games Area, Land for expansion of Vandyke Upper School including a Multi Use Games Area.</b>
<b>PARISH</b>	<b>Eggington, Leighton Linlade and Stanbridge</b>
<b>WARD</b>	<b>Heath &amp; Reach, Leighton Buzzard North &amp; Leighton Buzzard South</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Versallion, Johnstone, Shadbolt, Spurr, Berry, Bowater and Mrs Dodwell</b>
<b>CASE OFFICER</b>	<b>Vicki Davies</b>
<b>DATE REGISTERED</b>	<b>28 July 2011</b>
<b>EXPIRY DATE</b>	<b>17 November 2011</b>
<b>APPLICANT</b>	<b>Willis Dawson Holdings Ltd</b>
<b>AGENT</b>	<b>Pegasus Planning Group Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Departure, Major application recommended for approval and with objections from Eggington Parish Council, Heath and Reach Parish Council and Hockliffe Parish Council</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Approval</b>

**Executive Summary**

- (i) The application seeks planning permission for the provision of up to 1210 dwellings, employment floorspace, and supporting retail, leisure and community facilities, as part of an extension to the east of Leighton Linlade. It was determined that the development should be subject to an Environmental Impact Assessment**
- (ii) The representations from the statutory and non-statutory consultees received reflect the complexity of a planning proposal on this scale. There are a number of technical issues raised that the consultees expect to be dealt with by alterations to the proposals, use of planning conditions and the controlled implementation of the development at the detailed planning submission stages. The number of representations from local residents have been commensurate with the scale of the development, with concerns raised about traffic, loss of Green Belt, impact during the construction period, inadequate levels of employment, flooding, fears for the quality of the development and the need for the development in principle.**
- (iii) In assessing the proposals, it is considered that limited weight should be given to many of the current adopted Development Plan policies, due to its age, however some policies are compliant with the National Planning Policy Framework and the emerging Development Strategy for Central Bedfordshire and can therefore be afforded more weight. There will be harm to the Green Belt caused by the development but there are very special circumstances that can be taken into account. However, the Committee will also wish to take note of the lengthy history of examining the appropriateness of promoting development in the Green Belt in this specific location and that this should be an important material consideration that it should include in its decision making. The site's current Green Belt designation requires the application to be referred to the Secretary of State for his consideration before a planning permission can be issued.**
- (iv) An Environmental Statement has been produced of a substantial nature which identifies a number of environmental impacts that will require mitigation both during the construction period and after the development has been completed. None of the impacts are sufficiently substantial either by themselves or cumulatively to the extent that they cannot be mitigated in a satisfactory way. The mitigation package includes; controls over development during construction, provision of necessary infrastructure, the production of strategies for environmental protection and the provision of community facilities.**
- (v) There are a number of issues arising from the proposals that are key to a commercially viable development as proposed but are also of significant concern to the statutory consultees or Council advisors. These issues are:**
  - The amount of affordable housing that can be afforded by the development.**

- The impact of the development on the local highway network.
- The potential for impact on recreational and protected sites accessible to the public near the site.
- The car parking standard used in the construction of the design principles proposed by the applicant which differ from the current Council standard.

Each of these issues is considered in detail and the Committee is presented with a detailed analysis of each item to assist its decision. It is not considered that the conclusion of the analysis of any of these issues requires planning permission to be refused taking into account the National Planning Policy Framework (NPPF).

- (vi) There are a number of key benefits that can be attributed to the scheme and that are material considerations that the Committee should take into account. In particular, the provision of the largest section of the eastern link road, a locally important infrastructure project designed to relieve traffic congestion in Leighton Linlade Town Centre. The application will also deliver a substantial proportion of the housing proposed by the Development Strategy and for which there is underlying evidence of considerable need.
- (vii) The NPPF requires the Council to consider carefully the commercial viability of proposals as part of their decision making. It is clear from the substantial Viability Appraisal work undertaken by the applicant and checked by the Council's specialist consultants that the scheme is not sufficiently financially viable in current economic conditions to afford the full requirements for affordable housing and mitigation requirements this Council would normally expect as part of a major new development.

However, the applicants propose that as the economy improves and the development can afford to pay for more contributions, a review/uplift mechanism enabling the community to ultimately require and receive the full package sought be included in the Section 106 Planning Agreement. It is considered this represents an appropriate and fair approach, and is the commonly adopted approach to similar types of developments in the current climate.

- (viii) The recommendation therefore is that this Council be minded to approve the planning application subject to the completion of a satisfactory Section 106 Agreement and that the application be referred to the Secretary of State. The Section 106 Agreement, and subsequent s106 agreements in connection with the other planning applications, will need to ensure that the whole of the urban extension comes forward in a comprehensive manner despite it being presented in a number of different planning applications.

## Recommendation

That, subject to the referral of the application to the Secretary of State, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the completion of a prior Section 106 Agreement that the Head of Development Management be authorised to grant Planning Permission if the Secretary of State does not call in the application and in doing so, to make such amendments to the schedules to the permission as he considers necessary, subject to the following:

### RECOMMENDED CONDITIONS

- 1 Approval of the details of the appearance, landscaping, layout, access and scale of the development within each area or sub-area as identified in condition 4, (herein called ‘the reserved matters’) shall be obtained in writing from the local planning authority before development is commenced within that area or sub-area. The development shall be carried out in accordance with the approved details.**

**Reason: To comply with Article 4 (1) of the Town and Country Planning (Development Management Procedure) Order 2010.**

- 2 Application for approval of the reserved matters for each area or sub-area, as identified in condition 3, shall be made to the local planning authority before the expiration of 10 years from the date of this permission. The development shall begin no later than 5 years from the approval of the final reserved matters.

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

- 3 Prior to the submission of the first reserved matters, an areas plan for the entire application site shall be submitted to and approved in writing by the Local Planning Authority. The areas plan shall show a minimum of 5 character areas as set out in the Design and Access Statement dated July 2011 and shall define the location and extent of the employment area and each residential area and the number of dwellings in each area; and also define the timing of provision of the movement network, vehicular access point(s) open space and play areas and surface water attenuation areas for each area. The development shall be carried out in accordance with the approved areas plan.

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority in accordance with Policy BE8 of the South Bedfordshire Local Plan and Policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 4 No more than 1210 dwellings on 37.72 ha of land, 70 units of assisted living for the elderly, up to 30,650m<sup>2</sup> of Class B1, up to 7,000m<sup>2</sup> of Class B2 & up to 7,000m<sup>2</sup> of B8 employment floorspace on 11.43 ha of land, neighbourhood centre comprising retail uses (Class A1 - A3( of the Town and Country Planning (Use Classes) Order 1987 (as amended))) of no more than 2,500sqm, public house (Class A4) of up to 650m<sup>2</sup>, multi-purpose hall (Class D1) of up to 760m<sup>2</sup>, offices (Class B1) at ground and first floor levels of up to 750m<sup>2</sup>, childrens nursery (Class D1) up to 300m<sup>2</sup>, GP surgery (Class D1) for up to 4 GPs

(600m<sup>2</sup>) and associated car parking, elderly persons care home of no more than 70 beds (Class C2), local centre comprising a community hall (Class D1) of up to 295m<sup>2</sup> and retail units (Class A1 - A3) of up to 250m<sup>2</sup>, a new Eastern Link Road between Vandyke Road and Stanbridge Road together with associated residential and employment access roads with associated car parking, layout out of an area to the north and south of Clipstone Brook as a country park, laying out of structural landscaping and green corridors for recreational use, laying out of 7.45ha of land as formal pitch provision together with the erection of appropriate changing facilities, construction of footways and cycleways, construction of structures to accommodate Sustainable Urban Drainage Systems, laying out of 0.75ha as allotments, construction of 2 Neighbourhood Equipped Areas for Play and 4 Locally Equipped Areas for Play, a Lower School and Middle School on 5.95ha of land including a Multi use Games Area and expansion of Vandyke Upper School on 3.21ha of land including a Multi Use Games Area shall be constructed on the site pursuant to this planning permission in accordance with parameter plans entitled Parameters Assessment - Land Use, W.0225\_77-1E, Parameters Assessment - Access, W.0225\_81-1C, Parameters Assessment - Building Heights, W.0225\_79-2E & Parameters Assessment - Landscape, W.0225\_80-1E.

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority in accordance with Policy BE8 of the South Bedfordshire Local Plan and Policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 5 **No development shall commence until an overarching Landscape and Open Space Strategy has been submitted to and approved in writing by the local planning authority. The Landscape and Open Space Strategy shall set out the in principle requirements for treatment of the areas of landscaping and open space and their relationship with Sustainable Urban Drainage Systems (SUDS) shall be in accordance with the principles set out within the Parameters Assessment - Landscape contained within the submitted Design and Access Statement and the areas plan approved by condition 4 and shall include:**

- a) a programme for implementation, particularly with regard to advanced planting;
- b) long-term design objectives for the laying out of areas of green infrastructure and open space within the residential development areas including any replacement planting;
- c) short and long-term management responsibilities;
- d) maintenance schedules for all hard and soft landscape areas and open spaces (other than privately owned domestic gardens), and any associated features.

**The development shall be carried out in accordance with the approved overarching Landscape and Open Space Strategy.**

**Reason: To ensure a satisfactory appearance of the development in accordance with policy BE8 of the South Bedfordshire Local Plan and policies 43 and 56 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 6 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 19 May 2011, reference 2725/FRA revision 2, compiled by WSP and the following mitigation measures detailed within the FRA:

1. Provision of compensatory flood storage on the site to a 100-year fluvial flood standard at the point where the proposed road crosses Clipstone Brook in relation to the bridge and ramps to it;
2. Demonstration that all built development shall remain outside the agreed flood contour line of the 1% AEP (100-year) fluvial flood, plus a 20% allowance for climate change;
3. Demonstration that any land levels within the agreed 1% AEP plus climate change flood plain shall remain as existing, and no land within this area shall be raised;
4. Finished floor levels are set no lower than 300mm above the appropriate agreed 1% AEP (100-year) fluvial flood level (plus climate change), as defined by levels within Table 7-1 in the FRA, and as recommended in section 5.1.10 in the FRA;

Reason:

1. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.
2. To reduce the risk of fluvial flooding to built development.
3. To reduce the risk of fluvial flooding by ensuring that no land is raised within the flood plain.
4. To reduce the risk of flooding to the proposed development and future occupants.

In accordance with policy 49 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013.

- 7 No reserved matters pursuant to an area or sub-area shall be submitted until an Area Design Code ('ADC'), has been submitted to and approved in writing by the Local Planning Authority in relation to that area or sub-area. The ADC should follow the format set out in appendix 2 of the Design and Access Statement (July 2011).

Reason: To ensure that the Area Design Codes are of a localised nature and is produced to assist in setting out the details of the development in a planned manner and to ensure that the details and appearance of the development are acceptable to the Local Planning Authority and in accordance with Policy BE8 of the South Bedfordshire Local Plan (2004), Policy 43 of the emerging Development Strategy Central Bedfordshire for Pre-Submission and Paragraph 59 of the National Planning Policy Framework (2012).

- 8 Development shall not commence in any area, as defined by the areas plan required by condition 3, 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 scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- a. Details of investigatory ground investigation testing with a view to demonstrating the viability of infiltration drainage for some or all of the site;
- b. Full details of proposed surface water runoff in all catchments (as identified in the agreed Flood Risk Assessment) demonstrating compliance with the agreed discharge rates for each catchment contained within Table 6-2 of the Flood Risk Assessment dated 19 May 2011, reference 2725/FRA revision 2, compiled by WSP;
- c. Full details of all components of the proposed drainage system including source control, conveyance, storage, flow control and discharge. Details shall include dimensions, locations, reference to storm simulation files, gradients, invert and cover levels, and drawings as appropriate. This shall be completed for all catchments identified;
- d. Full details of overland flood low routes (as well as likely depths and velocities) in the event of system failure or exceedance. Demonstration shall be given that flood risk in these circumstances shall not increase to either the site or to sites downstream of, or adjacent to, this site;
- e. Evidence of agreement of the Internal Drainage Board to the proposals;
- f. Full details of the maintenance and/or adoption proposals for the development, covering every aspect of the proposed drainage system;

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and ensure future maintenance of the system, in accordance with policies 44 and 49 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013.

- 9 No development shall commence in any area, as defined by the areas plan required by condition 4, of the development (including any works of demolition) until a Construction Environmental Management Plan ('CEMP') has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with the Framework Construction Environment Management Plan submitted as part of this planning application and shall include details of:

- a) Environment Management Responsibilities;
- b) Construction Activities and Timing;
- c) Plant and Equipment, including loading and unloading;
- d) Points of access/egress to be used by construction vehicles;
- e) Details of site compounds, offices and areas to be used for the storage of materials;
- f) Utilities and Services;
- g) Emergency planning & Incidents;
- h) Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;
- i) On site control procedures:
  - i. Traffic mitigation measures including traffic management and parking
  - ii. Temporary haulage routes
  - iii. Air and Dust quality

- iv. Noise and vibration
  - v. Waste and Resource Management
  - vi. Agricultural Soils and Materials
  - vii. Temporary surface water drainage during construction
  - viii. Protection of Controlled Waters
  - ix. Trees, Hedgerows and Scrub
  - x. Ecology
  - xi. Archaeological and Cultural Heritage
  - xii. Visual and Lighting
  - xiii. Utilities and Services
  - xiv. Protection of water resources
  - xv. Protection of species and habitats
- j) Detailed phasing plan to show any different phasing, different developers and/or constructors to be updated on an annual basis;
- k) Details for the monitoring and review of the construction process including traffic mitigation (to include a review process of the Construction Environmental Management Plan during development).

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

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

- 10 **A means of access to the site shall be from Vandyke Road as shown in principle on submitted Drawing No. 2725/SK/023 rev B. No development shall commence in the area, as defined by the areas plan required by condition 3, to which this access relates until construction details of the junction have been submitted to and approved in writing by the Local Planning Authority or as otherwise agreed in accordance with a timetable to be agreed in writing with the Local Planning Authority .**

**Reason: To ensure that the proposed road works are constructed to adequate standard in accordance with policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 11 **A means of access to the site shall be from Stanbridge Road as shown in principle on submitted Drawing No. 2725/SK/026 rev B. No development shall commence in the area, as defined by the areas plan required by condition 3, until construction details of the junction have been submitted to and approved in writing by the Local Planning Authority or as otherwise agreed in accordance with a timetable to be agreed in writing with the Local Planning Authority .**

**Reason: To ensure that the proposed road works are constructed to adequate standard in accordance with policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 12 **Two means of access to the site shall be from Hockliffe Road, a primary and secondary as as shown in principle on submitted Drawing Nos.**

**2725/SK/024 rev D and 2725/SK/025 rev B. No development shall commence in the area, as defined by the areas plan required by condition 3, until construction details of the junctions have been submitted to and approved in writing by the Local Planning Authority or as otherwise agreed in accordance with a timetable to be agreed in writing with the Local Planning Authority .**

**Reason: To ensure that the proposed road works are constructed to adequate standard in accordance with policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 13 **No development shall take place in an area of the development approved as per condition 3 of this permission until details of the plans and sections of the proposed estate roads in that area, including gradients and method of surface water disposal have been submitted to and approved in writing by the Local Planning Authority and no building within that area shall be occupied until the section of road which provides access thereto has been constructed (apart from final surfacing) in accordance with the approved details.**

**Reason: To ensure that the proposed road works are constructed to adequate standard in accordance with policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 14 Prior to the commencement of development in any area, as defined by the areas plan required by condition 3, approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
  1. all previous uses
  2. potential contaminants associated with those uses
  3. a conceptual model of the site indicating sources, pathways and receptors
  4. potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect the quality of inland fresh waters and groundwaters in accordance with Policy P9-6 of the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document and policy 44 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013

- 15 Prior to commencement of development, in any area, as defined by the areas plan required by condition 3, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To protect the quality of inland fresh waters and groundwaters in accordance with the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document and policy 44 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013. Should the recommended investigation identify any soil or groundwater contamination onsite, a validation report demonstrating satisfactory remediation of the site is required prior to commencement of the proposed development.

- 16 **No development shall take place in any area, as defined by the areas plan required by condition 3, until a written scheme of archaeological investigation and recording 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 recording scheme.**

**Reason: To record and advance understanding of the archaeological and historic and resource before they are lost, which will be unavoidably impacted upon as a consequence of the development in accordance with policy 46 of the Development Strategy for Central Bedfordshire Pre-Submission Version 2013.**

- 17 **Prior to commencement of any development on any area, as defined by the areas plan required by condition 3, no tree or hedgerow shall be lopped, topped or felled and an Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved statement and plan.**

**Reason: To safeguard existing trees on site in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 43 and 59 of the**

**Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 18 **Prior to commencement of development in each area approved by condition 4 of this permission, a scheme showing the proposed boundary treatment of that area shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the type and height of fences, hedges, walls or other means of enclosure. The approved scheme shall be implemented before the adjacent residential units are first occupied.**

**Reason: To ensure a satisfactory appearance for the development and to safeguard the amenity of future occupiers in accordance with Policy BE8 of the South Bedfordshire Local Plan and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 19 **No development shall take place in an area or sub-area of the development approved as per condition 4 above until there has been submitted to and approved in writing by the Local Planning Authority a detailed waste audit scheme for that area. The waste audit scheme shall include details of refuse storage and recycling facilities. The development of dwellings and/or commercial units in each area shall be carried out in accordance with the approved details shall not thereafter be used for any other purpose.**

**Reason: To ensure that development is adequately provided with waste and recycling facilities in accordance with policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 20 **If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.**

**Reason: To protect the quality of inland fresh waters and groundwaters in accordance with Policy P9-6 of the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document and policy 44 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013. The nature of soil and groundwater contamination is such that even where comprehensive site investigation is undertaken, some unsuspected contamination may exist between sample locations. This condition allows a reactive mechanism for the control of the way in which such contamination is treated, should it be discovered.**

- 21 **No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.**

Reason: To protect the quality of inland fresh waters and groundwaters in accordance with Policies P9-6 and P4-1 to P4-12 of the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document and policy 44 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013. The infiltration of surface water through land affected by contamination can result in the pollution of coastal waters, inland fresh waters and groundwaters. We encourage the use of sustainable drainage systems, however they must be carefully considered and controlled.

- 22 To protect against intrusive externally generated noise, sound insulation and absorbent materials shall be applied to all dwellings as is necessary to achieve as a minimum standard an internal noise level of 30dB<sub>L</sub>A<sub>eq</sub>, 23:00-07:00 and 45dB<sub>L</sub>A<sub>max</sub>, 23:00-07:00 for bedrooms and 35dB<sub>L</sub>A<sub>eq</sub>, 07:00-23:00 for habitable rooms. External noise levels from road traffic noise sources shall not exceed 55dB<sub>L</sub>A<sub>eq</sub>, 1hr in outdoor amenity areas. Any works which form part of the scheme approved by the local authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the local Planning Authority in writing before any permitted dwelling is occupied, unless an alternative period is approved in writing by the authority.

Reason: In the interests of residential amenity, in accordance with policy BE8 South Bedfordshire Local Plan and policy 43 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013.

- 23 Within the neighbourhood and local centres any fixed plant associated with the proposed development must be designed to a level which is at least 5dB(A) below the existing L<sub>A90</sub> background noise level as measured during the relevant time period. Any tonal, impulsive and/or irregular noise would be addressed by imposing a further 5dB penalty as per the methodology set out in BS 4142:1997. Noise limits for new plant are to apply at a position 1 metre from the closest affected window of the relevant noise sensitive property.

Reason: In the interests of residential amenity, in accordance with policy BE8 South Bedfordshire Local Plan and policy 43 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013.

- 24 The details required by condition 1 of this permission in relation to each area approved by condition 4 shall include details of the finished floor and site levels including full details of finished floor levels for each building and finished site levels (for all hard surfaced and landscaped areas) in relation to existing ground levels. The development shall thereafter be carried out strictly in accordance with the approved level details.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in accordance with policy BE8 of South Bedfordshire Local Plan and policy 43 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013.

- 25 The details required by condition 1 of this permission in relation to each area approved as per condition 4 shall include a scheme for parking, and garaging

for the residential units in that area. In relation to the employment area shall include a scheme for parking manoeuvring loading and unloading of vehicles in respect of each building. The parts of each approved scheme pursuant to condition 1 related to each residential unit or building in the employment area shall be made available for use before the residential unit or building is occupied and those areas shall not thereafter be used for any other purpose.

Reason: To ensure that adequate turning, parking and unloading space is available in the interest of road safety in accordance with policies 27 and 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 26 No part of the development hereby approved shall be brought into use until the Umbrella Travel Plan prepared by WSP dated October 2011 has been approved in writing by the Local Planning Authority. The Travel Plan shall include the following:

The identification of targets for trip reduction and modal shift;  
 The methods to be employed to meet these targets;  
 The mechanisms for monitoring and review;  
 The mechanisms for reporting;  
 The penalties to be applied in the event that targets are not met;  
 The mechanisms for mitigation including budgetary provision;  
 Implementation of the travel plan (until full occupation) to be agreed timescale or timescale and its operation thereafter;  
 Mechanisms to secure variations to the travel plan following monitoring and reviews;  
 Mechanisms for managing the travel plan and coordinating with other travel plans in the East Leighton Linslade development area.

The completed development shall be occupied in accordance with the approved travel plan which shall be retained in place thereafter unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority in conjunction with the Highways Agency.

Reason: In the interests of promoting sustainable transport and reducing the number of trips by private car, in accordance with policy 26 of Development Strategy for Central Bedfordshire Pre-Submission Version 2013.

- 27 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers W.0225\_22-1D, 2725/SK/023B, 2725/SK/024D, 2725/SK/025B, 2725/SK/026B, W.0225\_77-1E, W.0225\_81-1C, W.0225\_79-2E & W.0225\_80-1E.

Reason: For the avoidance of 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. 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).

3. **Flood Defence Consent**

Whilst it is noted that the FRA asserts that ditches and watercourses on site are to remain intact, the following proposed works will require an application for Flood Defence Consent from the Environment Agency:

- Works within 9.0 metres of the top of bank of any Main River (under local Byelaws);
- Works in, on, under or over the channel of a Main River (under Section 109 of the Water Resources Act 1991);
- Works within an ordinary watercourse that may restrict or impede flow (under Section 23 of the Land Drainage Act 1991).

4. **Model procedures and good practice.** We recommend that developers should:

1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

2) Refer to our Guiding Principles for Land Contamination for the type of information required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health.

3) Refer to our website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for more information.

5. **Sustainable Drainage Systems.**

In accordance with our Groundwater Protection: Policy and Practice (GP3) document, we offer the following advice on Sustainable Drainage Systems (SUDS):

Soakaways must be constructed in line with guidance provided in Building Research Establishment 365 (BRE365) – Soakaway Design.

SUDS must be constructed in line with guidance provided in Construction Industry Research and Information Association C697 (CIRIA C697) - The SUDS Manual.

Direct discharges into groundwater of surface water run-off are not acceptable.

All infiltration structures (permeable pavements, infiltration trenches, soakaways, etc.) should be constructed to as shallow a depth as possible to simulate natural infiltration. The maximum acceptable depth for infiltration structures is two metres below existing ground level with the base of these infiltration structures at least 1.2 metres above the highest seasonal groundwater-table. We do not consider deep bore and other deep soakaway



systems to be appropriate in areas where groundwater constitutes a significant resource (i.e. where aquifer yield may support or already supports abstraction). Infiltration structures must not be constructed in contaminated ground. Only clean, uncontaminated water should be discharged to any infiltration structure. Infiltration structures should only be used in areas on site where they would not present a risk to groundwater. If permitted, their location must be approved in writing by the Local Planning Authority (LPA).

Prior to being discharged into any surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination should be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water should not pass through the interceptor and should discharge to separate infiltration systems to those used for road and vehicle parking areas.

Any SUDS from car or lorry parking areas would need to incorporate suitable measures for the protection of water quality, this is likely to include measures to mitigate the discharge of hydrocarbons to surface water or ground. Details of treatment techniques are outlined in CIRIA Report C609. We would wish to be consulted on any protection measures.

Any oil interceptors should include separate provision for the interception and removal of sediment (as collection of solids within the interceptor will reduce the capacity and function of the interceptor). Any oil interceptors/sediment chambers should be regularly maintained in accordance with manufacturers guidelines

## 6. **Waste**

The Waste Management Statement for this development is detailed and comprehensive with a good regard to waste management from the construction to the future use of the development. The document describes a Detailed Waste Management Strategy that is in line with the Site Waste Management Plan Regulations that is required to be maintained during construction. It is important that only licensed waste carriers and permitted waste facilities are used by contractors for the disposal of any waste arising. The design of housing and businesses will be such to minimise construction waste and to provide good storage areas for waste containers. The use of recycled materials that meets required standards should be encouraged. In maintaining the principles of the waste hierarchy, the development will ensure good environmental waste practises are followed. The document recognises the importance of national and local waste management strategies and should ensure that the development delivers its good waste management plans.

## 7. **Water Resources**

Generally the info on water supply in the ES is a little thin. The document states that Anglian Water have confirmed that there is sufficient water supply resource capacity to serve the proposed development. Overall the significance of the water supply has been classed as negligible in table 12.5 (summary of assessment). While we are not disputing that AWS can supply the development

we are disappointed to see that no water efficiency measures have been mentioned. There seems to be no litre per head per day targets for the residential development, and we can see no reference to the relevant Water Cycle Strategy, the Code for Sustainable Homes or to the Water Framework Directive. Ideally we would like to have seen more detail on how the water supply demand that results from this development will be mitigated. We have included a set of standard water resources comments below, The interaction of development planning and water resource management is a key issue for this region, and there are three key elements to consider. (These feature in Section 7.8 of the Regional Water Resources Strategy published in 2001). Our comments are made under these key aspects.

**DEVELOPMENT SHOULD NOT BE COMMITTED AHEAD OF SECURE WATER SUPPLIES**

The development lies within the area traditionally supplied by Anglian Water Services Ltd. It is assumed that water will be supplied using existing sources and under existing abstraction licence permissions. The planners should seek advice from the water company to find out whether this is the case, or whether a new source needs to be developed or a new abstraction licence is sought. We may not be able to recommend a new or increased abstraction licence where water resources are fully committed to existing abstraction and the environment.

**THE LOCATION OF DEVELOPMENT SHOULD TAKE INTO CONSIDERATION THE RELATIVE AVAILABILITY OF EXISTING DEVELOPED WATER RESOURCES**

The timing and cost of infrastructure improvements will be a consideration. This issue should be discussed with the water company.

**EVERY OPPORTUNITY SHOULD BE TAKEN TO BUILD WATER EFFICIENCY INTO NEW DEVELOPMENTS, AND INNOVATIVE APPROACHES SHOULD BE ENCOURAGED.**

We support all initiatives aimed at reducing water use. The extent of water efficiency measures adopted will affect the demand for water for the development and I would expect that this will be taken into consideration. It is assumed that new houses will be constructed with water meters fitted. Other water saving measures that we wish to see incorporated include low flush toilets, low flow showerheads, water butts for gardens etc. The Environment Agency also supports the idea of greywater recycling as it has the potential to reduce water consumption in the average household by up to 35%. This must, however, be achieved in a safe and hygienic manner. Information and advice can be obtained from Anglian Water Services Ltd. and our Demands Management Centre on 01903 832073 or email to [paula.wood@environment-agency.gov.uk](mailto:paula.wood@environment-agency.gov.uk).

8. **Anglian Water Advice**

An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

Anglian Water recommends that petrol/oil interceptors be fitted in all car

parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.

Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

9. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

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

These requirements are as follows:

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

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

For further information on disability access contact:

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

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

[Notes:

1. In advance of the consideration of the application the Committee were advised of additional consultation / publicity responses, full details were contained within the two Late Sheets appended to these Minutes:
  - a. Campaign for Rural England representations were attached in full
  - b. The Fraser Family, Model Farm, Leighton Buzzard
  - c. Chilworth International Corporation
  - d. 18 Mercury Way, Leighton Buzzard provided a written statement as they were unable to attend and speak at the meeting
  - e. Condition 9 has been amended as it was considered more appropriate for the traffic routing of construction traffic would be included in the S106 agreement rather than within the condition.
  - f. The East of Leighton Linslade Framework Plan was available on the Council's website and was emailed to Members and a copy was available at the meeting.

- g. 3 Cetus Crescent stating their objections to the development
  - h. 2 Plummer Haven providing their concerns for the impact of the development
  - i. 12 Chestnut Rise provided further objections
  - j. 9 Chamberlains Gardens – via Andrew Selous MP objecting to the development being on greenbelt land.
  - k. Letters from DTZ on behalf of Alison Chiltern-Hunt and Hogan Lovells setting out concerns regarding the planning application.
2. In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.]