

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

**This meeting
will be filmed.***



**Central
Bedfordshire**

please ask for Leslie Manning
direct line 0300 300 5132
date 15 February 2018

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 28 February 2018 10.00 a.m.

Venue at

Council Chamber, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

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

Cllrs K C Matthews (Chairman), R D Berry (Vice-Chairman), M C Blair, Mrs S Clark, K M Collins, I Dalgarno, F Firth, E Ghent, C C Gomm, K Janes, T Nicols, T Swain and J N Young

[Named Substitutes:

Cllrs D Bowater, A D Brown, Mrs C F Chapman MBE, S Dixon, Ms C Maudlin, A Ryan and Cllr B J Spurr]

All other Members of the Council - on request

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

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

***This meeting may be filmed by the Council for live and/or subsequent broadcast online and can be viewed at <https://centralbedfordshire.public-i.tv/core/portal/home>.**

At the start of the meeting the Chairman will confirm if all or part of the meeting will be filmed by the Council. The footage will be on the Council's website for six months. A copy of it will also be retained in accordance with the Council's data retention policy. The images and sound recording may be used for training purposes within the Council.

By entering the Chamber you are deemed to have consented to being filmed by the Council, including during any representation you might make, and to the possible use of the images and sound recordings made by the Council for webcasting and/or training purposes.

Phones and other equipment may also be used to film, audio record, tweet or blog from this meeting by an individual Council member or a member of the public. No part of the meeting room is exempt from public filming unless the meeting resolves to go into exempt session. The use of images or recordings arising from this is not under the Council's control.

AGENDA

Welcome

1. **Apologies for Absence**

To receive apologies for absence and notification of substitute members.

2. **Chairman's Announcements and Communications**

To receive any announcements from the Chairman and any matters of communication.

3. **Minutes**

To approve as a correct record the minutes of the meeting of the Development Management Committee held on 31 January 2018 (copy to follow).

4. **Members' Interests**

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

Report

Item	Subject	Page Nos.
5.	Planning Enforcement Cases Where Formal Action Has Been Taken	9 - 14

To consider the report of the Director of Regeneration and Business which provides a monthly update of planning enforcement cases where action has been taken.

Planning and Related Applications

Prior to considering the planning applications contained in the following schedules Members will have received and noted any additional information relating to the applications as detailed in the Late Sheet for this meeting.

Item	Subject	Page Nos.
6.	Planning Application No. CB/17/05913/FULL (Stotfold and Langford) Address: Land at Taylors Road, opposite Aspen Gardens, Stotfold, Hitchin, SG5 4AX Demolition of existing industrial units and development of 32 residential dwellings (including 12 affordable homes), vehicular access, pedestrian links, car parking, drainage, public open space and associated works. Applicant: Taylor Wimpey North Thames	15 - 36
7.	Planning Application No. CB/17/05230/RM (Sandy) Address: Land north-east of Walnut Close, Blunham, MK44 3NB Reserved Matter: of Outline Application CB/16/4657/OUT, for the residential development of 0.49 hectares of land to form 9 bungalow/chalet dwellings with associated garaging, parking and other associated works, to include the discharge of conditions no's 2 8 9 12 & 14. Applicant: Signature Homes MK LLP	37 - 54
8.	Planning Application No. CB/17/00442/VOC (Silsoe and Shillington) Address: Land rear of 7 - 37 Barton Road, Gravenhurst, Bedford, MK45 4JP Variation of condition 14 attached to planning permission reference CB/15/04081/OUT dated 17 January 2017 so that landscaping on the south eastern boundary of the site is carried out in accordance with drawing number WHK20175 11E (Southern Boundary Proposals). Applicant: The RonCon Trust	55 - 70

9. **Planning Application No. CB/17/02615/OUT (Shefford)** 71 - 86
- Address:** Pinehurst, 17A Ivel Road, Shefford, SG17 5LB
- Outline application for residential development comprising 31 no 2, 3, 4 & 5 bedroom houses, and 6 no 1 & 2 bedroom apartments (37 no total dwellings) following demolition of existing single dwelling with new access onto Ivel Road and reconfigured parking for existing office.
- Agent:** BBR Architects
10. **Planning Application No. CB/17/06001/FULL (Northill)** 87 - 92
- Address:** Water Lane Farm, Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BP
- The construction of two agricultural barns.
- Applicant:** Maudlin G J & Sons
11. **Planning Application No. CB/17/05250/FULL (Silsoe and Shillington)** 93 - 110
- Address:** Land to south-west of Higham Cottages, Higham Road, Higham Gobion (nearest post code SG5 3HN)
- Proposed grain store including new access and means of enclosure.
- Applicant:** Chamberlain Holdings PLC
12. **Planning Application No. CB/17/04638/FULL (Aspley and Woburn)** 111 - 128
- Address:** Public Convenience, Duck Lane, Woburn, MK17 9PT
- Redevelopment of a brownfield site within the infill boundary with a residential development of 1 new dwelling. Demolition of the existing public conveniences.
- Applicant:** Goldcrest Developments (MK) Ltd

13. **Planning Application No. CB/17/05966/VOC (Stotfold and Langford)** 129 - 142
- Address:** Former Pig Testing Unit, Hitchin Road, Stotfold (nearest post code SG5 4JG)
- Removal of Condition No. 16 of planning permission ref: CB/15/03182/FULL dated 18/12/15.
- Applicant:** Crest Nicholson Chiltern
14. **Planning Application No. CB/17/06061/FULL (Amphill)** 143 - 150
- Address:** 14 Verne Drive, Amphill, Bedford, MK45 2PS
- First floor side extension above garage/utility (previous planning permission CB/15/01464/Full).
- Applicant:** Mrs L Brown
15. **Planning Application No. CB/17/05981/FULL (Northill)** 151 - 158
- Address:** 203 Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BJ
- Single storey rear extension and alterations.
- Applicant:** Ms C Maudlin
16. **Planning Application No. CB/18/00077/FULL (Houghton Hall)** 159 – 170
- Address:** Co-Op Supermarket, High Street, Houghton Regis, Dunstable, LU5 5QT
- Temporary use of land as car park with minor works, temporary stationing of 2 no. portable buildings for ancillary use as security and shelter and temporary stationing of lighting.
- Applicant:** Whitbread Group plc
17. **Late Sheet**
- To receive and note, prior to considering the planning applications contained in the schedules above, any additional information detailed in the Late Sheet to be circulated on **27 February 2018**.

18. **Site Inspection Appointment(s)**

Under the provisions of the Members Planning Code of Good Practice, Members are requested to note that the next Development Management Committee will be held on **28 March 2018** and the Site Inspections will be undertaken on **26 March 2018**.

This page is intentionally left blank

Meeting: Development Management Committee
Date: 28th February 2018
Subject: Planning Enforcement cases where formal action has been taken
Report of: Director of Regeneration and Business
Summary: The report provides a monthly update of planning enforcement cases where formal action has been taken.

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

CORPORATE IMPLICATIONS

Council Priorities:

This is a report for noting ongoing planning enforcement action.

Financial:

1. None

Legal:

2. None.

Risk Management:

3. None

Staffing (including Trades Unions):

4. Not Applicable.

Equalities/Human Rights:

5. None

Public Health

6. None

Community Safety:

7. Not Applicable.

Sustainability:

8. Not Applicable.

Procurement:

9. Not applicable.

RECOMMENDATION(S):

The Committee is asked to:

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

Background

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

Appendices:

Appendix A – Planning Enforcement Formal Action Spreadsheet

Planning Enforcement formal action (DM Committee 28th February 2018)

ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
CB/ENC/11/0402	Land adjoining Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	2 Enforcement Notices 1 - Unauthorised encroachment onto field 2 - Unauthorised hard standing, fence and buildings	15-Oct-12	12-Nov-12	10-Dec-12			Not complied	Collaborative approach authorised by Exec.
CB/ENC/12/0199	Plots 1 & 2 The Stables, Gypsy Lane, Little Billington, Leighton Buzzard LU7 9BP	Breach of Condition Notice Condition 3 SB/TP/04/1372 named occupants	15-Oct-12	15-Oct-12	12-Nov-12			Not complied	Collaborative approach authorised by Exec.
CB/ENC/12/0508	Land at Site C, The Stables, Stanbridge Road, Great Billington, Leighton Buzzard, LU7 9JH	Enforcement Notice- Unauthorised creation of new access and erection of gates.	17-Nov-14	15-Dec-14	15-Mar-15 & 15-June-15			Not complied	No compliance. Legal advice being sought as to next steps.
CB/ENC/12/0521	Random, Private Road, Barton Le Clay, MK45 4LE	Enforcement Notice 2 - Without planning permission the extension and alteration of the existing dwelling on the land.	24-Aug-15	24-Sep-15	24-Mar-16 & 24-June-16		04-Apr-17	Complied	The whole of the former pitched roof with dormers and balconies has been demolished. The approved revised scheme for the provision of a flat roof dwelling (CB/17/02434/FULL) is in progress on site and accords with the approved plans. The Enforcement Notice has been complied with.
CB/ENC/12/0633	Land at Plot 2, Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	Enforcement Notice - construction of timber building and the laying of hard standing.	17-Jan-13	14-Feb-13	14-Mar-13			Not complied	Collaborative approach authorised by Exec.
CB/ENC/13/0336	The Stables, Dunstable Road, Toddington, Dunstable, LU5 6DX	2 Enforcement Notices - 1. Change of use from agriculture to a mixed use of agriculture, residential and retail sales and 2. building works for commercial purposes	11-Jul-14	15-Aug-14	15-Oct-14	Appeal dismissed.	02-May-17	Part complied	(Part complied) Residential occupation has ceased but fixtures and fittings remain. Appeals submitted to Planning Inspectorate related to lawful development certificate applications (CB/17/02161 & CB/17/02162)
CB/ENC/14/0485	Clifton House and outbuildings, Church Street, Clifton, Shefford, SG17 5ET	Repairs Notice - Listed Building in state of disrepair	08-Jan-15	08-Jan-15	08-Mar-15		08/04/2015	Part complied	Some works have been undertaken and some are on-going and so it has been agreed that is not expedient to pursue further at this time. The enforcement case has been closed.

Planning Enforcement formal action (DM Committee 28th February 2018)

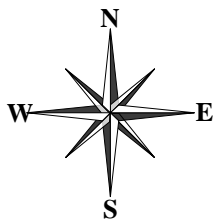
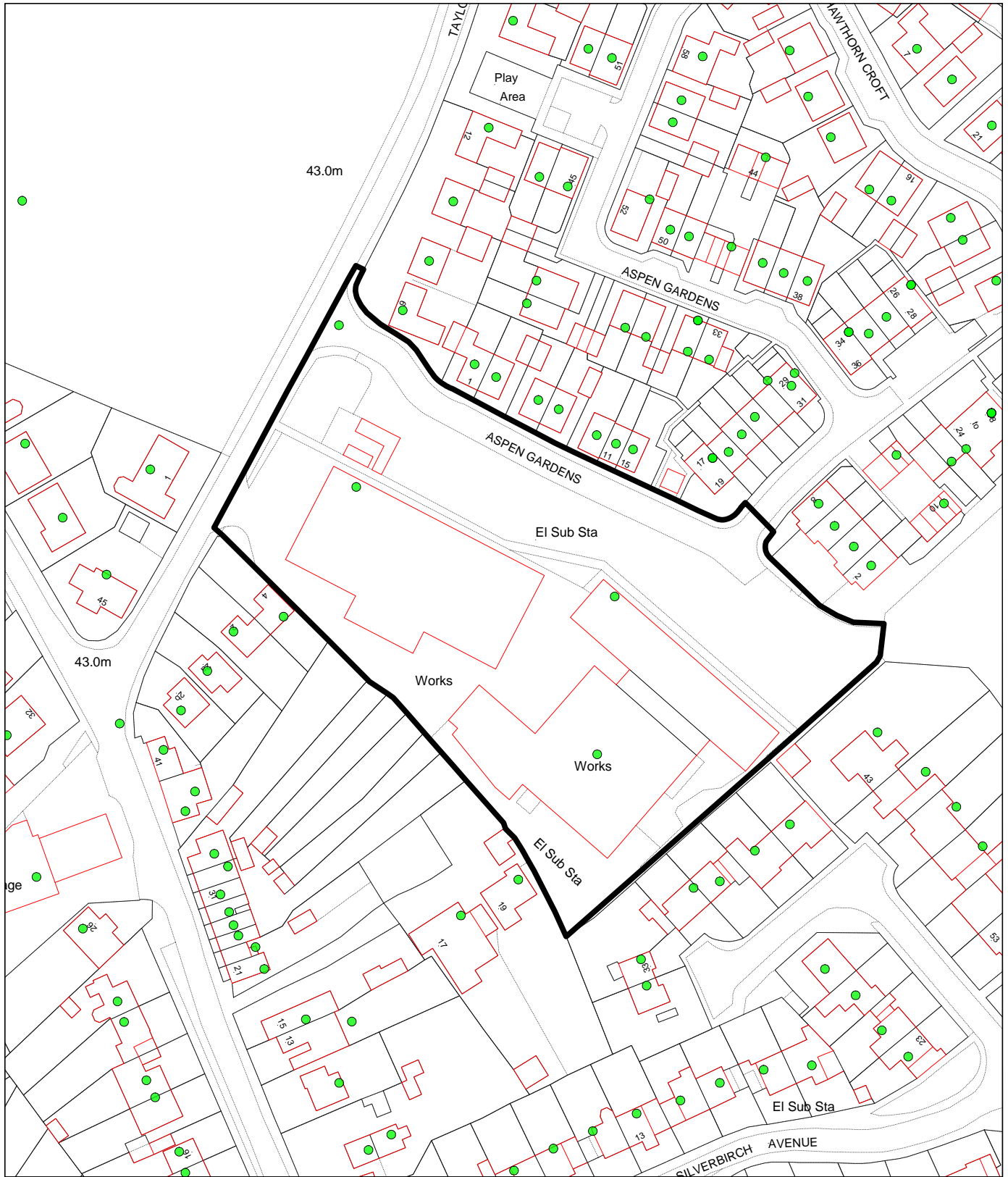
ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
CB/ENC/15/0140	Springbank, Bottom Drive, Eaton Bray, LU6 2JS	Enforcement Notice - Unauthorised wall	09-Nov-15	08-Dec-15	08-Feb-16	Appeal decision - Enforcement Notice upheld	27/09/2016	Not complied	Discussion to be held with Legal as works not carried out to comply with Notice.
CB/ENC/15/0260	Gravenhurst Lane/A6, Silsoe	Section 215 notice - untidy land and buildings	06-May-16	08-Jun-16	08-Jul-16			Part complied	Part compliance with the Section 215 Notice. Tyres and scrap removed.
		Enforcement Notice - material change of use to a caravan site with the stationing of two static mobile homes	07-Apr-17	08-May-17	08-Jul-17 08-Aug-17	Appeal received 26/04/17			Appeal Inquiry 13/14th March 2018. Await outcome of Inquiry
CB/ENC/15/0423	Land at, Astwick Road, Stotfold	Injunction served 22nd September 2015, continuation injunction served 5th October 2015 for unauthorised development for Gypsy and Traveller site.							Continuation of Injunction granted 5/10/15 to prevent further unlawful development. Planning application refused.
		Enforcement Notice served 11/12/15	11-Dec-15	11-Jan-15	11-Jul-16 11-Oct-16	Appeal dismissed	02-Mar-17 02-Jun-17	Not complied	Injunction remains in place to prevent further development. Enforcement Notice remains in effect. Residential use has ceased. Owner has been reminded that the Enforcement requirements to remove the hard standing area and associated items is still required to be carried out. The site continues to be regularly monitored and flytipping of household items and green waste has commenced. Prosecution action against the non compliance with the Enforcement Notice has commenced.
CB/ENC/15/0466	Land at 13 Icknield Street, Dunstable, LU6 3AD	Enforcement Notice - the installation of a dormer	30-Nov-16	28-Dec-16	28-Jun-17			Part complied	Works almost completed to comply with the Enforcement Notice.
CB/ENC/15/0530	47 Hitchin Road, Stotfold, SG5 4HP	Section 215 Notice - untidy land	31-Aug-16	30-Sep-16	30-Oct-16			Not complied	Section 215 Notice served on 31/08/2016, comes into effect on 30/09/2016 with a one month compliance period. Further site visit to be made at the end of October to confirm compliance.
CB/ENC/16/0170	Car Park, The Pack Horse Public House, Watling Street, Kensworth	Enforcement Notice - Material change of use of the land from car park to use for vehicle sales, storage, repairs and the siting of a touring caravan.	20-Apr-17	18-May-17	18-Jul-17			Part complied	Chasing owner for removal of remaining vehicles.

Planning Enforcement formal action (DM Committee 28th February 2018)

ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
CB/ENC/16/0216	Falcons Field, Lower Rads End, Eversholt, MK17 9EE	Enforcement Notice - Unauthorised construction of a tree house	08-Mar-17	08-Apr-17	08-May-17	Appeal received 28/03/17		Not complied	Appeal dismissed and Enforcement Notice upheld with no amendments. Compliance date for removal of the unauthorised Tree House is 09/02/2018.
CB/ENC/16/0328	52 The Ridgeway, Flitwick, MK45 1DJ	Section 215 - Untidy Land	03-Oct-16	03-Nov-16	03-Dec-16		02-Jul-17	Not complied	It has been agreed at the request of the owner, to allow up until the end of April to clear the garden. This will be reviewed following this date.
CB/ENC/16/0331	Rear of Grange Nurseries, The Green, Beeston, SG19 1PG	Enforcement Notice - Unauthorised change of use from agriculture to use for the parking and storage of military vehicles, trailers, containers, structures, associated paraphernalia and the installation of a septic tank	03-Jul-17	03-Aug-17	03-Sep-17	Appeal submitted 02/08/17		Not complied	Enforcement appeal the subject of a public inquiry. Date yet to be confirmed.
CB/ENC/16/0534	Lynmore House, Sharpenhoe Road, Sharpenhoe, MK45 4SU	Breach of Condition x2	22-Jun-17	22-Jun-17	22-Jul-17			Complied	Taking into account the decision of the Planning Inspectorate to allow the retention of the hardstanding and the provision of landscaping in front of Lynmore House there is no longer a breach of planning control and the enforcement case has been closed.
CB/ENC/16/0584	63 Katherine Drive, Dunstable, LU5 4NP	Enforcement Notice - Unauthorised change of use to gym	30-Jun-17	28-Jul-17	28-Aug-17				Planning permission granted 05/01/18 for alternative premises in Dunstable Town Centre.
CB/ENC/17/0265	Gravenhurst Lane/A6, Silsoe	Enforcement Notice - Change of use, barn to residential	02-Aug-17	04-Sep-17	04-Oct-17	Appeal received 18/9/17		Not complied	Appeal Inquiry 13th/14th March 2018. Await outcome of Inquiry.
CB/ENC/17/0266	Gravenhurst Lane/A6, Silsoe	Enforcement Notice - Creation of Bund	02-Aug-17	04-Sep-17	04-Oct-17	Appeal received 18/9/17		Not complied	Appeal Inquiry 13th/14th March 2018. Await outcome of Inquiry.
CB/ENC/17/0333	Four Winds Garage, West End, Haynes, MK45 3QT	Enforcement Notice - Unauthorised erection of a timber structure above the A6 Café units	05-Oct-17	05-Nov-17	05-Dec-17				Planning application (CB/17/04836/FULL) was refused on 15/01/2018 and given that an appeal has been received by the Planning Inspectorate no further action can be taken with regard to the Enforcement Notice currently in place regarding the timber structure above the cafe until the outcome of the planning appeal.

Planning Enforcement formal action (DM Committee 28th February 2018)

ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
CB/ENC/17/0389	53 Weatherby, Dunstable. LU6 1TP	Section 215 Notice - Untidy land	23-Jan-18	23-Feb-18	23-Mar-18				Check compliance 23rd March 2018.
CB/ENC/18/0017	42 Rectory Lane, Houghton Conquest, Bedford. MK45 3LD	Enforcement Notice - Unauthorised siting of 13 caravans for temporary residential purposes	01-Feb-18	01-Mar-18	01-Aug-18			Not complied	Check compliance 1st August 2018.



© Crown Copyright. All rights reserved.
Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 07:February:2018
Grid Ref: 521861; 237699

Application No.
CB/17/05913/FULL

Scale: 1:1250

Land at Taylors Road, opposite Aspen Gardens, Stotfold,
Hitchin, SG5 4AX

This page is intentionally left blank

Item No. 6

APPLICATION NUMBER	CB/17/05913/FULL
LOCATION	Land at Taylors Road, opposite Aspen Gardens, Stotfold, Hitchin, SG5 4AX
PROPOSAL	Demolition of existing industrial units and development of 32 residential dwellings (including 12 affordable homes), vehicular access, pedestrian links, car parking, drainage, public open space and associated works.
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Donna Lavender
DATE REGISTERED	15 December 2017
EXPIRY DATE	16 March 2018
APPLICANT	Taylor Wimpey North Thames
AGENT	Bidwells
REASON FOR COMMITTEE TO DETERMINE	Major Application with Town Council Objection on the following grounds: <ul style="list-style-type: none">• Loss of employment• Increased Traffic Generation• Affordable Housing not dispersed within the site
RECOMMENDED DECISION	Full Application - Recommended for Approval subject to the completion of a 106 agreement

Reason for Recommendation

The site represents the re-use of previously developed land within a sustainable location and therefore the principle of the use of the site for residential development is acceptable in accordance with policy DM4 of the Core Strategy for the North and the NPPF. In addition, the scale and design of the scheme seeks to harmonise with the prevailing character of the area in accordance with the principles of good design conveyed in policy DM3 of the Core Strategy for the North and the Central Bedfordshire Deign Guide.

Site Location:

The site is known as and occupied by Beta Engineering Stotfold Ltd, which consists of commercial industrial units and measures approximately 1.01 hectares. The site is flanked to the north by a larger residential development site known as Aspen Gardens, off Taylors Road, to the south by 4 Taylors Road and to the east by residential development in Silver Birch Avenue. The site is situated north of the town centre of Stotfold and within the towns settlement boundary.

The Application:

Permission is sought in full for the demolition of existing industrial units and development of 32 residential dwellings (including affordable homes), vehicular

access, pedestrian links, car parking, drainage, public open space and associated works.

The overall density for the site would be approximately 32 dwellings per hectare over the developable area of the site.

In terms of the provision of dwellings, the scheme would provide the following accommodation mix:

Market Housing

8 x 3 bed homes

10 x 4 bed homes

2 x 5 bed homes

Total of 20 market houses

Affordable Housing

7 x 2 bed homes

5 x 3 bed homes

Total of 12 affordable units

A total of 37.5% affordable units has been provided for in excess of the 35% policy requirement.

The units proposed would consist of mix of two storey and two and a half storey. The materials schedule details that the external materials would comprise of a mixture of red and buff bricks and mix of rustic red and slate grey roof tiles. There would also be a variety in window treatments with a combination of varied window designs & detailing and porch canopy variations include both flat roof and mono pitch roof designs.

The majority of vehicle parking would be on plot, although there would be some displacement on street parking to avoid a triple tandem parking provision where possible. Where garages are proposed, these would meet the dimensions within the Councils Central Bedfordshire Design Guide. Visitor spaces are provided in most cases opposite locations where there is a perceived demand and where displacement parking is provided.

For recycling and refuse collection, the houses would have rear storage areas and access from rear gardens in order to bring bins to the front of the properties on collection day. Some of the occupants would have to bring their bins to a communal collection point on refuse and recycling collection days but the majority would receive kerbside collection.

The boundary treatment proposed between most plots would be 1.8m close boarded fencing with 1.5 metre high timber post and rail is proposed between individual plots and adjacent the open space areas.

A pedestrian link is proposed to be diverted from Silver Birch Avenue into the footway along the frontage of the new properties in Aspen Gardens to ensure appropriate connectivity.

The application is accompanied with the following statements:

- Planning Statement
- Design & Access Statement
- Marketing Assessment
- Statement of Community Involvement
- Transport Statement
- Ground Investigation Report
- Flood Risk Assessment & SuDs Strategy
- Ecological Appraisal
- Arboricultural Impact Assessment

This application has been considered in relation to the EIA Regulations (2017) and a screening opinion was issued on 31st May 2017, which confirmed that the proposal did not constitute EIA development, on the basis of the scale of the development.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012) & NPPG

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

Section 1 - Delivering Sustainable Development
Section 4 – Promoting Sustainable Transport
Section 6 – Delivering a wide choice of high quality homes
Section 7 - Requiring Good Design
Section 8 – Promoting healthy communities

Core Strategy and Development Management Policies - North 2009

CS14 - High Quality Design
DM3 - High Quality Design
DM4 - Development Within and Beyond Settlement Envelopes
DM14 - Landscape and Woodland

Central Bedfordshire Local Plan - Emerging

The Central Bedfordshire Local Plan has reached pre-submission stage and is out for consultation in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 until 22nd February 2018.

The National Planning Policy Framework (paragraph 216) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

In summary it is therefore considered that reference should be made to the emerging plan but limited weight should be applied to the Central Bedfordshire Pre-Submission Local Plan taking into account its stage of preparation, the level of consistency with the Framework and acknowledging that the draft site allocations have not yet been subject to statutory public consultation. The following policies are relevant to the consideration of this application:

SP2: Sustainable Development
H1: Housing Mix
H2: Housing Standards
T2: Highway Safety & Design
T3: Parking
EE2: Biodiversity
CC5: Sustainable Drainage
HQ1: High Quality Development

Supplementary Planning Guidance/Other Documents

1. Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application Number CB/12/02503/FULL

Description Erection of 118 dwellings and 5 x B1 business units (900sqm) including access, landscaping, parking, affordable housing and children's play space.

Decision Approved

Decision Date 21.02.2013

Town Council:

Stotfold Town Council
(15/01/18) (*Verbatim*)-

Object - although the proposal is on a brownfield site, which is preferred under NPPF policy, we are also minded to note that under an earlier proposal for housing development, which included both the former motorola site and the adjoining beta engineering site, there was provision for replacement of some of the lost 15 acres of safeguarded employment land in Taylors Road.

This was included in the approved development of the Motorola site excluding the Beta Engineering site and was for B1/B2 use. This undertaking by Taylor Wimpey has not been fulfilled to date on that site.

In the interest of Sustainability, relative to continued new residential developments in the area, it has previously been concluded there is a commensurate need for employment land to go hand in hand with future housing developments. This is reiterated in the emerging Central Beds Local Plan where an employment site is lost, a replacement should be found. This should be geographical to Stotfold and within range of public transport provision.

Stotfold Town Councils opinion is that some employment

provision should be provided and safeguarded as part of any development permission in this area.

We note that the provision of affordable housing is in one area of the proposed development only, but our understanding is that NPPF policy dictates that there should be a "pepper pot" dispersal of these dwellings within the entire site.

Since Beta Engineering operated a metal plating business on the site, involving the use of several hazardous products, we query whether a full environmental assessment has been undertaken to deal with both that and the possibility of the elderly buildings containing hazardous materials, such as asbestos.

The additional vehicular traffic loading on to the recognized congested area of Taylors Road and Astwick Road, through to the Green, will add to traffic safety concerns of existing residents.

Internal Consultees:

CBC Public Art (02/02/18)-	Recommends a condition be imposed to secure public art.
CBC Trees & Landscape officer (10/01/18)	No Objection, subject to the imposition of a condition to secure a landscaping plan which includes the species, size and densities of the planting proposed.
CBC SuDs Engineer (11/01/18)-	No Objection, subject to the imposition of a condition to secure a foul water drainage scheme and a maintenance scheme for the SuDs strategy.
CBC Sustainable Growth (11/01/18)-	No Objection, subject to the imposition of a condition to secure energy/water efficiencies.
CBC Waste Services (12/01/18)-	No Objection, subject to the imposition of a condition to secure bin storage/collection arrangements.
CBC Ecology (12/01/18)-	Disappointed that the prime existing tree planned to be retained is not in the public realm and therefore pressure placed on its retention. Notwithstanding this, no objection subject to the imposition of a condition to secure ecological measures contained within the ecological appraisal and a financial contribution towards a project for a toad crossing sign within the area.
CBC Pollution (17/01/18) -	No Objection, subject to the imposition of conditions to secure a phase 2 Investigation report and validation report.

CBC Landscape
(22/01/18)- Disappointed that the prime existing tree planned to be retained is not in the public realm and therefore pressure placed on its retention.

Recommendations for change to some species of planting proposed, but no formal objection.

CBC Housing
Development Officer
(03/01/18)- Supports, in excess of policy requirements.

CBC Highways Officer
(05/02/18)- No Objection, subject to the imposition of conditions to secure visibility, parking provision and a construction management plan.

External Consultees:

Internal Drainage Board
(10/01/18)- No Comments, seek Anglian Water advice also.

Beds Fire and Rescue
(08/01/18)- Recommends that a condition to secure a scheme to agree locations of fire hydrants is applied.

106 Sustainability Mitigation Obligations

CBC Education Spending Officer Due to pressures on local school placements, a financial contribution to secure an extension to each tier would be required.

- EY: £33,183.36
- Lower: £110,611.20
- Middle: £111,301.63
- Upper: £136,485.27

CBC Rights of Way Spending Officer To procure the surfacing and upgrade of Footpath 7 in the interest of the use of future residents at a cost of £15,000.

CBC Housing Development Officer To secure 37.5% affordable housing in accordance with the heads of terms presented, in excess of the 35% policy requirement. Tenure split of 73% affordable Rent and 27% shared ownership.

CBC Community Halls Spending Officer To secure a financial contribution of £52,497 towards enhancement to a pre-existing hall in Stotfold.

CBC Ecology To secure a financial contribution of £3,000 to a ecological mitigation project for a toads crossing along Taylors Road.

Other Representations:

39 Silver Birch Avenue (15/01/18)- Broadly support subject to the following considerations:

- Pleased to see amendment to plot adjacent to their home
- Boundary fencing missing in places
- Concerns over asbestos management
- Concerns over sewage/drainage proposals

7 Aspen Gardens (13/01/18) Broadly support subject to the following considerations:

- Additional parking provision on Aspen Gardens
- Contributions to play
- Two storey only on Aspen Gardens due to concern for loss of light
- Additional parking at St Marys School

Determining Issues:

The main considerations of the application are;

1. **Principle**
2. **Effect on the Character and Appearance of the Area**
3. **Neighbouring Amenity**
4. **Highway Considerations**
5. **Other Considerations**

Considerations

1. Principle

- 1.1 Stotfold is identified as a Minor Service Centre, and policy DM4 states that within the Settlement Envelopes of Minor Service Centres, the Council will approve housing, employment and other settlement related development commensurate with the scale of the settlement, taking account of its role as a local service centre.
- 1.2 The site has a historic commercial use however whilst in past authority local plan documents (i.e Mid Beds Local Plan) this site was allocated as a safeguarded employment area, the current core strategy for the North does not identify this site as a safeguarded employment area and therefore Policy E1 of the Core Strategy for the North is not considered a relevant policy in the determination of this application. In addition, whilst only limited weight can be applied to the policies contained within the emerging local plan, it is relevant to note that this site is also not identified as a safeguarded employment site within this plan. Notwithstanding this, the loss of employment use is a material consideration.
- 1.3 Paragraph 22 of the NPPF states that planning policies should avoid the long term protection of employment sites where there is no reasonable prospect of a site being used for that purpose. In such situations, the NPPF advises that applications for alternative uses should be treated on their own merits having regard to market signals and the relative need for different land uses to support

sustainable communities. The pre-existing Beta Engineering site occupiers, due to difficult market conditions have been forced to wind down the business and as such, no longer viable for them to retain. In addition, a marketing strategy was supplied providing evidence that the existing commercial units are deteriorating and, along with those approved under planning permission CB/12/02503/FULL referred to in the site history of this report, are not commercially viable and have no realistic prospect of being occupied by an alternative business nor being delivered.

- 1.4 Whilst concerns have been raised by the Town Council in respect of the loss of employment, that there are a number of safeguarded employment sites within Stotfold which contribute to economic sustainability of Stotfold including that of Fen End Industrial Estate, Arc Progress of Mill Lane and Land south of Stotfold. In addition the Councils recent Economic Market Assessment and Employment Land Review Studies confirm that there is sufficient existing supply of sites to meet local business growth.
- 1.5 Paragraph 49 goes further to advise that housing applications should be considered in the context of presumption in favour of sustainable development and in accordance with paragraph 111 of the same document, consideration should be given to the re-use of previously developed land. Policy DM4 supports schemes for residential development with the settlement of Minor Service Centres, subject to the proposal making the best use of the available land and that the scale of the development would reflect the scale and character of the existing settlement in which it is located. The streetscene is dominated by modern housing and the proposed plots would generally accord with the general pattern of development.
- 1.6 A residential re-use would make a positive contribution towards urban regeneration and the supply of land for housing and is therefore considered acceptable in principle and accords with national advice and Local Plan housing policies. It is also accepted and agreed that the site is previously developed land and within a built up area so the principle of the use of the site for residential development is therefore acceptable, subject to other considerations such as design, amenity and highway which are considered later in this report.

2. Effect on the Character and Appearance of the Area

- 2.1 Local Plan Policy DM3 & CS14 states that proposals should take full account of the need for, or opportunities to enhance or reinforce the character and local distinctiveness of the area; and that the size, scale, density, massing, orientation, materials and overall appearance of the development should complement and harmonise with the local surroundings, particularly in terms of adjoining buildings and spaces and longer views.
- 2.2 The overall density for the site would be approximately 32 dwellings per hectare which is fairly representative of the density of residential within the immediate vicinity of the site.
- 2.3 Cues have been taken from the surrounding pattern of development and regard has been had to established building lines. The scheme also provides for an appropriate mix of detached and attached houses with varying heights of two and two and half storey which seeks to reinforce the prevailing character of the

area. Materials and fenestration of the dwellings proposed are not dissimilar to that on the previously recently developed residential development of Aspen Gardens which further seeks to reinforce the established character of the area.

- 2.4 Opportunities have been realised to maintain existing important landscape features including that of the Maple Tree which is located adjacent to the access junction off Taylors with Aspen Gardens. This tree has been protected and relocated in the public realm to better ensure its long term retention in accordance with the Councils Landscape and Biodiversity Officers advise, in the interest of visual amenity and biodiversity mitigation. In addition, landscape species have been revised in accordance with the Councils Tree and Landscape Officers to ensure an appropriate variety and more robust planting that would seek to soften the urban form.
- 2.5 In addition to the trees and planting scheme, a parcel of amenity space has been provided in a central location with the scheme that could be utilised for recreation and provides a positive contribution to green infrastructure. This is reasonably connected to the surrounding existing residential developments and as such could be utilised by existing and future occupiers.
- 2.6 Boundary treatment details have been provided which demarcate the public and private realm. The variation of boundary treatments, landscaping and surfacing provides for greater legibility around the site. The scheme would therefore provide for an appropriate standard of urban design in accordance with the Councils adopted design guide. As such it is considered that the proposal would conform with policies CS14 & DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and Section 7 of the NPPF.

3. Neighbouring Amenity

3.1 Existing Residents

Adequate separation is proposed back to back between existing and proposed dwellinghouses in accordance with the Councils technical design guidance.

- 3.2 In addition plot 1 provides a 4 metre separation on the boundary from the existing dwellinghouse of 4 Taylors Road, in excess of the 1 metre separation on the boundary recommended within the Councils Technical Design Guidance. Due to this adequate separation and the position of plot 1 at an angle relative to the existing dwellinghouse, it is considered that the proposal would not give rise to a loss of light or overshadowing to an unacceptable degree.

- 3.3 Some plots are proposed to be positioned such that they would flank existing residential properties. Whilst there is no prescriptive design guidance on separations in those sceneries, the separations distances proposed are in excess of 15 metres and is considered sufficient to not result in amenity harm in relation to overbearing impact or overlooking.

3.4 Future Occupiers

The layout demonstrates that 32 dwellinghouses have been sited such that there would be no resultant impact on future occupiers in terms of loss of light/overshadowing nor privacy concerns.

- 3.5 In terms of amenity space for future occupiers, each bedroom space meets either the minimum standards which are conveyed within the Central Bedfordshire Design Guide or statutory limitations under the Housing Act. Furthermore, the garden space for each dwellinghouse would meet external standards conveyed within the same technical planning guidance.
- 3.6 Whilst bin storage and collection points have not been identified on the indicative plan, the Councils waste officer is satisfied that there is sufficient spaces within the site to accommodate such facilities and as such is satisfied that this could be secured by condition. Therefore the proposal in this regard, would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 7 of the NPPF.

4. Highways Considerations

4.1 Access and Traffic Generation

The site has the benefit of planning consent for 5 commercial units (B1 office use of 900sqm) along side the residential planning permission secured under planning permission reference CB/12/02503/FULL. The proposal also includes the existing commercial (B2 general industry use of 3320sqm) site.

- 4.2 The B1 element of this proposal would have seen 17 arrivals in the am peak and 15 departures in the pm peak. The B2 element would have according to the TRICS database would have seen 15 arrivals am peak and 16 departures pm peak. The proposed new residential C3 use would have 13 departures in the am peak with 13 arrivals in the pm peak.
- 4.3 The modal shift of travel movements is that the commercial uses would attract inwards movements in the am peak and outward movements in the pm peaks, whereas residential would be vice versa, departures in the am peak and arrivals in the pm peak.
- 4.4 A change to residential for the consented B1 and existing B2 uses would reduce the level of trips on the highway network. This is demonstrated as being a reduction of 20 trips in the am peak and 20 trips in the pm peak within the Transport Statement. The removal of the B2 use would also remove any large commercial traffic associated with such business use.

4.5 Visibility and Internal Layout

The visibility splay for plots 1 and 2 onto Taylors Road is 2.4m x 25m and this access is within the 20mph zone, the main site access is 2.4m x 43m for a 30 mph area and therefore compliant with Manual for Streets. The shared surface road has 2m wide footways leading into a shares are of 8.8m for the carriageway/service margins which are also present around the turning head. The road layout therefore complies with the Design Guide.

4.6 Rights of Way

A footway that runs through the proposed development site is part of the public highway and would need a stopping up order or application through the Town and Country Planning Act which can be secured through condition.

In addition, a public right of way currently runs directly through to the rear of the site (footpath no 7) which is proposed to be diverted slightly north of its current

position, along Aspen Gardens which would better seek to support connectivity for existing and future residents. This diversion would be secured through a footpath scheme which can be secured through condition.

4.7 Parking

Parking for the development is in accordance with the Design Guide and whilst it shows some that triple tandem parking for the 4 and 5 bedroom dwellings does demonstrate that one space can be provided on street and thus unallocated. There are also 7 dedicated visitor parking bays. Car parking on the whole therefore can be considered acceptable for residents and visitors alike. Cycle parking is not detailed and as such this would require a condition to secure this provision.

4.8 No objections have been raised to this proposal by the Councils Highways Officer for the reason identified above and as such, it is considered that it would not be prejudicial to highway safety. Therefore the proposal would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 4 of the NPPF in this respect.

5. **Other Considerations**

5.1 **Affordable Housing Provision**

Under Policy CS7 of the Core Strategy, 35% of all developments for four dwellings and above should be provided as Affordable Housing units. The proposal for 32 units would qualify for Affordable Housing provision and 35% would equate to 11 units. The applicant has proposed a 37.5% affordable provision equating to 12 units across the development and shall form heads of terms for the legal agreement that would be required if Members resolve to grant consent. As such the proposal would comply with and exceed the requirements of Policy CS7.

5.2 **Ecology**

The NPPF calls for a net gain in biodiversity. The application is supported by an ecological appraisal which includes ecological enhancement proposal. The Councils Ecologist has no objection to the proposal subject to the imposition of a condition to secure enhancements included in this document and also to include a financial contribution towards a Council project for a toad crossing on Taylors Road which would be secured through a legal agreement if Members resolved to approve. Therefore the proposal is considered to accord with policies CS18 & DM15 of the Core Strategy for the North and Section 11 of the NPPF.

5.3 **Climate Change**

Policy DM1 requires all development above 10 dwellings to deliver 10% of the development's energy demand from renewable or low carbon sources. The proposed development is over the policy threshold. Policy DM2 requires all new residential development to meet CfSH Level 3. The energy standard of the CfSH Level 3 is below standard required by the Part L2013 of the Building Regulations. All new development should therefore as minimum comply with the new Part L2013 of the Building Regulations and deliver 10% of their energy demand from renewable sources to meet requirement of policy DM1. The Councils Sustainability Officer would wish to encourage the developer to achieve a higher energy efficiency standard than this prescribed by the 2013 part L of the Building Regulations, as energy efficient fabric leads to lower energy demand

and smaller renewable energy installation to satisfy the requirement of policy DM1. If the proposal were considered otherwise acceptable, such matters could be satisfactorily resolved as part of any forthcoming reserved matters application and could be controlled by condition. As such, the proposal would conform with policies DM1 & DM2 of the Core Strategy for the North and Section 10 of the NPPF.

5.4 Contamination

The historic industrial use of the site includes potentially contaminating industries, particularly the electroplating business. The applicant has submitted a Rolton Group Ground Investigation Report Summary dated 15th December 2015 ref 14-0087 XL002. The initial investigation has identified on site (and also potentially off site) contamination from Trichlorethene (TCE), Diclorethene (DCE), Vinyl Chloride (VC), Nickel and Zinc. The report concludes that further investigation of the extent of contamination is required particularly in the vicinity of the electroplating business. A land contamination investigation, remediation and validation condition is required to ensure that the contamination is effectively remediated to ensure the site is suitable for residential use.

5.5 Fire Hydrants

The Bedfordshire Fire Service has identified that new residential developments should allow for the provision of fire hydrants and appropriate access. This is a matter that could be designed into the layout and the details can be controlled by condition prior to commencement.

5.6 Flood Risk & SuDs

The site is located within Flood Zone Area 1 whereby the probability of flooding is identified as being low. As such, no objections have been raised by the Environment agency.

From 6th April 2015 local planning policies and decisions on planning applications relating to major development (developments of 10 dwellings or more; or equivalent non-residential or mixed development [as defined in Article 2(1) of the Town and County Planning (Development Management Procedure) Order 2015], must ensure that sustainable drainage systems (SuDS) for the management of surface water runoff are put in place, unless demonstrated to be inappropriate. The Councils SuDs Officer is satisfied that an appropriate Sustainable Drainage System could be implemented on site so as limit any flooding potential and as such has not wish to raise any objection to this proposal subject to the imposition of conditions to control its provision. In addition, neither the Internal Drainage Board or Anglian Water have wished to raise an objection to this application, subject to conditions of control of the provision as suggested by the Councils SuDs officer. As such it is considered that the proposal accords with the Councils adopted SuDs guidance and the section 10 of the NPPF.

5.7 Financial Obligations

Significant weight should be given to the National Planning Policy Framework, which calls for the achievement of the three dimensions of sustainable development: economic, social and environmental. It is considered that Policy CS2 of the Core Strategy for the North is in accordance with the National

Planning Policy Framework. This states that developers are required to make appropriate contributions as necessary to offset the cost of providing new physical, social, community and environmental proposals .

In this case, Spending Officers were consulted and comments returned from Education , Community Halls, Rights of Way and Ecology and the details are highlighted in the **106 Sustainability Mitigation Obligations** of this report. The following contributions are requested and shall form heads of terms for the legal agreement that would be required if Members resolve to grant consent. As such, it is considered that the proposal would conform with policy CS2 of the Core Strategy for the North.

5.8 Public Art

Central Bedfordshire Council actively encourages the inclusion of Public Art in new developments and looks to developers / promoters of sites to take responsibility for funding and managing the implementation of Public Art either directly or through specialist advisers and in consultation with Town and Parish Councils and Central Bedfordshire Council. The Councils Public Art Officer has raised no objection to the granting of this permission, subject to the imposition of a condition to secure an art strategy. However it is considered that a public art strategy is not necessary to make a scheme of this scale acceptable.

5.9 Human Rights issues

The proposal raises no Human Rights issues.

Equality Act 2010

The proposal raises no issues under the Equality Act.

Recommendation:

That Planning Permission be APPROVED conditional on the completion of a 106 agreement and subject to the following:

RECOMMENDED CONDITIONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The materials to be used for the external walls and roofs of the development as shown on drawing no. LSD181-04 Rev D shall be carried out in accordance with the approved details.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Policy DM3 of the Core Strategy for the North and Section 7, NPPF)
- 3 **No development shall take place until details of hard and soft landscaping (including details of the species, sizes and densities) together with a timetable for its implementation have been submitted to**

and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.

**Reason: To ensure an acceptable standard of landscaping.
(Policy DM14 of the Core Strategy for the North and Sections 7 & 11, NPPF)**

- 4 No dwelling hereby approved shall be occupied, until a Landscape and SuDs Maintenance and Management Plan for a period of ten years from the date of its delivery has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping and SuDs shall be maintained and managed in accordance with the approved plan following its delivery.

Reason: To ensure that the appearance of the site would be acceptable in accordance with Policy DM14 of the Core Strategy and Sections 10 & 11 of the NPPF.

- 5 The positioning of the protective fencing details as supplied in support of the application, shall be erected to protect the natural canopy spread and root protection areas of the trees proposed to be retained. The protective fencing shall then be fully implemented before the commencement of any site construction works, and the approved fencing shall remain firmly in place throughout the entire course of development.

Reason: To ensure that a satisfactory standard of landscape protection is fully implemented in the interests of maintaining the health and natural canopy spread of the protected trees. Failure to secure these details prior to commencement of development could result in the unreasonable loss of a trees and landscaping that adds amenity value. (Policy CS16 of the Core Strategy and Section 7 of the NPPF).

- 6 **No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing how renewable and low energy sources would generate 10% of the energy needs of the development and also showing water efficiency measures achieving 110 litres per person per day. The works shall then be carried out in accordance with the approved details and retained thereafter.**

**Reason: This condition is pre-commencement as the efficiencies could affect the construction or materials of the dwellings which will require to be ordered prior to commencement and In the interests of sustainability.
(Policy DM2 of the Core Strategy for the North & Section 10 of the NPPF)**

- 7 **No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of fire hydrants at the development. Prior to the first occupation of the dwellings the fire hydrants serving that development shall be installed as approved. Thereafter the fire hydrants shall be retained as approved in perpetuity.**

Reason: This condition is pre-commencement as the ground works for connectivity will need to be considered prior to construction in order to ensure appropriate access to fire hydrants for use in the event of emergency in accordance with policy DM3 of Central Bedfordshire Core Strategy for the North and Section 7 of the NPPF.

- 8 **Development shall not commence until a scheme for the diversion of the public right way including a timeframe for its implementation and the improvements to public rights of way (FP7) including appropriate connections and enhancements to surfacing and drainage arrangements where deemed appropriate, has been submitted and approved by the Local Planning Authority. The scheme shall then be carried out in full in accordance with the approved scheme.**

Reason: This condition is pre-commencement as a diversion will need to take place so that existing occupiers can gain appropriate access throughout the development phase and to ensure that public rights of way within the site are protected, enhanced and promoted as part of the development.

- 9 All ecological measures shall be carried out in accordance with the details contained in Part 6 of the May 2017 Ecological Appraisal.

Reason: To ensure all impacts from development are taken into account and mitigated.
(Section 11, NPPF)

- 10 **No development shall take place until details of the method of disposal of foul and surface water drainage (which shall include a copy of the correspondence with Anglian Water regarding permission to discharge in to the public surface water sewer including the rate of discharge Anglian Water will allow) have been submitted to and agreed in writing by the Local Planning Authority, including any land drainage system. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.**

Reason: This condition is pre-commencement as ground works will be required prior to construction to ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.
(Section 10, NPPF)

- 11 **No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:**

A Phase 2 investigation report as recommended by the previously submitted Rolton Group Ground Investigation report summary dated 15th December 2015 ref 14-0087 XL002 along with a Remediation Method Statement should the Phase 2 discover the need for remediation.

Reason: This condition is pre-commencement as it relation to ground works and remediation to ensure that the site is suitable for its end use

**and to protect human health and the water environment.
(Section 11, NPPF)**

- 12 No occupation of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

A Validation Report by means of which the effectiveness of the remediation implemented by any Remediation Method Statement shall be demonstrated to the Local Planning Authority (to incorporate photographs and depth measurements).

Any unexpected contamination discovered during works should be brought to the attention of the Planning Authority.

Reason: To ensure that the site is suitable for its end use and to protect human health and the water environment.
(Section 11, NPPF)

- 13 The dwellings hereby approved shall not be occupied until details of the bin storage & collection areas have been submitted to and approved in writing by the Local Planning Authority and the bin storage/collection areas have been implemented in accordance with the approved details. The bin storage & collection areas shall be retained thereafter.

Reason: In the interest of amenity.
(Policy DM3 of the Core Strategy for the North and Section 7, NPPF)

- 14 No building shall be occupied until the junctions of the proposed vehicular access points with the highway has been constructed in accordance with the approved details. No other part of the development shall take place until the visibility splays at the junction of the accesses with the public highway shown on the approved drawing have been provided. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: In order to minimise danger and to provide adequate visibility between the existing highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them. (Policy DM3 of the Core Strategy for the North and Section 4 of the NPPF)

- 15 Before any vehicular access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 2m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 2m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate pedestrian/driver intervisibility between the highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them. (Policy DM3 of the Core Strategy for the North and Section 4 of the NPPF).

- 16 **No development shall take place, including any works of demolition, until a Construction Traffic Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:**
- **The parking of vehicles**
 - **Loading and unloading of plant and materials used in the development**
 - **Storage of plant and materials used in the development**
 - **The erection and maintenance of security hoarding / scaffolding affecting the highway if required.**
 - **Footpath/footway/cycleway or road closures needed during the development period**
 - **Traffic management needed during the development period.**
 - **Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.**

The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.

Reason: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety. (Policy DM3 of the Core Strategy for the North and Section 4 of the NPPF).

- 17 **No development shall take place until wheel-cleaning facilities which prevent the deposit of mud or other extraneous material on the highway during the construction period have been installed at all vehicular site exists and made operational and the Site Developer(s) shall ensure that these are used by all vehicles exiting the site until the development has been substantially completed or until the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).**

**Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.
(Section 7, NPPF)**

- 18 **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers LSD181-01T (Site Layout Plan), LSD181-05B (Site Layout Plan), LSD181-04D (Materials Plan), LSD181-01 Rev T (Parking Strategy), 10E (Landscape Masterplan), Planning Statement, Design & Access Statement Rev A, Market Assessment Report (May 2017), House Type Pack Rev A (All House Types), JKK8224_1 Rev B & 02 Rev A (Topographical Survey), Energy Statement Rev C, Statement of Community Involvement May 2017, Transport Statement Dec 2017, Flood Risk Technical Note Rev B & Preliminary Drainage Strategy Rev D, Ecological Appraisal Rev A, Arboricultural Impact Assessment and Method statement Rev A & Twnt20184-03A (Tree Protection Plan), Landscape Design**

Statement May 2017 & Geophysical Report Issue 1.

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.

There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

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

4. 1/The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

2/ The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including

run off calculations shall be submitted to the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ .

5. Notwithstanding the granting of planning permission, no enclosure of the land shall take place until such time as the highway rights over the land have been formally extinguished by a formal Stopping Up Order made under Section 247 of the Town and Country Planning Act 1980 or by the application to the Magistrates Court under Section 117 of the Highways Act 1980.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

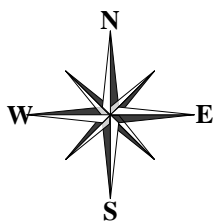
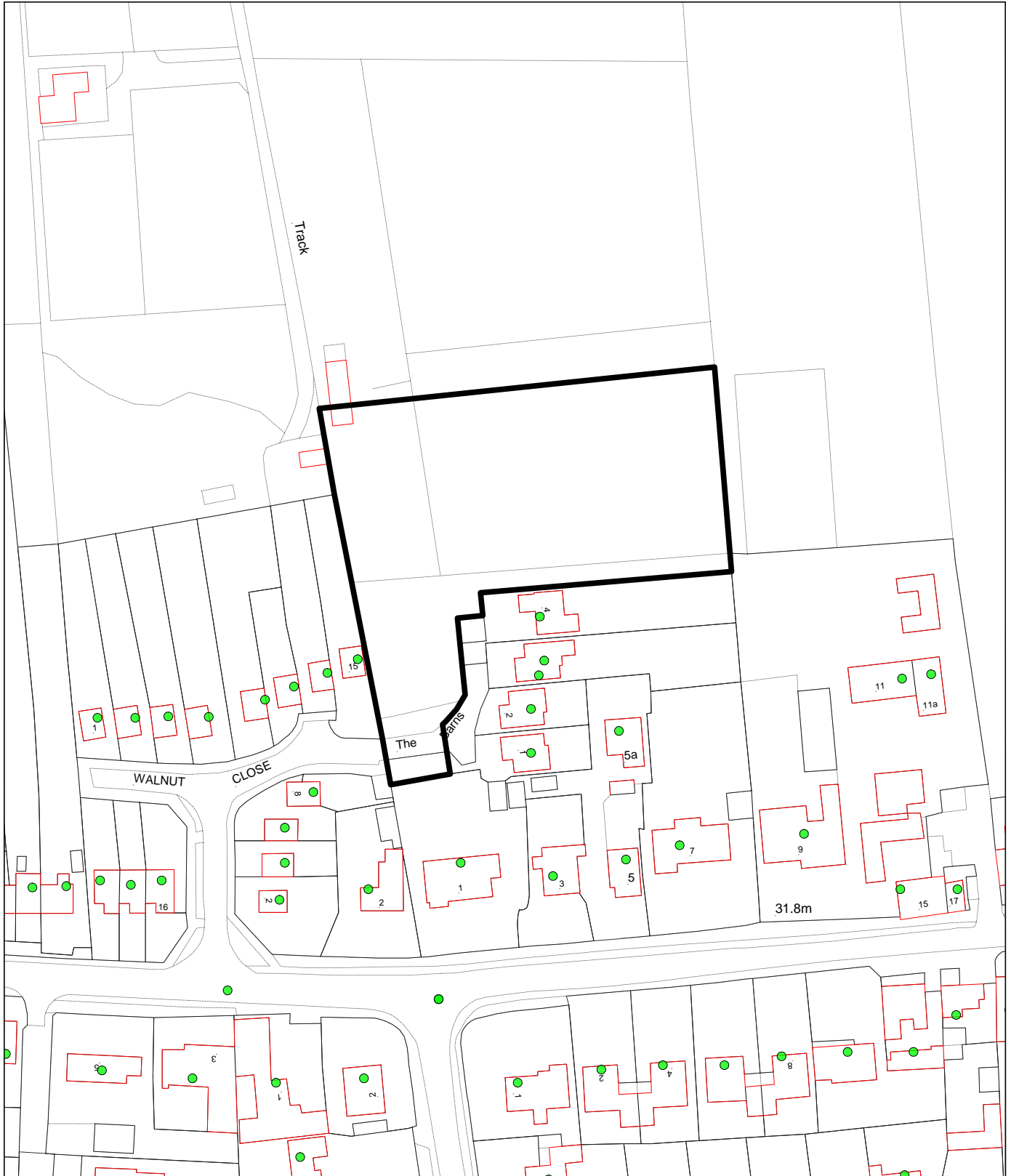
The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

.....

.....

This page is intentionally left blank



© Crown Copyright. All rights reserved.
Central Bedfordshire Council
Licence No. 100049029 (2009)

Date: 07:February:2018

Grid Ref: 514946; 251284

Application No.
CB/17/05230/RM

Scale: 1:1250

Land North East of Walnut Close, Blunham, MK44 3NB

This page is intentionally left blank

Item No. 7

APPLICATION NUMBER	CB/17/05230/RM
LOCATION	Land north east of Walnut Close, Blunham, MK44 3NB
PROPOSAL	Reserved Matter: of Outline Application CB/16/4657/OUT, for the residential development of 0.49 Hectares of land to form 9 bungalow/chalet dwellings with associated garaging, parking and other associated works, to include the discharge of conditions no's 2 8 9 12 & 14.
PARISH	Blunham
WARD	Sandy
WARD COUNCILLORS	Cllrs Maudlin, Smith & Stock
CASE OFFICER	Donna Lavender
DATE REGISTERED	09 November 2017
EXPIRY DATE	04 January 2018
APPLICANT	Signature Homes MK LLP
AGENT	CMI Architecture Limited
REASON FOR COMMITTEE TO DETERMINE	Ward Member Call in (Cllr P Smith) on the following grounds:
	<ul style="list-style-type: none">• Scheme design likely to cause parking problems and restrict access to Walnut Close• Impact of new garage block at entrance to the development and design of chalet style houses• Runs against the principal of low level bungalows as seen in outline application
RECOMMENDED DECISION	Reserved Matters - Recommended for Approval

Reason for Recommendation

The proposal is for reserved matters and the scheme accords to the parameters agreed at the Outline stage and is of a design and scale that would compliment and harmonise with the prevailing character of the area. The proposal is also considered to be acceptable in terms of highway safety and neighbouring amenity and therefore accords with Policy DM3 of the Core Strategy and the Council's adopted Design Guidance (2014).

Site Location:

The site is located on the north side of Walnut Close, a residential cul-de-sac, and adjacent to a development of 4 houses known as "The Barns", built as an extension to the original Close. The land comprises a field with open countryside beyond which is currently used for grazing. It has a frontage onto The Barns and adjoins the side of no. 15 Walnut Close to the west, the frontages of no's. 1-4 The Barns to the east and the side boundary of 4 The Barns to the south.

The area is residential in character although the area comprising the application site and land beyond is rural in character and is predominantly located outside of the Village Settlement Envelope.

The Application:

Approval of reserved matters is sought for the erection of 9 dwellings and associated landscaping and parking pursuant to the outline planning permission under CB/16/04657/OUT.

The overall density for the site would be approximately 23 dwellings per hectare over the 0.49 hectare net developable area of the site.

In terms of the provision of dwellings, the scheme would provide the following accommodation mix:

- 6 x 2 beds (single storey)
- 3 x 3 beds (1.5 storey)

The units proposed would consist of a mix of single storey and 1.5 storey with rooms in the roofspace. The materials schedule details that the external materials would comprise of a red/brown brick, off white render and red plain roof tiles. There would also be a variety of window treatments with a combination of varied window designs & detailing. Porches where proposed are limited to a gable roof design.

The vehicle parking would be on plot. Where garages are proposed, these would meet the dimensions within the Councils Central Bedfordshire Design Guide. Visitor spaces are provided in accordance with the same Design Guide.

For recycling and refuse collection, the houses would have rear storage areas and access from rear gardens in order to bring bins to the front of the properties on collection day.

The boundary treatment proposed between most plots would be 1.8m fencing with 1.2 metre post and rail proposed between plots and the strategic landscape buffer.

A landscape buffer is proposed along the northern boundary shared with the open countryside and to the southern boundary shared with existing resident properties of The Barns. The buffer remains 3 metres between existing resident development in the interest of amenity protection and the additional buffer provides for a suitable demarcation from the open countryside and therefore in accordance with the parameters secured at the outline stage.

The following documents were supplied in support of the application:

- Design and Access Statement
- Ecological Enhancement Scheme
- Vehicle Tracking
- Street Sections

N.B Changes were made to the layout plans and elevations of dwellings during the life of the application to take into account matters raised in terms of landscaping , amenity impact and to ensure that the proposal accords to the parameters of the outline permission. Appropriate reconsultation was carried out pursuant to the changes.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 8: Promoting healthy communities

Section 10: Meeting the challenge of climate change, flooding and coastal change

Section 11: Conserving and enhancing the natural environment

Section 13: Facilitating the sustainable use of minerals

Core Strategy and Development Management Policies - North 2009

CS1: Development Strategy

CS2: Developer Contributions

CS3: Healthy and Sustainable Communities

CS4: Linking Communities – Accessibility and Transport

CS5: Providing Homes

CS13: Climate Change

CS14: High Quality Design

CS16: Landscape & Woodland

CS18: Biodiversity

DM1: Renewable Energy

DM2: Sustainable Construction of New Buildings

DM3 - High Quality Design

DM4 - Development Within and Beyond Settlement Envelopes

DM14 - Landscape and Woodland

DM15: Biodiversity

Local Plan

The Central Bedfordshire Local Plan has reached pre-submission stage and is out for consultation in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 until 22nd February 2018.

The National Planning Policy Framework (paragraph 216) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

In summary it is therefore considered that reference should be made to the emerging plan but limited weight should be applied to the Central Bedfordshire Pre-Submission Local Plan taking into account its stage of preparation, the level of consistency with the Framework and acknowledging that the draft site allocations have not yet been subject to statutory public consultation. The following policies are relevant to the consideration of this application:

SP2: Sustainable Development
H1: Housing Mix
H2: Housing Standards
T2: Highway Safety & Design
T3: Parking
EE2: Biodiversity
EE14: Minerals and Waste
CC5: Sustainable Drainage
HQ1: High Quality Development

Minerals and Waste Constraints

Minerals Safeguarding Zone

Minerals and Waste Local Plan: Strategic Sites and Policies (Jan 2014)

MSP 11

MSP 12

Supplementary Planning Guidance/Other Documents

1. Central Bedfordshire Design Guide (March 2014)
2. Central Bedfordshire SuDs Guidance (April 2014)

Relevant Planning History:

Application Number **CB/16/04657/OUT**

Description Outline planning application for the residential development of 0.49 hectares of land to form 9 bungalow/chalet dwellings with associated garaging, parking and other associated works.

Decision Outline Application - Granted

Decision Date 08/03/2017

Parish Council:

Blunham Parish Council Objects to this planning application.
(29.11.17) -

When the outline application was granted at the DMC meeting, Cllr Young made a very clear statement to the effect that the Reserved Matters application must not deviate from the outline granted. We are of the opinion that this reserved matters application has deviated to an unacceptable level.

The reliance on triple car length parking is impractical. It will inevitably lead to vehicles being parked on the road for ease of access.

The visitor parking previously available for the use of visitors to The Barns has been physically removed already. The outline application showed some visitor parking but there appears to be no provision in the new scheme. This needs to be addressed.

Cond 8 states that the properties must be single storey on the rear northern boundary and yet the development

includes chalet bungalows that are 1.5 storeys. This is not acceptable.

The roofing material is stated as being slate. This is not found in Blunham to any great extent and would not be keeping and intrusive.

The large double garage at the approach to the development is very prominent and overbearing. It is not aesthetically pleasing.

The screening between The Barns and the new development needs to be improved to protect the amenity of existing residents.

Why was archaeological survey not required?

Why is there no affordable housing required?

Statements in relation to public transportation available is misleading.

Internal Consultees:

CBC SuDs Engineer
(22/11/17), (10/01/18) &
(06.02.18) -

No Comments, information required by condition under outline prior to commencement.

CBC Sustainable
Growth (27/11/17) &
(08/01/18)-

No Comments.

CBC Trees & Landscape
(29/11/17) & (09/01/18)-

Landscape and Boundary treatment plans required.

On receipt of landscape plans, no concerns raised.

CBC Landscape
(30/11/17) & (17/01/18)-

Landscape plans required and details of maintenance and management of planting and buffers.

Following the receipt of the landscape plans, recommendations for changes to some species were made. Revised plans received in accordance with advice.

CBC Waste (01/02/17)-

Bin storage and collection information acceptable. Swept Path analysis required.

Revised plans received to address concerns raised.

CBC Ecology (01/12/17)
& (11/01/18)-

Ecological enhancements plan required prior to commencement however should be supplied to support RM application.

On receipt of information, no further comments made.

CBC Highways
(01/12/17) & (19/01/18) -

Additional information required in terms of forward visibility, tracking and footpath connections to the site.

Revised plans received to address concerns raised.

External Consultees:

1. Internal Drainage
Board (13.11.17,
(21/12/17) & (06.02.18) -

No Comments.

Other Representations:

4 The Barns (30.11.17)
(x2) & (09.01.18)-

Objects on the following grounds (in summary):

- Plots 2 & 3 close proximity to the boundary and impact in terms of privacy
- Maintenance of the landscape strip
- Boundary treatment adj to landscape strip due to land height difference would result in loss of light
- Double garage in close proximity to existing garage and concerns over maintenance .

Following first reconsultation:

- Privacy remains a concern but garden space of new plot 3 should be retained at 12 metres to retain amenity of existing occupiers
- Landscape management still a concern
- Existing landscape shall be retained and incorporated into landscape scheme
- Buffer should be installed prior to commencement
- Heights of plots 7, 8 & 9 remain contrary to cond 8 of the outline
- Parking provision for the Barns remains an issue
- Sewage capacity concerns
- Concerns over access for larger vehicles
- Footpath to southern side of access still abuts garage of number 8 Walnut Close

8 Walnut Close
(07.12.17) & (09.01.18)
-

Objects on the following grounds (in summary):

- Garage door now opening directly onto pedestrian footway
- Access concerns
- 6 Plots are proposed to be more than 1 storey, contrary to cond on outline permission
- Slate tiles out of character to the area
- Number of garages proposed will reduce vantages to countryside beyond
- Unsustainable site
- Sewage capacity concerns
- Lack of ecology, SuDs and landscape maintenance

plans.

Following first reconsultation, objections retained.

Stationmasters Cottage,
Old Station Court
(12/12/17)-

Objects on the following grounds (in summary):

- Number of garages proposed will reduce vantages to countryside beyond
- Visitor parking for the Barns has been lost
- Reliance on public transport of new residents is unrealistic
- Not in accordance with outline parameters

15 Walnut Close
(15.12.17)-

Objects on the following grounds (in summary):

- Garage at number 8 Walnut Close will now open onto public footpath
- Access into site and visibility poor

3 The Barns (18.12.17)
& (09/01/17) -

Objects on the following grounds (in summary):

- Not in accordance with the outline parameters in terms of height
- Number of garages proposed will reduce vantages to countryside beyond
- Reduction in visitor parking for the Barns
- Landscaping buffers not sufficient and within garden spaces of properties making maintenance questionable
- Footpath provision beyond the site unclear
- Existing covenants retain right of access to the Barns which would be contravened by development
- Lack of CEMP supplied in support of the application

Following first reconsultation, objections retained.

2 The Barns (x2)
(30.11.17) & (10.01.18)-

Objects on the following grounds (in summary):

- Not in accordance with the outline parameters in terms of height
- Landscape buffer insufficient and within gardens of properties
- Maintenance issues and close proximity of garage to plot 4
- Access concerns - garage to number 8 and lack of footpath continued beyond the site
- Issues raised about information disclosed in respect of public transport
- Loss of existing parking of the Barns
- Lack of sewage/drainage details
- Lack of ecological information

Following first reconsultation, objections retained.

Determining Issues:

The main considerations of the application are;

1. **Principle**
2. **Affect on the Character and Appearance of the Area**
3. **Neighbouring Amenity**
4. **Highway Considerations**
5. **Other Considerations**

Considerations

1. Principle

- 1.1 The principle of residential development has been accepted on this site by the granting of the outline planning permission CB/16/04657/OUT. In order that the development can be considered acceptable, it should adhere to the principles of good design explored within the Central Bedfordshire Design Guide, as explored later in this report.

2. Site Layout, Density & External Appearance

- 2.1 The proposed development would result in a density per hectare of approximately 23 which does not constitute high density, is representative of the density levels within Blunham and accords with the densities considered acceptable at the outline stage.
- 2.2 The northern side of the site overlooks an area of agricultural land. As part of the parameters of the outline approval it was secured that the northern boundary would be improved through the planting of a landscape buffer of additional tree and landscaping. This will continue the full length of the boundary and would provide a suitable buffer and this has been supplied in accordance with those set parameters. In addition a further buffer of 3 metres in depth is proposed along the southern boundary of the site shared with the existing properties of The Barns in the interest of amenity protection which has been provided in accordance with the parameters at agreed at outline.
- 2.3 Species of planting and trees have been revised in accordance with the Councils Landscape Officers advice. In addition, the buffer has been removed from the private garden spaces of properties and separated by fencing. This buffer is to be maintained by a landscape management company in perpetuity, and these details can be secured in condition 6 of the outline. As such it is considered that the proposal takes into account the need to protect existing trees and landscaping and appropriate landscape opportunities have been proposed to enhance the character of the area.
- 2.4 The layout of the development broadly achieves the overall requirements of the parameter plan of the outline permission. The proposed layout conforms to established good principles of design by respecting street design, set backs, boundary treatments, parking typologies and materials whilst respecting the surrounding landscape buffers.

2.5 A number of revisions have been negotiated during the life of the application to improve variety, spaciousness and to address concerns raised during the consultation process. These revisions include but are not limited to:

- Revision to the housetypes to accord to the parameters of cond 8 of the outline in terms of heights along various boundaries
- Reduction of garages to improve a sense of openness and allow vantages across the site to the open countryside beyond
- Reduction of the scale of the double garage and its position to improve its visual presence and reduce amenity impact
- Reduction of size of openings and relocation of openings on rear elevation of plot 2 to reduce impact on existing occupiers
- Slate roof tiles materials replacement with red/brown roof tiles.

2.6 Consideration has been given to the building lines established by adjacent dwellinghouses and the footprints and curtilages proposed are fairly representative of other properties within the area.

2.7 The proposed dwellings have been designed to give the development an individual character and local distinctiveness. The buildings make good use of a variety of housetypes, storey heights (having regard to adjacent developments), materials and fenestration details.

2.8 Boundary treatment details have been provided which demarcate the public and private realm appropriately. The proposed layout is also responds well to the natural and other positive features already present on the site which reinforces the urban edge character of the development. The scheme would therefore provide for an appropriate standard of urban design in accordance with the Councils adopted design guide. As such it is considered that the proposal would conform with policies CS14 & DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and Section 7 of the NPPF.

3. Neighbouring Amenity

3.1 Existing Residents

Concerns have been raised by the occupiers of 4 The Barns (closest residential property) in relation to potential overlooking from plot 3 to their rear conservatory. Openings to the rear of plot 3 have been obscured or reduced to improve this relationship and a 1.8 metre fence is proposed between the garden of plot 3 and the existing dwellinghouse of 4 The Barns. Given that the new dwellinghouse is single storey in nature and due to the adequate separation between existing and proposed, it is considered that plot 3 would not give rise to overlooking to an unacceptable degree. It is recognised that any roof extension to this plot or any other addition to the property that might move closer to 4 The Barns could result in amenity harm if not appropriately planned for and therefore conditions are recommended to be imposed to restrict the permitted development rights for extensions or roof extensions to the dwellings, in the interest of both protection of existing residents amenity and the visual amenity.

3.2 Concerns were also raised about the timeframe for the implementation of the landscaping buffers. These details are required to be secured prior to commencement by condition 7 of the outline planning permission. As such, it is

considered that an appropriate timetable can be agreed upon in the interest of both visual and amenity protection.

- 3.3 Due to the siting and scale of the additional plots relative to existing dwellinghouses, it is considered that there would be no amenity impact in terms of loss of light, overshadowing or overlooking.
- 3.4 It is considered that there would be some amenity impact in terms of noise and disturbance for existing residents on the basis of the close proximity of access road and the resultant vehicle activity in proximity to their property. However on this was a matter that was considered and accepted at the outline stage.
- 3.5 Future Occupiers
In terms of amenity space for future occupiers, each bedroom space meets either the minimum standards which are conveyed within the Central Bedfordshire Design Guide or statutory limitations under the Housing Act. Furthermore, the garden space for each dwellinghouse would meet external standards conveyed within the same technical planning guidance. Adequate bin storage and collection facilities have been realised.
- 3.6 Adequate separations of 1 metre or more are proposed between each proposed plot and along adjoining boundaries in accordance with the Councils Technical Design Guide.
- 3.7 No windows are proposed to be installed on side elevations of the proposed dwellings, so there is no potential for mutual overlooking between future occupiers.
- 3.8 Therefore the proposal in this regard, would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 7 of the NPPF.

4. Highways Considerations

- 4.1 Access
The proposed layout plan accords with the previously approved access arrangements at the outline stage, therefore the Councils Highways Officer has raised no objection in this regard.
- 4.2 Revisions were made to layout to ensure appropriate forward visibility could be realised. In addition, the footway provision at the entrance to the access of The Barns (left hand side as entering the site) has been incorporated into the scheme and would be provided on highway land.
- 4.3 Highway Safety
Concerns were expressed by the Councils Highways Officer in respect of the turning head of the cul-de-sac and whether they could accommodate the turning of refuse or light good vehicles. A revised tracking diagram was supplied during the life of the application to address this concern. The turning head has now been catered for and it can accommodate the swept path of the Councils 11.5m long RCV.

- 4.4 Concerns have been raised by residents in terms of the proximity of the garage opening of 8 Walnut Close onto the footway provision directly in front of the access to the The Barns. However the land directly in front of this garage is public highway whereby in accordance with highways legislation, the garage door should not be directly opening onto it and formal action could be taken at that regard at any time, with or without this development proposal. Notwithstanding this potential conflict, it would not result in a degree of highway safety impact that would warrant a refusal.
- 4.5 Whilst concerns were raised that the scheme was not supported by a construction management plan, this is a condition requirement of the outline permission, to be discharged prior to commencement and therefore this matter can be satisfactorily secured.
- 4.6 Parking
Adequate parking provision has been secured for each new unit. The majority of vehicle parking would be on plot, although there would be some displacement confined to within the development. Where garages are proposed, these would measure 3.3 metres in width internally by 7 metres in depth for single garages and 6.6 metres in width by 7 metres in depth for double garages. Visitor spaces are provided in locations where there is a perceived demand and additional on plot parking or close by displaced parking is provided. In addition, it should be noted that only 2 visitor spaces are required to serve this development however 5 spaces in total are proposed which takes into account visitor spaces for the existing The Barns development and is in accordance with the Councils parking standards.
- 4.7 Whilst concerns have been raised about the potential inaccuracies within the design and access statement related to the frequency of public transport, the sustainability of this development was a consideration of the outline planning permission. Furthermore on the basis of the scale of the development and the level of traffic generation as a result of potential car dependency of this development, would not be to a degree that would warrant a reason for refusal.
- 4.8 As such it is considered that the proposal would not be prejudicial to highway safety. No objections have been raised by the Councils Highways Officer subject to the imposition of conditions to secure the junction, visibility footpaths and including the retention of garages for parking. Therefore the proposal would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 4 of the NPPF in this respect.

5. Other Considerations

5.1 Affordable Housing

Current advice contained within the National Planning Practice Guidance sets out the Government's position that tariff-style planning obligations and affordable housing provision should not be sought for certain small developments (10 dwellings or less or 1,000 square metres of gross floorspace). As such, in this instance, affordable housing provision is not required to be sought.

5.2 Archaeology

Comments were raised by the Parish Council that no Archaeological information was supplied in with the application. However the Councils Archaeology team have advised that the site is not located in a notable area and as such a heritage statement was not required to be supplied in support of this application.

5.3 Biodiversity

The NPPF calls for development to deliver a net gain for biodiversity. The Councils Ecologist has no raised no objection the granting of this permission subject to securing the provision of the ecological enhancements as supplied in support of this proposal. Therefore the proposal is considered to accord with policies CS18 & DM15 of the Core Strategy for the North and Section 11 of the NPPF.

5.4 Flood Risk/SuDs

A condition was imposed on the outline planning permission which requires that a formal drainage scheme be agreed and implemented prior to construction. The full details to discharge that condition were not supplied in support of this RM application however despite concerns raised, the Councils SuDs Officer is satisfied based on the information supplied that an appropriate Sustainable Drainage System could be implemented on site so as limit any surface water potential and as such has not wish to raise any objection to this proposal subject to the detail coming forward as per the condition requirements under the outline, to control is provision. In addition, whilst concerns have been raised about the affect on the water supply, no objections have been raised by the Internal Drainage Board in this regard. As such it is considered that the proposal accords with the Councils adopted SuDs guidance and the section 10 of the NPPF.

5.5 Sewage

Whilst concerns have been expressed by local residents and the Parish alike about the impact of the dwellinghouses on the existing sewage connections, neither the Internal Drainage Board nor Anglian Water have raised any objections or concerns in this regard.

5.6 Conditions of Outline

A number of details were submitted with the RM application which were the subject matter of conditions for the outline planning permission. These conditions include:

- 4. Site Levels
- 7: Landscape Details (Partial discharge only)
- 8: Height Parameters
- 9: Bin storage/Collection
- 12: Highways by RM
- 13: Ecology

The following conditions are pre commencement and still require discharge:

- 5: SuDs Strategy
- 6. Landscape Management Plan (which should include the SuDs management or any shared provisions)

7. Landscape Details (Timetable for implementation required for full compliance)
11: CEMP

A note will be added to the decision notice highlighting the remainder of the conditions requiring formal discharge prior to commencement.

5.7 Human Rights issues:

The proposal raises no Human Rights issues.

5.8 Equality Act 2010:

The proposal therefore raises no issues under the Equality Act but an informative to advise of the responsibilities of the applicant is attached.

Recommendation:

That Reserved Matters be APPROVED subject to the following:

RECOMMENDED CONDITIONS

- 1 The ground floor window located in the rear elevation of Plot 3 as annotated on drawing no. 008 Rev B of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the window which can be opened is more than 1.7m above the floor of the room in which the window is installed.

Reason: To safeguard the privacy of occupiers of adjoining properties (Policy DM3 of the Core Strategy for the North and Section 7, NPPF)

- 2 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any amendments thereto, any garage accommodation hereby approved on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users. (Policy DM3 of the Core Strategy for the North and Section 4 of the NPPF)

- 3 Notwithstanding the provisions of Part 1, Class A & Class B of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions to the buildings hereby permitted shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the external appearance of the building/s in the interests of the amenities of the area and in the interest of ensuring appropriate on plot parking provision. (Policy DM3 of the Core Strategy for the North and Sections 4 & 7, NPPF)

- 4 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the property without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the development in the interests of the visual amenity of the area.

(Section 7, NPPF)

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure shall be erected within the curtilage of the property without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the development in the interests of the rural amenity of the area.

(Section 7, NPPF)

- 6 The development shall not be occupied or brought into use until the parking, turning areas, road and footpaths shown on Drawing No. 001 Rev D has been completed. The scheme shall thereafter be retained for this purpose.

Reason: To ensure provision for car parking clear of the highway and appropriate accessibility.

(Policy DM3 of the Core Strategy for the North and Section 4, NPPF)

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers A17-092-SL001 - Site Location Plan, A17-092-PL001 Rev E - Proposed Site Plan, A17-092-PL002 Rev A - Proposed Plot 1 - House Type A, A17-092-PL003 Rev B - Proposed Plot 2 - House Type B, A17-092-PL004 Rev D - Proposed Plots 4 & 5 - House Type C, A17-092-PL005 Rev C - Proposed Plot 7 - House Type D, A17-092-PL006 Rev C - Proposed Plots 8 & 9 - House Type E, A17-092-PL007 Rev B - Proposed Street Sections, A17-092-PL008 Rev B - Proposed Plot 3 - House Type B, A17-092-PL009 Rev C - Proposed Plot 6 - House Type C, A17-092-PL012 Rev B - Proposed Street Elevations, 28193/61 Rev P2 - Vehicle Swept Path & Forward Visibility, 28193/53 Rev P3- SuDs scheme, WCB-01 Rev C- Landscape Proposals, Design & Access Statement dated 05.02.18 & Biodiversity Enhancement Scheme Nov 2017.

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.

2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant is advised that the following conditions of the outline planning permission (16/04657) are pre commencement and still require discharge:
 - 5: SuDs Strategy
 6. Landscape Management Plan (which should include the SuDs management or any shared provisions)
 7. Landscape Details (Timetable for implementation required for full compliance)
 - 11: CEMP
4. This permission is subject to a Legal Obligation under Section 106 of the Town and Country Planning Act 1990.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

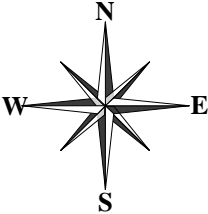
DECISION

.....

.....

This page is intentionally left blank



	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No. CB/17/00442/VOC
	Date: 07:February:2018	
	Grid Ref: 511186; 235729	
Scale: 1:1250	Land rear of 7-37 Barton Road, Gravenhurst, Bedford, MK45 4JP	

This page is intentionally left blank

Item No. 8

APPLICATION NUMBER	CB/17/00442/VOC
LOCATION	Land rear of 7 - 37 Barton Road, Gravenhurst, Bedford, MK45 4JP
PROPOSAL	Variation of condition 14 attached to planning permission reference CB/15/04081/OUT dated 17th January 2017 so that landscaping on the south-eastern boundary of the site is carried out in accordance with drawing number WHK20175-11E (Southern Boundary Proposals)
PARISH	Gravenhurst
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Martin Plummer
DATE REGISTERED	27 January 2017
EXPIRY DATE	28 April 2017
APPLICANT	The RonCon Trust
AGENT	David Coles architects ltd
REASON FOR COMMITTEE TO DETERMINE	Major application - objection from Parish Council
RECOMMENDED DECISION	Variation of Condition - Recommended for Approval

Reason for Recommendation

Outline planning permission for residential development at this site has previously been granted despite the conflict with Policy DM4 of the Core Strategy and Development Management Policies Document 2009. The application proposes to remove a planning condition attached with the original outline permission which requires retention of existing planting to the south eastern boundary of the application site. That 'planting' comprises a mixture of low quality trees (in arboricultural terms) and other landscape features which are not protected by Tree Preservation Order or Conservation Area designation. The removal of that planting will result in some harm to the character of the site and surroundings but such harm is outweighed by other material considerations and the proposal will result in a sustainable form of development. The planning condition requiring retention of all planting to the south east boundary is varied to retain some trees (but not all) and the scheme is acceptable in planning terms.

Site Location:

The application site consists of an undeveloped plot located adjacent to the settlement envelope of Upper Gravenhurst. Access can be gained from an existing arrangement off Barton Road. The site is predominantly open and undeveloped other than mature landscape planting and trees to the south east and eastern boundaries. The site abuts residential gardens on its southwestern and north western boundaries. A lower school is located to the north. A public right of way

which connects Barton Road to Shillington Road is approximately 250 metres to the south of the application site.

The Application:

Outline planning permission was granted by the Development Management Committee on 30 March 2016 for a residential development on this site under LPA reference CB/15/04081/OUT for the erection of up to 24 dwellings. The Officer Report relating to that approved application is attached as an appendix to this report.

The outline planning permission incorporated an indicative layout which showed one possible way in which the 24 dwellings could be provided within the site. The outline permission is subject to a legal agreement requiring the developer to provide affordable housing on site and make various financial contributions towards infrastructure projects. There are also several planning conditions attached to the outline permission including planning conditions 14 which was attached by Members of the Committee:-

Notwithstanding the details in the approved plans the existing planting at the southeastern boundary of the site, referred to as G8 and G9 in the Tree Survey Schedule prepared by ACD Arboriculture Ref: WHK20175tr (dated 30 September 2015) and shown on Drawing Number WHK20175-01 which accompanies the report shall be retained. Any reserved matters proposal shall be submitted incorporating this existing landscape feature into the detailed design.

Reason: To ensure the retention of existing landscape features of value and to ensure that the appearance of the site would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

This application seeks permission to vary this planning condition.

Plans were originally submitted with the application which incorporated the removal of all trees and landscape features to the south east boundary of the application site and the provision of a 3 metre area along the south eastern boundary of the site for new tree and hedge planting.

During the application process various discussions with the applicant has resulted in the retention of more trees to the south eastern boundary and a slightly enlarged area for planting /retention of tree along the south east and south west boundary of the application site.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy

CS5 Providing Homes

DM1 Renewable Energy

DM2 Sustainable Construction of New Buildings

DM10 Housing Mix
DM4 Development Within & Beyond the Settlement Envelopes
CS14 High Quality Development
DM3 High Quality Development
CS7 Affordable Housing
CS2 Developer Contributions

The Central Bedfordshire Pre-Submission Local Plan

Section 38(6) of The Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 require all planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan currently consists of the South Bedfordshire Local Plan Review (2004), the Core Strategy and Development Management Policies Development Plan (2009) and the Minerals and Waste Local Plan; Strategic Sites and Policies (2014). The National Planning Policy Framework (2012) must be taken into account in the preparation of local and neighbourhood plans and is a material planning consideration in planning decisions.

The Central Bedfordshire Local Plan has reached pre-submission stage and is out for consultation in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 until 22nd February 2018.

The National Planning Policy Framework (paragraph 216) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

In summary it is therefore considered that reference should be made to the emerging plan but limited weight should be applied to the Central Bedfordshire Pre-Submission Local Plan taking into account its stage of preparation, the level of consistency with the Framework and acknowledging that the draft site allocations have not yet been subject to statutory public consultation. Where there are site specific Pre-Submission Local Plan policies these will be acknowledged for those specific applications on this agenda.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application Number	CB/15/04081/OUT
Description	Outline: Residential development of up to 24 dwellings with ancillary works. All matters reserved except access
Decision	Approved subject to conditions.
Decision Date	28.12.2016

Consultees:

Parish/Town Council	<p>Objection:-</p> <ul style="list-style-type: none"> • The report concentrates solely on the trees suggesting that they are unviable, but the condition requires retention of the existing planting which they identify includes scrubby vegetation, not solely trees; • The existing planting represents the remnants of what was previously a significant area for wildlife and bird population and the older trees support lichen which is a rich habitat for grubs, beetles and insects which helps sustain the birdlife; • Approximately 80% of trees were previously removed from the site and the removal of the remainder will not result in benefit or enhancement to the village or its environs; • A number of trees within the site are anticipated to live longer than ten years and it is unsustainable to remove them and the compensatory planting is not sufficient to outweigh the loss.
Highways	No objection – the planning condition does not impact on highway matters.
Independent Drainage Board	No comment.
Pollution Team	No comment.
Waste Services	No comment.
Strategic Travel – Transport Plans	No comment.
SuDS Officer	No comment.
Housing Officer	No objection.
Green Infrastructure Officer	<p>Does not support removal of the condition.</p> <p>The condition protects the remaining green infrastructure asset on site. This area is important for landscape screening, and also protects the priority habitat associated with the orchard.</p> <p>The updated proposals claim that on arboricultural grounds, the trees do not require protection, and the condition protecting this landscaping strip is not required.</p>

The importance of the area of land goes beyond pure arboricultural interest.

Ecology

Objection.

The application shows retention of more of the existing fruit trees than originally proposed. However, the retained trees are not shown in the context of the proposed planning layout which, in effect, could place these retained trees into the curtilages of individual dwellings. This is not satisfactory as the trees would then be at risk from removal by the householder.

The government has recently released its 25 year plan for the environment within which it recognises the value of existing trees beyond the promotion of planting new ones stating 'we will also support increased protection of existing trees'.

It is understood that the remaining fruit trees from the North of the site were removed in January 2018 thereby increasing the overall loss of biodiversity across the site and in doing so the value of those remaining to the south.

Tree and Landscape
Officer

Objection.

Three documents supplied include Tree Protection Plan WHK20175-04A, Southern Boundary Proposals WHK20175-11E and Illustrative Site Layout 15016(D) 101. Currently it would seem that these three plans do not overlay to show retention of trees with the Illustrative Site Layout clearly not showing retention of all the trees shown on the Southern Boundary Proposals as such it is not acceptable.

Trees to be removed include C2 category tree T35. I would suggest that this would be acceptable giving more space for T34.

Landscape Officer

Objection.

Key landscape mitigation / planting to the south eastern site boundary must be retained at an effective scale and within the public realm and in accordance with the CBC design Guide SPD.

Trees and hedgerows within private gardens / forming private garden boundaries are notoriously poorly managed or removed by householders; this would have a significant impact on landscape mitigation / integrating development, landscape character and impact green infrastructure/ habitat connectivity.

The treatment of all landscape boundaries, and especially the south eastern boundary, must ensure appropriate and effective landscape mitigation of scale and character and arranged according to the above advice.

Other Representations:

Neighbours

13 representations in objection for the following reasons:-

- Unjustified removal of trees;
- Harmful impact on village and wider landscape setting;
- Trees and landscape features have valued ecological benefit which is not outweighed by compensation planting;
- Trees are vital for drainage of the site;
- Harmful impact on living conditions of neighbouring properties in regard to overlooking, loss of privacy and light pollution;
- Development is overbearing and out of scale in the area;
- Development will set a harmful precedent.

Determining Issues:

The main considerations of the application are whether or not the planning condition meets the relevant tests in the NPPG and whether, if the planning condition is varied, the development will represent a sustainable form of development. In considering this application the below is relevant:-

1. Principle
2. Affect on the Character and Appearance of the Area
3. Whether the development is sustainable
4. Neighbouring Amenity
5. Other Considerations

Considerations

1. Principle

- 1.1 The site lies outside of the settlement boundary and there is therefore conflict with policy DM4 which restricts development for housing being brought forward to within settlement boundaries.
- 1.2 The original outline planning permission was considered and determined at a time when the Council was unable to demonstrate a five year supply of housing. The 'tilted-balance' was therefore applied given that policy DM4 was not previously considered to be an up to date policy for the supply of housing. The outline development proposal was nonetheless considered to be a sustainable form of development when the various planning matters and material considerations were taken into account.

- 1.3 This application is being determined in light of a different policy position – the Council are now able to demonstrate a five year supply of housing and the ‘tilted-balance’ assessment required in paragraph 14 of the NPPF is not therefore engaged. However, the aforementioned paragraph of the NPPF requires that planning permission be approved without delay for sustainable development – this is therefore the relevant assessment now.
- 1.4 The Central Bedfordshire Local Plan has also, as noted above, reached pre-submission stage. This is a material consideration as is the proposed allocation of a site for housing to the north of this site. Very limited weight however is attached to this allocation and other related policies given the stage of preparation of the Local Plan.
- 1.5 Outline planning permission has been granted for a residential development on this site – the principle of residential development has therefore been clearly established.

2. Affect on the Character and Appearance of the Area

- 2.1 The original Officer Report for the outline planning permission (as appended to this report) sets out the relevant considerations in respect of the impact of the development on the character and appearance of the area – the report acknowledges the loss of trees and the impact associated with an urban extension to the existing settlement. The harm associated with these matters is not considered, in that report, to outweigh the benefits of the development.
- 2.2 It is understood that some concern was raised by Members in regard to the comments raised by consultees and third parties with regard to the removal of trees within the site and planning condition 14 was added to the permission. That condition requires retention of existing planting to the south east boundary to ensure retention of ‘valued’ landscape features and in the interests of the character and appearance of the site.
- 2.3 The Parish Council, third parties, Landscape, Ecology and Green Infrastructure Officers object to this current application and, in summary, consider that the trees do have landscape and ecological value. The trees are considered to play an important role in screening development in views from the south and public vantage points along Barton Road and the public right of way. Concern is also raised in respect of the long term protection of such landscaping within the domestic curtilage of dwellings.
- 2.4 The application is supported by a Tree Report which focuses solely on the trees the subject of this application. The Report sets out that the trees are categorised as either C or U classification. C classification trees will not usually be retained where they would impose a significant constraint to development. U classification trees are in such a condition that they will be lost within 10 years and may therefore be removed as good arboricultural practice. The report recommends that the trees are not of a quality such that they should represent any constraint to development and are not suitable for long-term retention and a better result would be their removal and replacement.

- 2.5 In considering this application, the Council must acknowledge and attach significant weight to the fact that none of the trees within the site are protected by Tree Preservation Order or Conservation Area designation. The trees are therefore able to be removed at any time without any permission from the Local Authority.
- 2.6 Those in objection are not necessarily in objection to the way in which the trees have been classified in purely arboricultural grounds but there is clearly a difference of opinion between the applicant and objectors to the planning application as to the significance of the trees/landscape features and the role in which they currently make in the village setting and the potential role in which they may make in softening the impact of built form and helping to 'contain' development within the site.
- 2.7 The applicant has, it must be noted, acknowledged the concerns raised by objectors through the application process and has shown an amended plan which seeks to retain a proportion of the trees within the site. The trees which are proposed to be retained are those of greater arboricultural value to the southern part of the site – they are however classified as 'C' trees and are not considered to be a constraint to development, in arboricultural terms.
- 2.8 None of the trees are protected and they have been identified as being of limited value in arboricultural terms. It is unreasonable to require U classification trees to be retained. The applicant has taken steps within the process of this application to show retention of some of the trees and shown an acceptable level of space for the provision of new replacement trees to the south eastern boundary. Whilst the development of the site for residential development will inevitably result in some harm to the character and appearance of the site, it is not considered that the harm would be increased to an unacceptable level through removal of trees to the south eastern boundary and through provision of replacement planting. Landscaping is a reserved matter and detailed landscape planting on the south east boundary, within the site and the overall scale and design of the development is therefore to be considered at a later stage.
- 2.9 The comments regarding the provision of trees within garden curtilages is acknowledged – the indicative site plan shows just one possible layout for the development and it is not yet known what layout will be brought forward. Detailed considerations regarding the layout of development, including siting of existing and proposed landscaping will be considered at reserved matters stage.

3. Neighbour amenity impact

- 3.1 A representation raises concern with the impact on living conditions associated with the development – the concerns raised do not appear to relate specifically to the removal of trees and landscape features to the south east boundary of the site but rather to the principle of development of the site for residential dwellings. This matter has previously been considered in the grant of outline permission. Layout and scale are reserved matters where the relationship with neighbouring properties will be considered in more detail.

4. Impact on ecology/drainage

- 4.1 Some third parties and the Parish Council refer to the impact of the proposed removal of trees on the ecological value and drainage within the site.

- 4.2 The reason attached to the planning condition does not relate to the need to protect or ensure adequate provision for ecology and it would be unreasonable to now raise this as an issue.
- 4.3 The original outline application and associated drainage submissions was made on the basis of removal of all trees to the south east boundary – that application was approved. Accordingly, it would be unreasonable to now raise a drainage concern associated with removal of the trees.

5. Sustainability - summary

- 5.1 The NPPF sets out that there is a presumption in favour of sustainable development which should be seen as the golden thread running through decision making. Paragraph 8 of the NPPF identifies that the three dimensions of sustainable development (social, economic and environmental) should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
- 5.2 The Officer report for the original permission sets out the positive weight to be attached to the provision of housing and affordable housing and the benefits associated with the economic and social dimension. Financial contributions have been agreed through a S106 agreement to offset the impact on existing infrastructure. A Deed of Variation will be required to ensure that previously agreed obligations are secured as part of this application also. The previous report identified some harm to the character and appearance of the area but did not consider this to be significant.
- 5.3 Significant positive weight can continue to be attached to the provision of housing in an edge of settlement location in terms of the economic and social dimension. There continues to be harm on the character and appearance of the site and locality but it is not considered that removal of trees (and provision of replacement planting) on the south east/west boundaries, adds any further significant weight against the development such that would render it inherently unsustainable in planning terms.
- 5.4 It is therefore recommended that the planning condition be varied to refer to the latest plans showing retention of some trees and provision of replacement planting to the south east boundary. The application does not seek to vary any of the other planning conditions attached with the outline permission and it is therefore recommended that they be included within the new planning permission.

Recommendation:

That Planning Permission be APPROVED subject to the signing of a Deed of Variation linking previously approved obligations to this permission and, subject to the following:

RECOMMENDED CONDITIONS

- 1 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

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

- 2 Details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

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

- 4 **No development shall take place until an Environmental Construction Management Plan detailing access arrangements for construction vehicles, on-site parking, loading and unloading areas, materials storage areas and wheel cleaning arrangements shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved Environmental Construction Management Plan.**

Reason: In the interest of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 5 Any application for reserved matters shall include details of the existing and final ground, ridge and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal shall be developed in accordance with the approved details.

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

- 6 No above ground building work shall take place until details of hard and soft landscaping (including details of boundary treatments and public amenity open space) together with a timetable for its implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.

Reason: To ensure that the appearance of the development would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 7 **Prior to first occupation of the development a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 6 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 6.**

Reason: To ensure that the appearance of the site would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 8 No development shall commence until a detailed surface water drainage scheme, including construction and maintenance plans, for the site based on the agreed Surface Water Drainage Strategy (October 2015) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation and a restriction in run-off rates as outlined in the Surface Water Drainage Strategy (October 2015). The scheme shall be implemented in accordance with the approved details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed maintenance plan.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with Policy 49 of Development Strategy for Central Bedfordshire Revise Pre-Submission Version June 2014.

- 9 **No development shall take place until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing the works shall be carried out in accordance with the approved details prior to the occupation of any dwelling subsequently approved.**

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policy DM2 of the Core Strategy and Development Management Policies 2009.

- 10 **No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing how renewable and low energy sources would generate 10% of the energy needs of the development and also showing water efficiency measures achieving 110 litres per person per day. The works shall then be carried out in accordance with the approved details.**

Reason: In the interests of sustainability.

- 11 **No development shall take place until details of the junction between the proposed access road and the highway have been approved by the Local Planning Authority and no building shall be occupied until the junction has been constructed in accordance with the approved details.**

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.

- 12 No dwelling hereby approved shall be occupied until visibility splays have been provided on each side of the junction of the access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be kept free of any obstruction.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it.

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

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

- 14 Trees not scheduled for removal, as shown in drawing WHK20175-04A shall be protected from damage in accordance with the details shown on approved drawing WHK20175-04A for the duration of the implementation of the development.

Reason: To ensure retention of existing landscape features and to ensure an acceptable appearance of the development in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 15016 (D) 090 and TS/APPENDIX 1 Rev B.

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

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with

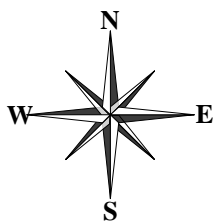
the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

.....

.....

This page is intentionally left blank



© Crown Copyright. All rights reserved.
Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 08:February:2018
Grid Ref: 514682; 238677

Application No.
CB/17/02615/OUT

Scale: 1:1250

Pinehurst, 17A Ivel Road, Shefford, SG17 5LB

This page is intentionally left blank

Item No. 9

APPLICATION NUMBER	CB/17/02615/OUT
LOCATION	Pinehurst, 17A Ivel Road, Shefford, SG17 5LB
PROPOSAL	Outline application for residential development comprising 31no 2, 3, 4 & 5 bedroom houses, and 6no 1 & 2 bedroom apartments (37no total dwellings) following demolition of existing single dwelling with new access onto Ivel Road and reconfigured parking for existing office.
PARISH	Shefford
WARD	Shefford
WARD COUNCILLORS	Cllrs Liddiard & Brown
CASE OFFICER	Martin Plummer
DATE REGISTERED	04 July 2017
EXPIRY DATE	03 October 2017
APPLICANT	
AGENT	BBR Architects
REASON FOR COMMITTEE TO DETERMINE	Major - objection from Town Council
RECOMMENDED DECISION	Full Application - Recommended for Approval

Reason for Recommendation

The application proposes a sustainable form of development within the settlement boundary of Shefford. The development will assist in maintaining a five year supply of housing and will bring about economic and social benefit. The plans submitted show an appropriate layout of development in relation to the surrounding pattern of development and landscape features. Access arrangements are considered to be acceptable. The development therefore accords with policies CS1, CS14 and DM3 of the Development Plan.

Site Location:

The application site forms a parcel of land 1.3ha in size located within the settlement boundary of Shefford. The red outline of the site includes a large detached dwelling, 17A Ivel Road which sits centrally within the plot and is accessed off Ivel Road via a relatively long driveway. That driveway also leads to a commercial premises which is outlined in blue on the submitted location plan. Number 17 Ivel Road is a detached dwelling fronting onto Ivel Road which is also outlined in blue on the submitted location plans.

The site forms a narrow frontage of around 18 metres with Ivel Road where there is a boundary wall and landscaping either side of the entrance driveway. To the north of the site is Elm Road, a cul-de-sac of 28 semi-detached dwellings. To the south of the site are two detached dwellings, 21 and 21A Ivel Road and part of a residential development off Queen Elizabeth Close. To the east of the site is a public recreation area. Various large trees are located on the border of the application site and the

recreational playing area.

The Application:

The application is submitted in outline form with all matters reserved except for access and layout. The Council are therefore considering whether the principle of development, access arrangements and the proposed layout are acceptable. The commercial premises referred to above and outlined in blue is to be retained as a commercial premises.

The plan submitted shows the provision of 37 dwellings with a schedule of accommodation as follows:- 4no 1 bed flats; 2no 2 bed flats; 4no. two bed dwellings; 15no. 3 bed dwellings; 8no 4 bed dwellings and 4no. 5 bed dwellings.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies (CSDMP) - North 2009

- CS1 Development Strategy
- CS2 Developer Contributions
- CS3 Healthy and Sustainable Communities
- CS4 Linking Communities – Accessibility and Transport
- CS7 Affordable Housing
- CS14 High Quality Development
- CS15 Heritage
- CS17 Green Infrastructure
- DM3 High Quality Development
- DM10 Housing Mix
- DM13 Heritage in Development
- DM14 Landscape and Woodland

The Central Bedfordshire Pre-Submission Local Plan

Section 38(6) of The Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 require all planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan currently consists of the South Bedfordshire Local Plan Review (2004), the Core Strategy and Development Management Policies Development Plan (2009) and the Minerals and Waste Local Plan; Strategic Sites and Policies (2014). The National Planning Policy Framework (2012) must be taken into account in the preparation of local and neighbourhood plans and is a material planning consideration in planning decisions.

The Central Bedfordshire Local Plan has reached pre-submission stage and is out for consultation in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 until 22nd February 2018.

The National Planning Policy Framework (paragraph 216) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

In summary it is therefore considered that reference should be made to the emerging plan but limited weight should be applied to the Central Bedfordshire Pre-Submission Local Plan taking into account its stage of preparation, the level of consistency with the Framework and acknowledging that the draft site allocations have not yet been subject to statutory public consultation. Where there are site specific Pre-Submission Local Plan policies these will be acknowledged for those specific applications on this agenda.

SP1 Growth Strategy
HQ1 High Quality Development
HQ2 Planning Obligations and the Community Infrastructure Levy
HQ4 Indoor Sport and Leisure Facilities
EE1 Green Infrastructure
EE4 Trees, woodlands and hedgerows
EE5 Landscape Character and Value
EE13 Outdoor sport, leisure and open space
T1 Mitigation of Transport Impacts on the Network
T2 Highway Safety and Design
T3 Parking
T4 Public Transport Interchanges
T5 Ultra Low Emission Vehicles
HE1 Archaeology and Scheduled Monuments
H1 Housing Mix
H4 Affordable Housing

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History: There is no relevant planning history

Consultees:

Shefford Town Council Objects to the planning application for the following reasons:-

1. Overdevelopment of the site;
2. Dangerous access onto Ivel Road;
3. Access onto Ivel Road is too narrow;
4. Insufficient school places;
5. Inadequate sewerage provision.

Highways The changes made are now acceptable in highway terms, this includes the provision of two parking spaces close to the junction that could be utilised for car parking that would be displaced on Ivel Road, opposite the access into the development. A Traffic Regulation Order (TRO) will be required to ensure that parking during operational

hours of waste collection for the 11.5m long refuse collection vehicles in the vicinity of the development.

Visibility at the proposed new T junction with Ivel Road is acceptable at 2.4m x 25m, as is the access road width of 5.5m with 2m wide footways which continue into the internal estate road on both sides with junction radii of 6m. Tracking drawings have been provided for a RCV entering/exiting and again this is deemed at being acceptable.

Even though a TS was not required, the TRICS database for a development of this size has been evaluated and it shows that this is likely to generate circa 14 to 17 outward movements in the peak am hour (8am to 9pm) with circa 11 to 14 inward movements in during the pm peak of 5pm to 8pm. Therefore, I do not consider the number of movements to be problematic at an average of 1 car every 3 ½ minutes during the peak hours.

The furthest dwellings within the site would be within 270m of the bus stops on Ivel Road and therefore considered acceptable.

Parking accords with the 2014 Design Guide for both residents and visitors and therefore also deemed acceptable and as such there is no justifiable reason to warrant a refusal on highway grounds.

Ecology

There is evidence to suggest that trees have been removed from the site which would have had some ecological value. Given the location of the site and requirement to deliver net gains for biodiversity in the NPPF a planning condition requiring ecological design strategy is recommended.

Tree and Landscape
Officer
Archaeology

No comments.

The site has low archaeological potential and there is therefore no archaeological constraint to development.

Sustainable Urban
Drainage Officer

Planning permission could be granted subject to a planning conditions to secure:- 1) The final design drawings to show the connection from roof downpipes to permeable paving/storage areas; confirmation from Anglian Water to ensure capacity in the system; the design of permeable surfacing; final detailed design of the system and; details of management arrangements of the system.

Planning and Projects
Officer

Financial contributions towards refuse collection bins are required – calculated as £25 + VAT per 240litre bin and

£5 + VAT per set of food waste bins.

Meeting the Needs of Older People Team The needs of older people should be considered as part of the proposal and, should the proposal be acceptable in principle a proportion of the dwellings should be suitable for older people.

Anglian Water There is sufficient capacity at Clifton Water Recycling Centre for this development in terms of foul drainage. Planning conditions are recommended relating to the disposal of foul sewerage and surface water disposal.

Bedford Group of Drainage Boards No comments to make

Spending Officer – Leisure, libraries and countryside Financial contributions requested in respect of the following:-
 1. Improvement to Shefford Town Memorial Association play area - £19,000;
 2. Sport facility upgrade to Shefford Town Memorial Association - £11,717.

Education Spending Officer Financial contributions towards education as follows:-

EY	£38,368.26
Lower	£142,500.00
Middle	£128,692.51
Upper	£157,811.10

The Officer comments that a new lower school site is required to manage the long term need for places in Shefford.

If a new school site is secured within Shefford then the early years and lower school funding from this development would go towards creating early years and lower school places within a new 2 form entry lower school on that site. If a site cannot be secured in time to accommodate pupils from this development the Early Years Contribution would be used to fund improvements and/or an extension of Acorn Pre-school and the lower school contribution will be used to fund transport to Meppershall Lower School.

The remaining funding would be invested in the facilities at Robert Bloomfield Academy and the internal re-configuration and/or extension of Samuel Whitbread, or such other identified education project (in accordance with reg 123) as identified by Central Bedfordshire Council and notified to the owner/developer.

Other Representations:

Neighbours

10 representations have been received in objection to the development proposal summarised as follows:-

- Harmful impact on neighbour amenity in terms of overlooking, loss of privacy, overshadowing/loss of light, noise and general disturbance;
- Overdevelopment of the site;
- Density is out of character with the area;
- Insufficient schools, health care; water and electricity supply for the scale of development;
- Harmful impact on highway safety in terms of access arrangement and width of Ivel Road/on-street parking;
- Harmful increase in traffic movements onto Ivel Road leading to additional congestion;
- Loss of trees within the site and resultant impact on ground stability;
- Inadequate sewerage capacity;
- Harmful impact associated with surface water flooding;
- Proposed dwellings are too close to trees and the development will harm them.

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. Highway Considerations
4. Neighbouring Amenity
5. Sustainable Development
6. Other Considerations

Considerations

1. Principle

- 1.1 The site is located within the built up area of the settlement of Shefford which is defined in the Core Strategy as a Minor Service Centre. In principle then and, having regard to policies CS1 and DM4 of the CSDMP there can be no objection in principle to the development.
- 1.2 Paragraph 14 of the NPPF sets out that there is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-making. The determining consideration then in respect of this development proposal relates to whether or not the development is sustainable and this matter is discussed below.

2. Affect on the Character and Appearance of the Area

- 2.1 The Town Council and third parties comment that the proposal represents overdevelopment of the site and the density of the proposal is too great and out of character with the context of the surroundings.

- 2.2 The NPPF requires development proposals to make efficient use of land and to have be a high standard of design and layout which reflects local distinctiveness. Policies in the Development Plan generally accord with this requirement. The Design Guide sets out a range of parameters for new development to seek to achieve.
- 2.3 The development incorporates demolition of the existing dwelling, 17A Ivel Close – this building is reasonably characterful but is not designated as a heritage asset. The demolition of this building can therefore be justified on this basis and in terms of the more efficient use of land for residential development within the settlement envelope.
- 2.4 The site is accessed off Ivel Road which links the A507 to the more central part of Shefford. A ribbon of development follows along Ivel Road with a mixture of sizes and designs of dwellings including some off street parking to dwellings and some dwellings which are set close to the street with no off-street parking. Various cul-de-sac developments branch off Ivel Road and incorporate a relatively close grain of development forming a mixture of semi-detached and detached dwellings with front and rear gardens of varying sizes. The architectural style of such developments is reflective of its era of construction but generally includes a similar architectural theme with brick and tiled roofs.
- 2.5 The site will be accessed between built form to the north and south with limited public views from Ivel Road (by virtue of the width of the site frontage and length of the access) and from the recreation playing field to the east (by virtue of the large tree planting to the eastern boundary). The site opens up as you travel from Ivel Road into the site and the proposed layout plan incorporates a range of different buildings fronting the main access road running through the site, and branches into smaller clusters and cul-de-sac. Most dwellings have front gardens and a mixture of parking within this space. The plan shows small pockets of communal landscaped amenity spaces along the street frontage which helps to break up the built form. Rear garden sizes generally meet the standards in the design guides as does the overall distance and relationship between the proposed dwellings.
- 2.6 The overall amount and layout of development is different to the more regimented layout of dwellings to the north in Elm Road and is more akin to the less ordered layout of newer residential developments to the south. The layout and accommodation schedule incorporates a mixture of sizes of dwellings which broadly reflects the evidence in the SHMA (Strategic Marketing Housing Assessment) July 2017 which supports the pre-submission Local Plan. The overall mix of housing sizes and types is greater than the development to the south in Queen Elizabeth Close but no significant harm is associated with this, particularly in light of the Councils emerging policy approach to see a mix of dwellings which reflects market needs.
- 2.7 The layout plan shows no provision for open space with the site and spaces for communal amenity space are, as noted previously, limited to that within the road running through the site. The site is, to some extent dominated by built form and private garden amenity space and no connection between the development site and the recreation field are proposed. The lack of open space within the site is not however considered to be significant or harmful given the very close

proximity to the recreational playing field to the east of the site which can be accessed via Elm Road to the north.

- 2.8 Whilst the comments from third parties and the Town Council are acknowledged, the overall amount, pattern and character of the development is considered to be high quality and in keeping with the mixed character of development in the immediate and wider surroundings. Appropriate relationships between the proposed dwellings is provided.

3. Highway Considerations

- 3.1 The Town Council and third parties raise concern in respect of access arrangements and deficiencies of road width along Ivel Road and on-street parking which impacts on the free flow of traffic. They comment that additional traffic movements associated with the development will place increased pressure on the free-flow of traffic and result in harm to highway safety and access.
- 3.2 A Local Ward Member has brought to the attention of the Local Planning Authority and Highway Team various issues along Ivel Road which have all been carefully considered. Having regard to the comments from the Highway Officer the overall amount of proposed development will lead to additional vehicle movements along Ivel Road but such additional traffic movements are not considered to be significant in the context of existing traffic flows already using the highway and would not result in a severe impact – the relevant test in the NPPF.
- 3.3 There is acknowledged to be various on-street parking along Ivel Road which third parties refer to, including on-street parking opposite the site. During the process of the application discussions have been held with the Highways Officer to ensure that adequate space and turning from Ivel Road into the site can be provided for service vehicles. The Highway Officer raises no objection in terms of the access arrangements into the site in terms of visibility and space for turning and recommends a planning condition requiring a TRO (Traffic Regulation Order) along the site frontage to ensure adequate turning into and out of the proposed development site. Two parking spaces are included within the western part of the development site to provide parking for displaced vehicles. The Council is unable to deal with the provision of a TRO via a planning condition and a financial contribution will be required to cover the cost of the Council dealing with this matter.
- 3.4 Whilst the representations from the Town Council and third parties are acknowledged and have been carefully considered, the proposal incorporates appropriate access arrangements which are acceptable in highway safety and access terms.

4. Neighbouring Amenity

- 4.1 Representations to the planning application have been received raising concern with the impact of the development on the living conditions of existing residents. The main considerations relate to the impact on those neighbouring properties to the north and south within Elm Road, Queen Elizabeth Close and Ivel Road.

- 4.2 Neighbouring dwellings to the north within Elm Road are between 25-32 metres to the north and therefore an adequate distance away from the proposed dwellings, having regard to the Design Guide. Numbers 15 and 17 Elm Drive are a similar distance from plots 1-4. There will therefore be no harmful impact on their living conditions in regard to overlooking, loss of privacy, overshadowing/loss of light or noise and other disturbance.
- 4.3 Dwellings to the south, namely 21 and 21a Ivel Road, 5, 6, 7, 14 and 15 Queen Elizabeth Close form a closer relationship with the development. The plans submitted however indicate that the plots closest to these neighbouring properties (namely plots 28, 29 and 36) will sit side-on to these neighbours or will otherwise be an appropriate distance or orientation such that there will be no significant or harmful impact to the living conditions of neighbouring properties such that would warrant refusal of the application. More detailed consideration of the impact on these neighbouring properties will be undertaken at reserved matters stage when full layout drawings and elevations will be considered.
- 4.4 A neighbouring property raises concern in respect of noise and disturbance associated with proposed garages and the relationship with garden amenity space and seeks inclusion of a planning condition restricting the use of the garages. The application proposes residential development only (i.e. no commercial uses associated with the garages) and any material change of use of the garages would require planning permission. A planning condition restricting the use of the garages is therefore unnecessary.

5. Other Considerations

Trees

- 5.1 There is a row of large and attractive trees just outside the eastern boundary of the site with the recreational playing fields. Plots 18-22 of the proposed development back onto that eastern boundary and, the proposed dwellings are all located an adequate distance away from those trees such that there will be no significant harm to the root protection area or canopy of those trees. The garage serving plot 18 is slightly within the root protection area – however, any impact can be adequately dealt with through planning condition as to the construction method of that garage.

Flood risk and drainage

- 5.2 Some third party representations raise concern in respect of the potential impact associated with surface water flooding.
- 5.3 The site is located within flood zone 1 – an area of low flood risk in terms of fluvial flooding. The Environment Agency mapping indicates that there two very small areas of low risk of surface water flooding within the site to the immediate west of number 17A Ivel Road and to the northern boundary.
- 5.4 The Drainage Board make no comment and the Councils Sustainable Drainage Team and Anglian Water also raise no objection subject to the imposition of planning conditions requiring the provision of a detailed surface water drainage strategy. Having regard to the specialist advice received the development is considered to be acceptable in respect of flood risk and drainage matters.

- 5.5 The Town Council and third parties raise concern in respect of the sewerage capacity of the settlement to accommodate the development. Anglian Water recommend the inclusion of a planning condition requiring a detailed foul sewerage drainage strategy and do not therefore object to the application in respect of this matter.

Financial contributions

- 5.6 The applicant agrees to make the financial contributions requested by Education Spending Officer and in relation to sport and play provision at the Shefford Town Memorial Association. The contributions have been considered against the relevant tests in the CIL regulations and are considered to be necessary and reasonable to offset the impact of the development.
- 5.7 Members will note that the Education Spending Officer sets out that a new school for early and lower education is required in Meppershall. The Officer recommends that financial contributions of early and lower education be allocated to the provision of a new school but, if a site cannot be secured, that early contributions be allocated towards an extension of Acorn pre-school and lower contributions go towards the transport of pupils to Meppershall Lower School.
- 5.8 Officers understand that work is progressing in discussion with land owners and developers within the education catchment area in respect of the provision of a new school - work on that project is at an early stage and there is currently limited certainty on timescales for implementation such a new school although it is anticipated that this may be around five years.
- 5.9 This application is for 37 dwellings within the built up area of the settlement where in principle there is no objection to development. It is reasonable for applicants to address the impact of development on infrastructure such as education provision (which they can and have agreed to accommodate through financial contributions) but for a development of this scale, the applicant cannot be expected to provide a new school. It is unreasonable for planning permission to be refused on the basis of a matter which is outside of the applicants control and it is within the Councils responsibility to provide school places required as a result of the development as local education provider.

6. Sustainable development

- 6.1 The NPPF sets out that planning permission for sustainable development should be approved without delay.

Environmental

- 6.2 Having regard to the above commentary there are no significant or harmful ecological, archaeological, arboricultural constraints to development and detailed landscape design and related ecological matters can be adequately controlled through planning condition. The site is not in an area of significant flood risk and drainage matters can be adequately controlled through planning condition.

Social

- 6.3 The site is within the settlement boundary of the minor service centre of Shefford where there is access by walking and cycling to the range of services

and amenities within the settlement. The site can therefore be considered to be a sustainable location for development.

- 6.4 The development incorporates a significant number of open market and affordable dwellings which will assist in maintaining the Councils five year supply of housing. Very significant weight can be given to this consideration. The development provides provision for 35% affordable housing which, together with the Councils standard tenure mix can be secured through the legal agreement.
- 6.5 The development will impact on local infrastructure and as a result, development of a scale as proposed here, is required to offset these impacts, by entering into a S106 agreement to provide financial contributions to mitigate these impacts.

Economic

- 6.6 The proposed scheme will bring economic benefits in the short term associated with employment in the construction phase of the development and the way in which future residents will support the settlements existing services, amenities and facilities.

Recommendation:

That Planning Permission be **APPROVED** subject to the applicant entering into a S106 legal agreement to ensure the provision of the above mentioned financial contributions and affordable housing and, subject to the following planning conditions:- :

RECOMMENDED CONDITIONS

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

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

- 2 **No development shall take place until approval of the details of the appearance, landscaping and scale of the development (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To comply with Part 3 Article 6 of the Town and Country Planning (General Development Procedure) Order 2015.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL01 A, PL02 B, PL03 H, PL04, E3202/101/C, E3202/102/C, E3202/103/A,

E3202/104/A, E3202/105/A, E3202/106.

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

- 4 No equipment, machinery or materials shall be brought on to the site for the purposes of development until details of substantial protective fencing for the protection of any retained tree(s), has been submitted to and approved in writing by the Local Planning Authority and the fencing has been erected in the positions shown on Drawing No 317-02 within the approved Arboricultural Impact Assessment 03/05/2017. The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended.
(Sections 7 & 11, NPPF)

- 5 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 25m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).

- 6 No development shall take place, including any works of demolition, until a Construction Traffic Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:
- (A) The parking of vehicles
 - (B) Loading and unloading of plant and materials used in the development
 - (C) Storage of plant and materials used in the development
 - (D) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.
 - (E) Wheel washing facilities
 - (F) Measures on site to control the deposition of dirt / mud on surrounding roads during the development.
 - (G) Footpath/footway/cycleway or road closures needed during the development period
 - (H) Traffic management needed during the development period.
 - (I) Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.

The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.

Reason: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety.

- 7 Prior to any above ground works, an ecological design strategy addressing compensation and enhancement shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include:-
- a) Review of the site potential and constraints;
 - b) Purpose and conservation objectives for the proposed works
 - c) Detailed working methods to achieve stated objectives including locations of integrated bird and bat boxes to be erected in accordance with RSPB and BCT guidelines on appropriate scale maps and plans
 - d) Details of lighting considerations to prevent disturbance to bats.
 - e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
 - f) Timetable for implementation demonstrating that works are aligned with proposed phasing of development.
 - g) Persons responsible for implementing the works
 - h) Details of initial aftercare and long-term maintenance.
 - i) Details for disposal of any wastes arising from works
- The EDS shall be implemented in accordance with the approved details.

Reason: To ensure the proposal delivers satisfactory ecological gains in accordance with the National Planning Policy Framework.

- 8 No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Drainage Strategy (March 2017), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and a restriction in run-off rates to that outlined by the Independent Drainage Board. Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.

- 9 No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 10 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority in consultation with Anglian Water. No dwelling shall be occupied until the works have been carried out in accordance with the foul water strategy.

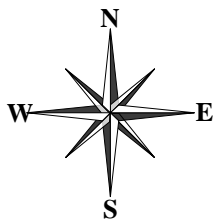
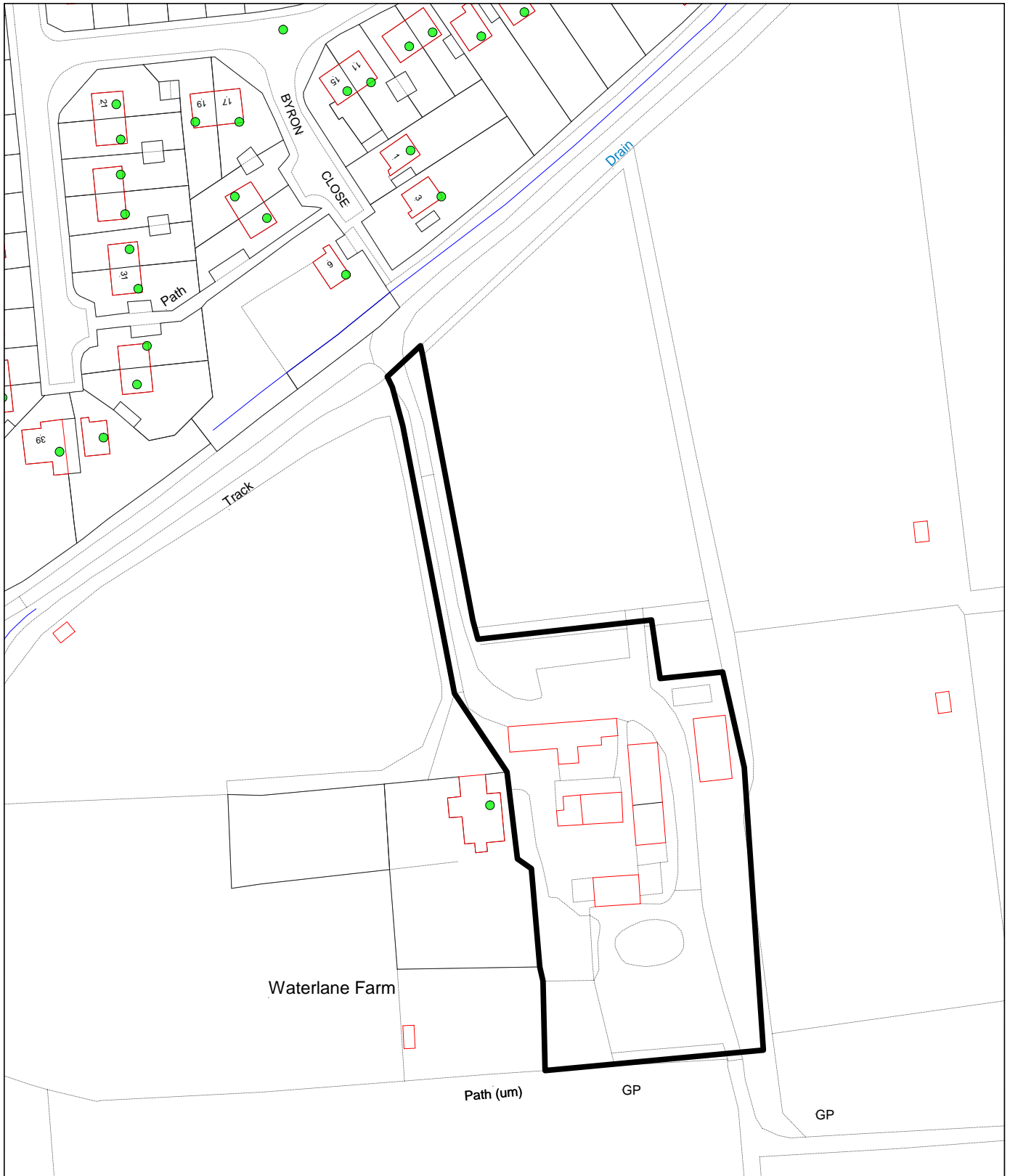
Reason: To prevent environmental and amenity problems arising from flooding.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

.....
.....



© Crown Copyright. All rights reserved.
Central Bedfordshire Council
Licence No. 100049029 (2009)

Date: 07:February:2018

Grid Ref: 517079; 245679

Application No.
CB/17/06001/FULL

Scale: 1:1250

Water Lane Farm, Biggleswade Road, Upper Caldecote,
Biggleswade, SG18 9BP

This page is intentionally left blank

Item No. 10

APPLICATION NUMBER	CB/17/06001/FULL
LOCATION	Water Lane Farm, Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BP
PROPOSAL	The construction of two agricultural barns
PARISH	Northill
WARD	Northill
WARD COUNCILLORS	Cllr Mr Firth
CASE OFFICER	Martin Plummer
DATE REGISTERED	19 December 2017
EXPIRY DATE	13 February 2018
APPLICANT	Maudlin G J & Sons
AGENT	Richard Beaty (Building Design) Limited
REASON FOR COMMITTEE TO DETERMINE	Applicant is related to Cllr Maudlin
RECOMMENDED DECISION	Full Application - Recommended for Approval

Reason for Recommendation

The application proposes an appropriate form of development in the open countryside which is acceptable in terms of the impact on the character and appearance of the site, surroundings, neighbour amenity impact and highway access. The development therefore accords with policies DM3 and DM4 of the Development Plan.

Site Location:

The application site comprises a collection of agricultural barns and farmhouse which are surrounded by open agricultural land and paddocks. The site is located to the south of the settlement of Upper Caldecote and is accessed via Waterman Lane to the north of the site. A public right of way runs from Water Lane in a southerly direction through the application site. The site is not located within the Upper Caldecote Settlement Envelope.

The Application:

Full Planning permission is sought for two new agricultural barns. To the east of the site are two small barns which this application proposes to replace with a larger barn. To the south of the site is various outside storage and containers used in association with the farming operation. This application proposed to replace that outside storage area and containers with a new agricultural building.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)
Section 7 - Requiring good design

Core Strategy and Development Management Policies - North 2009

CS14 - High Quality Design

DM3 - High Quality Design

DM4 - Development Within and Beyond Settlement Envelopes

DM12 - Horticulture & Redundant Agricultural Sites

DM14 - Landscape and Woodland

DM15 - Biodiversity

The Central Bedfordshire Pre-Submission Local Plan

Section 38(6) of The Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 require all planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan currently consists of the South Bedfordshire Local Plan Review (2004), the Core Strategy and Development Management Policies Development Plan (2009) and the Minerals and Waste Local Plan; Strategic Sites and Policies (2014). The National Planning Policy Framework (2012) must be taken into account in the preparation of local and neighbourhood plans and is a material planning consideration in planning decisions.

The Central Bedfordshire Local Plan has reached pre-submission stage and is out for consultation in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 until 22nd February 2018.

The National Planning Policy Framework (paragraph 216) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:-

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

In summary it is therefore considered that reference should be made to the emerging plan but limited weight should be applied to the Central Bedfordshire Pre-Submission Local Plan taking into account its stage of preparation, the level of consistency with the Framework and acknowledging that the draft site allocations have not yet been subject to statutory public consultation. Where there are site specific Pre-Submission Local Plan policies these will be acknowledged for those specific applications on this agenda.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

None relevant

Consultees:

Parish/Town Council	Recommends approval.
Highway Officer	No objections.
Pollution Officer	No comment.
Drainage Board	No comment.

Other Representations:

Neighbours	None received.
------------	----------------

Determining Issues:

The main considerations of the application are;

- 1. Principle**
- 2. Affect on the Character and Appearance of the Area**
- 3. Neighbouring Amenity**
- 4. Highway Considerations**
- 5. Other Considerations**

Considerations

1. Principle

- 1.1 The site is located outside the settlement envelope of Upper Caldecote and therefore within open countryside. However, the provision of agricultural development within such a location is considered to be acceptable, in principle having regard to policy DM4 of the Development Plan.

2. Affect on the Character and Appearance of the Area

- 2.1 The site forms a collection of rural buildings located in a countryside setting. Existing buildings within the site have a traditional appearance with brick plinths, horizontal boarding and pitched roofs with tiles. There are clear views of the application site from Waterman Lane to the north and the public right of way which runs through the site. The proposed buildings are well consolidated with the existing built form of the farm setting and will retain the agricultural character and form of the site through the use of similar materials and design to the existing buildings on the site. The proposed buildings are significantly larger in terms of volume and height to the existing traditionally proportioned buildings on the site – however, this is not uncommon in modern farming practice where large buildings are required to facilitate larger farm machinery, equipment and farm produce. The proposed development will not result in significant harm to the open countryside location and the development will ensure that the traditional farm character is retained.

3. Neighbouring Amenity

Having regard to the siting and significant distance between the proposed development in relation to existing neighbouring properties within Upper Caldecote and the development site to the north east, it is not considered that there will be any significant harm to the living conditions of any existing or future

neighbouring dwellings.

4. Highway considerations

No representations have been received from consultees in respect of the impact on highway safety or the public right of way to the north of the site. The site is accessed from Water Lane to the north of the site where there is considered to be adequate access for farm traffic and users of the public right of way.

Recommendation:

That Planning Permission be APPROVED subject to the following:

RECOMMENDED CONDITIONS

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

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

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 17.43.OSmap, 17.43.01B.

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

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

.....
.....



	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No. CB/17/05250/FULL
	Date: 08:February:2018	
	Grid Ref: 510794; 232877	
Scale: 1:5000	Land to South West of Higham Cottages, Higham Road, Higham Gobion	

This page is intentionally left blank

Item No. 11

APPLICATION NUMBER	CB/17/05250/FULL
LOCATION	Land to South West of Higham Cottages, Higham Road, Higham Gobion
PROPOSAL	Proposed grain store including new access and means of enclosure
PARISH	Shillington
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Thomas Mead
DATE REGISTERED	31 October 2017
EXPIRY DATE	26 December 2017
APPLICANT	Chamberlain Holdings PLC
AGENT	Tempietton Architects
REASON FOR COMMITTEE TO DETERMINE	Enormous Grain Store with 2 metre steel fence is out of proportion to the open rural site and victorian cottages opposite. 60mph road already has accident liability. 15.400m vehicles need 6 seconds to turn and 6.610m kerb to kerb turning circle. Run off water is to go into existing water course - this brook below the site has native cray fish in it which would be at risk.
RECOMMENDED DECISION	Full Application - Recommended for Approval

Reason for Recommendation:

The development would provide an agricultural grain storage building which would not result in an unacceptable impact on the character of the area, an adverse impact on the residential amenity of neighbouring properties or highway safety. Therefore subject to conditions, the proposed development is in conformity with Policy DM3 of the Core Strategy and Development Management Policies (2009); and The National Planning Policy Framework.

Site Location:

The application site consists of a parcel of land to the south of Higham Road, Higham Gobion. The site lies to the southwest of the row of terraced dwellings known as Higham Cottages. The site is a section of agricultural land, with an existing small vehicular access with a gate. The site lies outside of any identified settlement envelope.

The Application:

The application seeks planning permission for the construction of a new grain store, on this parcel of land to the south of Higham Road. The development would include the laying of hardstanding north and east of the structure, and would include the planting of trees along the northern boundary of the site to screen the structure from

Higham Road. the unit would have a maximum height of 8.9 metres, and an eaves height of 6 metres, occupying a total floorspace of 720 square metres.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Central Bedfordshire Local Plan - Emerging

High Quality Development

Core Strategy and Development Management Policies - North 2009

DM3 High Quality Development
CS14 High Quality Development

Local Plan

The Council has recently consulted on its Draft Local Plan (Regulation 19). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council’s website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Case Reference	CB/17/03638/FULL
Location	Land to South west of Higham Cottages, Higham Road, Higham Gobion
Proposal	Proposed Grain Store
Decision	Application Withdrawn
Decision Date	30/10/2017

Consultees:

Shillington Parish Council

The Parish Council OBJECT to this application on grounds that the site is unsuitable for the siting of such a facility:

- The access to the site is on the outside curve of a blind bend where drivers approaching have limited visibility. Several years ago CBC agreed a reduction in the speed limit on Higham Road from the national speed limit to 40mph, but due to lack of funding this was not implemented. Access to and from the site by large, slow moving farm vehicles will only increase the

accident risk on a fast moving road. The application does not address the

- The applicant states that " the scale of the proposed building, including its footprint, height, volume and shape is in keeping with that of its surroundings " and that "the proposal will not affect the social context of the area or the living conditions of any neighbouring properties". The only other buildings in this area are Higham Cottages, a terrace of three small cottages and the parish council believe that the proposed grain store would have an overbearing impact on the occupants of those cottages. Despite the proposed screening, the grain store would be visible from the cottages and neighbours will be affected by an increase in traffic and noise generated by the grain store.

Highways Officer

The proposal is for a new grain store and new access located west of the existing field access, which the applicant requires to remain 'open' for access to the field. Tracking diagrams have been submitted that show a 15.4m articulated vehicle entering the site from the west, turning and exiting the site to the east. There are no plans showing entry from the east and exit to the west?

Because the tracking plans are 'precise and best fit' with regard to the alignment of a vehicle, a condition has been included for kerbing opposite the access to protect the verge and edge of carriageway on the opposite side of the road from over run and damage.

As previously requested the applicant has shown the full extent of the visibility splay, which will require realignment of boundary hedges, and the location of the gates at the access.

NOTE: the IDB should be consulted to ascertain that the culverting of the ditch is acceptable, especially as the site is within a flood zone.

Recommends Conditions

Trees and Landscape
Officer

Previous application was acceptable but I did ask for some additional planting along the west side of the development to simply add some additional screening to what will be a large building.

Details of planting will be required including sizes, species and densities of planting.

IDB

No Objection.

Rights of Way Officer

No Comment.

Environment Agency

We welcome the submitted plan (ref 1136_Block Plan with Flood Zone_500_A4). This clearly shows the location of the proposed development is outside of Flood Zones 2 and 3. This was previously not very clear. Therefore, we have no objection to this application.

Please consult the IDB with regards surface water drainage.

Contamination

The site is located above a Principal Aquifer. However, we do not consider this proposal to be High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination, which can be found here:

<https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>

Infiltration Sustainable Drainage Systems (SuDS)

The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. If the use of deep bore soakaways is proposed, we would wish to be re-consulted. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13 which can be found here: <https://www.gov.uk/government/collections/groundwater-protection>. In addition, they must not be constructed in ground affected by contamination.

Pollution Prevention

- Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points

and tank overflow pipe outlets should be detailed to discharge into the bund.

- Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.
- Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.
- Foul and surface water manhole covers should be marked to enable easy recognition, convention is red for foul and blue for surface water. This is to enable water pollution incidents to be more readily traced.
- The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to surface waters or groundwater.

Archaeology Officer

The proposed development site is located south of an area of cropmarks representing remains of Higham Gobion medieval village (HER 773). The settlement remains identified by aerial photography on the opposite side of the road are a Scheduled Monument (NHLE 1005398). Another Scheduled Monument, medieval fishery (HER 404; NHLE 104500), is located further to the north. Under the terms of the National Planning Policy Framework (NPPF) these are designated heritage assets of the highest significance.

Higham Gobion is recorded in the Domesday Survey of 1086 AD and is, therefore, likely to have origins in at least the Late Saxon period. The original core of the settlement (HER 773) was probably located to the west around Manor Farm (HER 1073) and the parish church of Saint Margaret (HER 1072). The existing farmhouse has 16th century origins and is grade II listed building (NHLE 1113759) while the present church building dates back to 14th century and is grade II* listed (NHLE 1113758). The cropmark evidence suggests that the medieval settlement

extended both eastwards (HER 773) and westwards (HER 1804) on the north side of the road. To the east cropmarks extend up to the watercourse by the Higham Cottages. A large square enclosure with traces of smaller rectangular structure inside was identified. Short section of a wall together with 12th century pottery was recorded during small scale trial excavation. This part of the cropmarks, located opposite the road from proposed development site, is a Scheduled Monument (HER 773; NHLE 10005398). Second Scheduled Monument, Fishery (formerly Camp), is located further 200m to the north (HER 404; NHLE 104500). It consists of triangular enclosure with small mound in the middle and associated fishponds. It is thought that these remains date back to medieval period.

The proposed development would have an impact on:

- The setting of designated heritage assets of the highest significance
- Potential undesignated heritage assets with archaeological interest

Impact of the proposed development on the setting of designated heritage assets

Two scheduled monuments are located in close proximity to the proposed development site. When considering the impact of the proposals on their significance, the issue of settings should be taken into account as required by paragraph 132 of the NPPF.

The setting of both scheduled monuments is generally open, arable land. The views, towards and from them are mainly obstructed only by low hedges. Although the landscape clearly changed over time with redefinition of boundaries etc. it still remains mainly rural in character and dominated by open fields.

Introduction of a relatively large scale, modern, semi-industrial building with associated hardstanding area and fencing would mainly have an impact on the setting of settlement site Scheduled Monument (NHLE 10005398). It would visibly enclose part of the site from the South and broke the link with the open countryside beyond. The impact therefore would be negative and it would cause harm to the significance of the designated heritage asset. However in this instance the negative impact of the proposals does not amount to substantial harm as defined by NPPF. Consequently there would be no objection to the proposals on the grounds of impact on the setting of designated heritage assets.

Impact of the proposed development on undesignated heritage assets with archaeological interest

Although no remains of the settlement have been recorded so far on the south side of the road, where proposed development site is located, it is possibly the result of lack of archaeological investigations in the area. The instances where medieval village was located only on one side of the road are highly unusual. The evidence from elsewhere in Bedfordshire rather suggest that the settlement pattern might have changed over time and the focus of the occupation shifted. This situation was observed in Stotfold (HER 19534; HER 16829; HER 759), Langford (HER 19481) and Marston Moretaine (HER 20239), where earlier Saxon and Saxo-Norman activity was recorded outside of the known medieval core.

Due to its location and proximity to the scheduled monument the proposed development site has the potential to contain archaeological remains relating to the Saxon and medieval settlement of Higham Gobion. The investigation of rural Saxon and medieval settlements to examine diversity, characterise settlement forms and understand how they appear, grow, shift and disappear is a local and regional archaeological research objective (Wade 2000, 24-25, Oake 2007, 14 and Medlycott 2011, 70).

Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (CLG 2012). The proposals comprise erection of a new grain store with hardstanding and access. The groundworks associated with this construction will have a negative and irreversible impact upon any surviving archaeological deposits that may be present within the site area. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of any surviving heritage assets with archaeological interest. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development and the scheme will adopt a staged approach beginning with a trial trench field evaluation, which may be followed by further fieldwork if appropriate. The archaeological scheme will include the post-excavation analysis of any archive material generated and the publication of a report

on the investigations. In order to secure this, please attach the following condition to any permission granted in respect of this application.

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

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the National Planning Policy Framework (NPPF) that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

Ecology

No Objection.

Landscape Officer

OBJECTION: Having revisited site and surrounds landscape concerns stand regarding submitted proposals and are not acceptable: detrimental visual impact on landscape character and local visual amenity.

- The proposed development is of a large scale, especially compared to Higham Cottages, and will dominate the local scene, potentially impact the wider setting visually and in terms of landscape character.
- Modern building materials, finishes and colours could result in an agri-industrial image in what is a 'timeless' rural setting which exhibits no modern development.
- The inclusion of exposed 2m high metal palisade fencing is not in keeping with setting and is not acceptable in terms of landscape amenity and is not quality in design.
- The proposed landscape mitigation is not adequate and will not provide effective screening or assist in integrating development effectively.
- Given the area of hard surfacing proposed on a greenfield site there is no information of how SuDS will incorporated with surface water run off attenuated, filtered without piped solutions and integrated within the landscape as according to the CBC SuDS SPD

Site setting: The application site is located to east of Higham Gobian, a village settlement on a locally elevated knoll within the Barton-Le-Clay Clay Vale (LCA 5B). The eastern extent of the clay vale including Higham Gobian and application site is particularly open, rural and tranquil in terms of sound and visual tranquillity. There is a strong visual relationship with the Clappers chalk escarpment (LCA 9C), part of the Chilterns AONB, forming the elevated horizon to the south which offers extensive views across the vale including Higham Gobian.

These characteristics and features are described in the LCA as of higher sensitivity and especially to this area of the Barton-Le-Clay clay vale.

The site, surrounds and wider setting are remarkably undeveloped, and are highly typical of the clay vale transition with the more rolling chalk landscape and exposed, long ranging views to the chalk escarpment - and very limited planting cover:

- View along Higham Road below looking west to site in centre of image demonstrates openness of landscape character, Clappers chalk escarpment (Chilterns AONB) forming horizon to undeveloped scene:
- View below to site from Higham Road looking south; open undeveloped setting to Clappers escarpment. PROW is to left of view following water course.

View below to site looking east along Higham Road, Higham Cottages to the left, describes openness of site setting and visual sensitivity.

- There are also concerns regarding impact on amenity of PROW / FP18 and setting to Scheduled Monument (shown in orange below).
- Landscape mitigation: Proposed landscape mitigation is not adequate to mitigate the visual impact of proposed large scale development; planting mitigation would need to be deciduous in keeping with landscapes character but development would be exposed in winter months following leaf fall. Given the scale of the proposed building it would likely take 12 - 15yrs for more substantial shelter belt planting to assist in integrating the store.
- Surface water run-off: Given the introduction of hard surfaces in a greenfield site surface water run-off should be controlled and filtered via SuDS on site and integrated within site landscaping and in accordance with CBC SuDS SPD.

If an application were to be progressed more information is required describing proposed development in setting and key views via photo montages to assess potential impact of change and including:

- A significant increase in scale of planting mitigation with shelter belt planting around the whole site and species in keeping with local landscape planting character.
- Materials revised with the aim to make the building recessive into the landscape and more in keeping with local traditional design of agricultural buildings /stores.
- Security fencing within the site boundary, behind planting mitigation, and not to the external edge.
- SuDs integrated within site landscaping.
- No lighting.

Other Representations:

Neighbours

2 objections received:

Kettledean Farm

With the B655 Barton-Hitchin road on the southern boundary, The Hitchin-Pirton-Shillington-Higham-Barton road on the northern boundary. A corridor of open countryside runs from the outskirts of Hitchin through to Barton. The proposed grain store is to be built within this area.

This will have a negative visual impact on the local and surrounding area, especially when viewed from the Barton Hills, Pegsdon Hills and Knocking Hoe. The proposed location and landscaping will have a serious detrimental impact on the open views of the Barton hills currently enjoyed from the row of terraced cottages at the foot of Higham Hill. The economic context must be viewed alongside a respect for the rural area.

The applicant Chamberlain Holdings own manor farm business park. Unit 1 on this site , a large agricultural building previously used for grain storage and serviced by excellent road access would seem an obvious solution to their grain storage requirements.

It would seem to be a contradiction to road safety to create an entrance to service the grain store on Higham Hill. Articulated grain lorries exiting the site will create a slow moving obstruction to other road users when making their way up the hill from a standing start fully loaded. Also of concern would be articulated grain lorries stationary on Higham Hill waiting to turn into the grain store entrance.

The noise intrusion and air pollution of large lorries servicing the grain store will have a considerable negative impact on local residents

Lack of awareness by the local community has no doubt resulted in the low level of involvement (a piece of paper wrapped around a footpath sign can be easily missed). Should this development go ahead it will be to the detriment of a far wider area than is portrayed in the application.

Therefore I strongly object to this proposal.

The Old Rectory:

In regards to the above planning application we are concerned that this will bring significant increased traffic, especially in times of harvest onto the Higham Road. This is already a surprisingly business thoroughfare with a publicised history of accidents in Higham Gobion.

There is no speed restriction on the road so any vehicles exiting or entering the proposed grain barn will be coming onto a fast road. This will be an increased hazard to traffic. We would ask you take these facts into consideration when regarding this proposal.

We have not seen any drawings of these proposals. We feel the application is short on detail considering we have not been consulted as a resident of Higham Gobion.

Considerations

1. Principle of Development

- 1.1 The proposed development would include the erection of a new Grain Store on land to the south of Higham Road, Higham Gobion. The site lies outside of any settlement envelope. The presumption in favour of sustainable development as outlined by paragraph 14 of the NPPF for decision taking, means approving development proposals that accord with the development plan without delay.
- 1.2 Paragraph 28 of the NPPF also states that planning policies should support economic growth in rural areas in order to create jobs and prosperity and support sustainable growth.
- 1.3 The Design and Access Statement submitted states that the unit would be used in conjunction to the workings of the farm, and outlines the sheer volume of crop produced by the farm, which is a justification in relation to the location, scale and need for the storage unit in this location. Manor and Bury farm is active, and manages 600 acres of land. There is no evidence to suggest that the Farm is not a working and functioning agricultural unit, and that the proposed development would be for the benefit of the use and business of the farm and would promote economic growth with this rural location.

- 1.4 Therefore, it is considered that the erection of a structure for agricultural purposes in this location would be acceptable in principle, subject to the proposed development not causing harm to the character and appearance of the area, not causing harm to the amenity and living conditions of any neighbouring dwellings and provided that the traffic movement would not have any negative implications on the highway, in accordance with Policies DM3 and CS11 of the Core Strategy and Development Management Policies (2009).
- 1.5 It should be noted that the application site benefits from permitted development rights for the erection of an agricultural unit on the farm holding up to a maximum floor area of 465m² under Part 6, Class A of the General Permitted Development Order 1995 (as amended).

2. Character and Appearance of the Area

- 2.1 Due to the location of the proposed Grain Store in relation to Higham Road, it is considered that the unit would be highly visible and prominent from the public realm. However, the unit would be set back from the highway by 30 metres, and the applicant has proposed tree planting on the northern boundary of the site which would aid in the screening of the development. The topography of the land means that the site lies at a low point in the valley, with hills either side of the unit, which would reduce the prominence of the unit. The Grain Store would lie on an agricultural site, which is active.
- 2.2 The Landscape Officer has objected to the proposed development, stating clearly within the consultee section of this report the reasons for the objection. The unit would be large in scale although this is addressed and justified within the Design and Access Statement as necessary due to the vast area of agricultural land in which the unit would serve.
- 2.3 It is considered that the proposed development would have a eaves height of 6 metres and maximum height of 8.9m which is common for agricultural storage buildings. The building would be sited within the lower topography within the context of the valley, and would also propose materials in the upper section which would be coloured green to blend with the surrounding environment and rural locality. The grain store whilst positioned in an isolated location, would be considered to be of typical character.
- 2.4 The proposed security fencing surrounding the site is now proposed as green mesh. The fencing would help screen the hard standing from the public domain, and the proposed tree planting along the front boundary of the site, would again partly screen the development.
- 2.5 The site is not within an Area of Outstanding Natural Beauty, and Area of Great Landscape Value or the Green Belt and has no specific landscape protection.
- 2.6 It is considered therefore that the harm to the landscape and rural locality would be outweighed by the benefits which accompany the promotion of a prosperous rural economy, and that the proposed development would not cause substantial harm to the character and appearance of the area, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

3. Amenity and Living Conditions of Occupiers of Neighbouring Dwellings

- 3.1 To the north of the site lies a number of residential units, known as Higham Cottages, which lie directly adjacent to the access to the site. Whilst there is no mention within the design and access statement regarding the frequency of vehicular movements to and from the site, considering the seasonal nature of grain storage and that there is an existing field access, the increased vehicular movements to and from the application site would not give rise to any unacceptable impact upon the dwellings to the north of the site.
- 3.2 Therefore, for reasons outlined above, it is considered that the proposed development would not cause harm to the amenity and living conditions of occupiers of any neighbouring dwelling, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

4. Car Parking and Highway Safety

- 4.1 The proposed new grain store would propose a new access onto Higham Road, and would also propose a hardstanding area to allow for agricultural vehicles to turn and manoeuvre successfully. It is considered that the space to the north and east of the unit would provide more than sufficient space for large vehicles to turn without issue, and can achieve appropriate visibility. The Highways Officer has no objection to the proposed development subject to conditions, and therefore it is considered that the proposed development would be acceptable in relation to Highway Safety and Car Parking, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

5. Flood Risk

- 5.1 The proposed development lies adjacent to Floodzones 2 and 3, with a small section of the red outline being proposed within the floodzone. The proposed grain store itself would not lie within the floodzone, with a small section of vegetation lying within it. The applicant has provided a plan (ref 1136_Block Plan with Flood Zone_500_A4) which shows the Block Plan in relation to the flood zone, which clearly indicates that the proposed development does not lie within Floodzones 2 or 3. There is no objection from the Environment Agency, and therefore it is considered that the proposed development would be acceptable in relation to the flood risk, in accordance with paragraph 100 of the NPPF.

6. Equality and Human Rights

- 6.1 Based on information submitted there are no known issues raised in the context of Human Rights/ The Equalities Act 2010 and as such there would be no relevant implications.

Recommendation:

That Planning Permission be **APPROVED**

RECOMMENDED CONDITIONS

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

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

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

**Reason: To ensure an acceptable standard of landscaping.
(Sections 7 & 11, NPPF)**

- 3 All external works hereby permitted shall be carried out in materials indicated on plan No. 1136/201A.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality.
(Section 7, NPPF)

- 4 **No development shall take place until a written scheme of archaeological investigation, that adopts a staged approach and includes the provision for post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.**

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the National Planning Policy Framework (NPPF) that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

- 5 The development shall not be brought into use until the junction of the proposed vehicular access with the highway has been constructed in accordance with the approved details, and kerbs have been provided along the frontage of the far-side verge, opposite (north of the proposed access), for the full length of the junction and radii

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises and to avoid overrun of the public highway to the detriment of the highway and users of it
(Section 7, NPPF).

- 6 Before the development is brought into use visibility splays of 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 215.0mm measured from the centre line of the

proposed access along the line of the channel of the public highway shall be implemented in accordance with the approved drawing no. 1136/202. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.
(Section 7, NPPF)

- 7 The proposed vehicular access shall be surfaced in bituminous or other similar durable material (not loose aggregate) as may be approved in writing by the Local Planning Authority for a distance of 18.0m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.
(Section 7, NPPF)

- 8 The sliding gate on the approved drawing no. 1136/200B shall be constructed prior to the development being brought into use and shall open away from the highway and be set back a distance of at least 18.0m from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable vehicles to draw off the highway before the gates are opened and for the avoidance of doubt
(Section 7, NPPF)

- 9 The turning space for vehicles illustrated on the approved drawing no. 101 shall be constructed before the development is first brought into use and thereafter retained for this purpose

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway
(Section 7, NPPF)

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1136_Block Plan with Flood Zone_500_A4, 1136/199B, 1136/200C, 1136/201A, 1136/202A, 101 and the Design and Access Statement.

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

INFORMATIVE NOTES TO APPLICANT

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

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

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

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

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

The website link is:

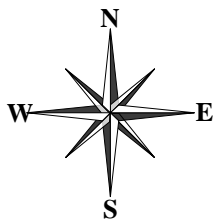
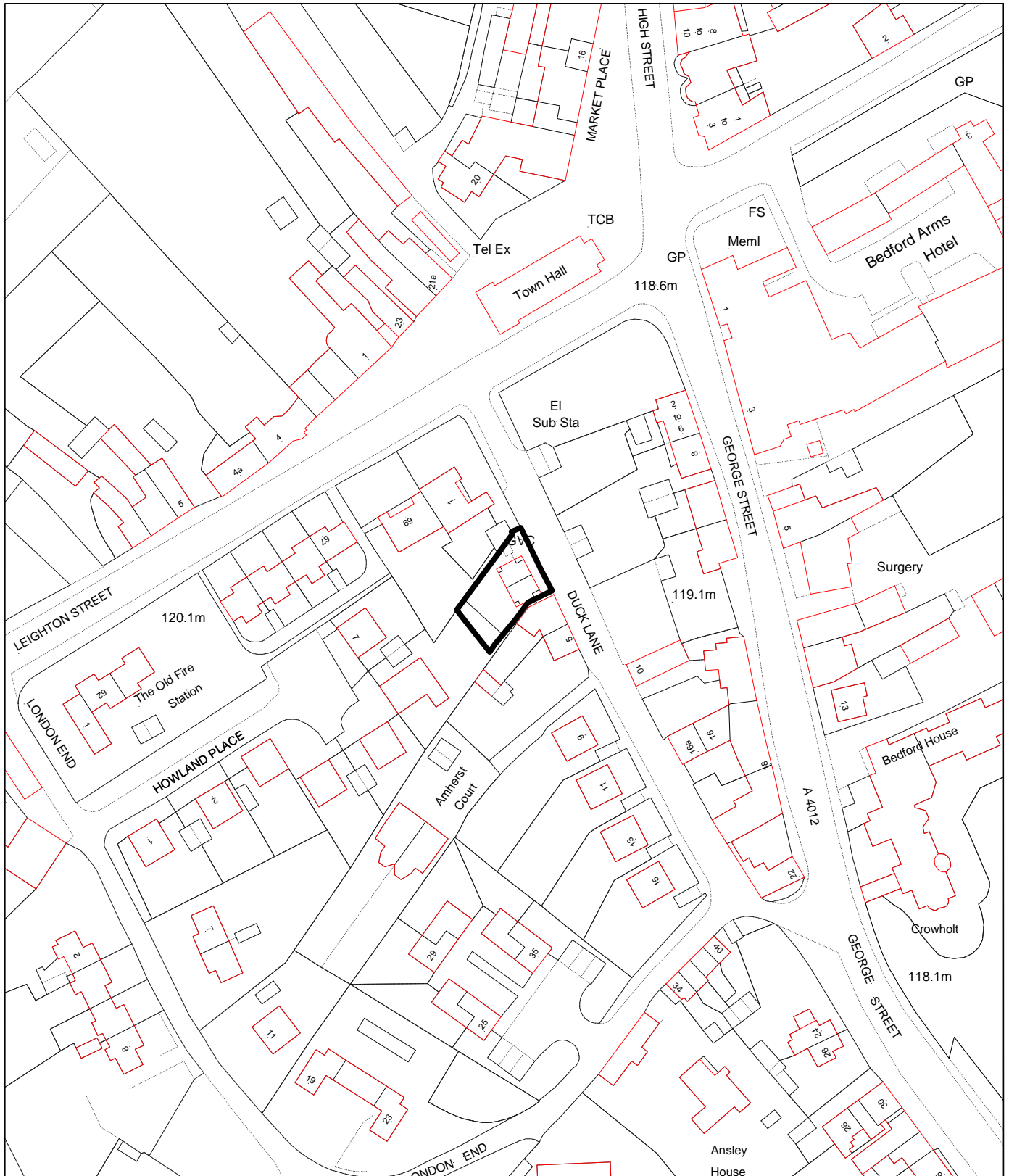
<http://www.centralbedfordshire.gov.uk/council-tax/bands/find.aspx>

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The Council acted pro-actively through positive engagement with the applicant before and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

.....
.....



© Crown Copyright. All rights reserved.
Central Bedfordshire Council
Licence No. 100049029 (2009)

Date: 08:February:2018

Grid Ref: 494887; 233054

Application No.
CB/17/04638/FULL

Scale: 1:1250

Public Convenience, Duck Lane, Woburn, MK17 9PT

This page is intentionally left blank

Item No. 12

APPLICATION NUMBER	CB/17/04638/FULL
LOCATION	Public Convenience, Duck Lane, Woburn, MK17 9PT
PROPOSAL	Redevelopment of a brownfield site within the infill boundary with a Residential development of 1 new dwelling. Demolition of the existing public conveniences.
PARISH	Woburn
WARD	Aspley & Woburn
WARD COUNCILLORS	Cllr Wells
CASE OFFICER	Stuart Kemp
DATE REGISTERED	27 September 2017
EXPIRY DATE	22 November 2017
APPLICANT	Goldcrest Developments (MK) Ltd
AGENT	Project Design Studio Ltd
REASON FOR COMMITTEE TO DETERMINE	Call in - Cllr Wells 1 - Contrary to Policy - Application contravenes 1 and 2 of the Heritage Statement 2 - Overbearing - It will compromise light and privacy of residents in adjacent properties. The location is not a backwater but is visible from strategic sites within the village. 3 - Proposed dwelling is not in keeping with Georgian Street scene in Woburn
RECOMMENDED DECISION	Full Application - Recommended for Approval

Reason for Recommendation:

The development constitutes redevelopment of an existing brownfield site within the Green Belt which complies with policy DM6 of the North Core Strategy and Development Management Policies (2009). The proposal is considered to result in less than substantial harm to the Woburn Conservation Area, such harm is considered to be outweighed by the reuse of the existing brownfield site. The development would not result in any undue adverse impact on neighbouring amenity or highway safety. Therefore, subject to conditions, the proposed development is in conformity with Policies DM3, DM6 and DM13 of the North Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework.

Site Location:

The application site comprises a small piece of land which currently benefits from a single storey public convenience building which has not been in use for a number of years. The existing building is constructed in a buff style brickwork with pitched tile roof, part of the existing roof has already been removed.

The application site is within the Green Belt and is within the Woburn Conservation Area.

The Application:

Planning permission is sought for the erection of a two storey, three bedroom, contemporary style dwelling following the demolition of the existing public convenience.

The proposed dwelling would be primarily square in shape with a small side protrusion, it would be constructed with three separate "blocks", each would be finished with a flat roof. The building would have a maximum width of 10.5 metres and depth of 10.8 metres, the maximum roof height would not exceed 6.2 metres.

The dwelling would benefit from an entrance hall, open plan kitchen, dining and living room with separate utility room and a snug on the ground floor. Three bedrooms would be created on the first floor, two of these would be doubles, one of which would include an en suite, as well as a family bathroom.

The property would also benefit from an adjoined, open car port to the side which would provide on site parking for a minimum of 2 vehicles.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1	Development Strategy
CS14	High Quality Development
CS15	Heritage
DM3	High Quality Development
DM6	Development within Green Belt Infill Boundaries
DM13	Heritage in Development

Central Bedfordshire Local Plan 2035

SP3	Development in the Green Belt
H2	Housing Standards
T3	Highway Safety and Design
T4	Parking
HQ6	High Quality Development
HE3	Build Heritage

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application: Planning
Validated: 09/06/2017

Number: CB/17/02795/PAPC
Type: Pre-Application - Charging Fee

Status:	Decided	Date:	05/07/2017
Summary:		Decision:	Pre-App Charging Fee Advice Released
Description:	Pre-Application Advice: Redevelopment of brownfield site within the infill boundary with a residential development of one new dwelling.		
Application:	Planning	Number:	CB/16/03091/PAPC
Validated:	08/07/2016	Type:	Pre-Application - Charging Fee
Status:	Decided	Date:	02/08/2016
Summary:		Decision:	Pre-App Charging Fee Advice Released
Description:	Pre Application Charging Advice: Redevelopment of former Public Convenience to a 3 bed dwelling.		
Application:	Planning	Number:	MB/94/01258/CAC
Validated:	21/09/1994	Type:	Conservation Area
Status:	Decided	Date:	29/11/1994
Summary:		Decision:	Conservation Area - Granted
Description:	CAC: DEMOLITION OF EXISTING PUBLIC CONVENIENCES.		
Application:	Planning	Number:	MB/94/01259/DC
Validated:	21/09/1994	Type:	Full Application
Status:	Decided	Date:	29/11/1994
Summary:		Decision:	Full Application - Granted
Description:	DISTRICT COUNCIL: REDEVELOPMENT OF PUBLIC CONVENIENCES.		

Consultees:

Woburn Parish Council Objection (Summary)

- The proposed dwelling is not in keeping with the Georgian street scene within the Conservation Area.
- The planning application contravenes 1 and 2 of the Heritage Statement.
- It will compromise the light and privacy of the residents in a number of adjacent properties.
- The location is not a "backwater" but is visible from strategic sites within the village.
- The modern style of windows were not allowed when Bedford Estates looked at upgrading their properties in Woburn.

Highways Officer The Highways Officer has provided the following comment:

"The existing is a public convenience with a dropped kerb pedestrian access at the highway. The proposal is for a 3 bedroom dwelling with an access located at the north of the site for 2 vehicles, with pedestrian visibility splays. Driver /driver inter visibility from the access is acceptable".

Conservation Officer The Conservation Officer has provided the following comment:

"Given the eclectic mix of styles and ages of properties in Duck Lane which includes the current Public

Conveniences the proposal although contemporary is supportable subject to the use of sympathetic and high quality materials. Materials should be submitted prior to any work commencing. The reduced scheme a first floor level sits more comfortably in the street and avoids a "terracing" effect of the previous scheme".

Revised Comments (09/02/2018):

1. The appraisal document states that the buildings in the conservation area are predominantly in residential use. There are number of dwellings that have been constructed by Bedford Estate during the 20th century within Duck Lane.

2. Given the eclectic mix of styles and ages of properties in Duck Lane which includes the current Public Conveniences the proposal although contemporary is supportable subject to the use of sympathetic and high quality materials. Materials should be submitted prior to any work commencing. A reduced scheme at first floor level was submitted which better related to the other properties in the lane and avoided the "terracing" effect of the previous scheme". However there was still concern that the proposed new dwelling would dominate neighbouring properties in particular number 3 with its exposed timber frame and overall roof height. A subsequent revised scheme has been received which looks to eliminate the mono pitch roof and reduce the overall mass and scale of the scheme which better reveals the timber frame detail of number 3 which is considered to make a positive contribution to the character and appearance of the conservation area a. The new proposal is considered to better reveal the historical significance by demonstrating the ongoing development of Duck Lane which ranges from 19th century to 20th century.

3. The revised scheme is considered an improvement on the previous schemes for the reasons stated above and supportable for the reasons stated below.

4. Policy: NPPF Paragraph 137. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Other Representations:
Neighbours

13, Bedford House, 15
George Street.
4, 30A Bedford Street
3, 5, 11, 13, 15 Duck
Lane
11, 35 London End
6 Howland Place
Bedford Estates
36, 38, 39, 40 Timber
Lane
1 Amherst Court
3, 5 Bloomsbury Close
Ansley House
36 Leighton Street
Woburn Abbey
3 Howland Place
The Old Smithy,
Caswell Lane

Objections (Summary)

The proposed building is out of keeping with the surrounding houses and an eyesore in the village.

This would spoil the entire streetscene and village.

The proposed fashionable modern design doesn't resonate with existing buildings, especially given its prominent position.

Rear bedroom and side bedroom would have a direct view into the rear windows of No.6 Howland Place, and will remove any privacy.

Building would be less than 1.5 metres from the boundary of No.6 Howland Place.

The building is twice the footprint of the original building, which is outside of planning regulations, this would block light to No.5 Howland Place.

Proposed development does not meet with criterion of points 1 and 2 of the pre application advice.

Existing outbuildings have been designed to appear "Georgian".

Other similar newer buildings within the vicinity have also respected the "Georgian" architectural style and materials. Any newer modern developments are hidden from the streetscene by being set back and being hidden by predominantly 2m high brick walls.

Paragraph 3.10 of the Heritage report recognises that the present application "detracts from the local character and appearance of Duck Lane".

Negative visual impact on adjacent listed buildings.

Proposed buildings and fenestrations are not proportional or balanced and are therefore out of keeping.

Errors in the Heritage report in reference to the works recently completed to No.3 Duck Lane.

Materials to be used are not traditional and are not in keeping or sympathetic to the conservation area.

Removal of the view of Nos 3 and 5 Duck Lane from Leighton Street.

No tree survey has been submitted even though trees will be lost.

Proposal would not result in a net gain of parking spaces as the dropped kerb would remove two existing on street spaces.

Proposal does not allow access to the gas meter box to the side of No.3 Duck Lane.

Issue of privacy from the window of No.3 into the flat roof skylight of the proposed dwelling.

North facing window to the gable end of No.3 will be entirely blocked resulting in a significant loss of light.

Car dominant scheme.

Overdevelopment of the site.

Amendments do not address the issues above.

30A Bedford Street	<p>Comments (Summary)</p> <p>We are in favour of this development, however, the design of the new property must reflect the existing properties in Woburn and must not be of a modern design and should reflect the Georgian style predominant in central Woburn.</p>
5 George Street 30A Bedford Street	<p>Support (Summary)</p> <p>Received notice of this application through a letter canvassing for negative opinions.</p> <p>Cannot see a problem with the proposals for the following reasons:</p> <ul style="list-style-type: none">- Derelict toilet block is ugly and brings down the general feel of the area.- Whilst the housing is modern it is not out of keeping with the village. Whilst the main street is all Georgian the rest of the village is not, with a mix of Victorian - modern housing throughout.- Duck Lane is made up of more modern 70's / 80's houses which are extremely ugly with high brick walls around the front which are imposing. There is a complete mix of ages of houses and mix of designs along Duck Lane.- The house includes two off street parking spaces, parking is already an issue along Duck Lane although if these spaces are used the parking should not be made worse.- Many examples across the country of modern designs looking great in amongst historic houses. We need to move forward. It will look much nicer than most of the other newer houses on Duck Lane.

Determining Issues:

The main considerations of the application are;

- 1. Principle**
- 2. Impact on the Character and Appearance of the Conservation Area**
- 3. Neighbouring Amenity**
- 4. Highways**
- 5. Other Considerations**

Considerations

- 1. Principle**
 - 1.1 The application site is located within the Green Belt, and is within the Green Belt infill boundary of Woburn. Therefore Section 9 of the National Planning Policy Framework (NPPF) and Policy DM6 of the Central Bedfordshire Core Strategy and Development Management Policies (North) (CSDMP) are key considerations in the determination of this application.
 - 1.2 Section 9 of the NPPF explains that the government places great importance on the protection of Green Belts. It states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

- 1.3 Paragraph 88 of the NPPF states that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It states that 'very special circumstances' will not exist unless the harm that would be caused to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 1.4 Paragraph 89 explains that the construction of new buildings should be regarded as inappropriate development, unless it falls within the provided list of exceptions. The applicant is relying on exception 6: limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 1.5 However, the preamble to policy DM6 defines infill development as small scale development utilising a vacant plot which should continue to complement the surrounding pattern of development. The application site is of a similar size as adjacent plots and would complement the surrounding pattern of development.
- 1.6 The application site has clearly been previously developed through the siting of the existing public convenience, as such is considered to be the redevelopment of a previously developed, brownfield site. The site is surrounded by residential development on all sides, as such the proposed redevelopment is not considered to have a greater impact on the openness of the Green Belt and would not impact on the purpose of including the land within the Green Belt.
- 1.7 In conclusion, for the reasons stated above, the proposal is considered to amount to an infill development through the redevelopment of previously developed land and would not result in any undue impact on the openness of the Green Belt. As such, the proposal is considered to be in accordance with Section 9 of the National Planning Policy Framework and Policy DM6 of the Central Bedfordshire Core Strategy and Development Management Policies (North) and is considered to be acceptable in principle.

Whilst the building would be taller than the existing building it would be of a similar height to those in the vicinity.

2. Impact on the Character and Appearance of the Conservation Area

- 2.1 The applicant sought pre application advice from the council which confirmed that a contemporary dwelling, in traditional materials would likely be supported if a formal application was to be submitted.
- 2.2 The proposal seeks to provide a contemporary design solution utilising traditional materials close to the centre of the Woburn Conservation Area. The site is visible from Leighton Street and a number of key heritage assets within the centre of Woburn, including the Town Hall. Whilst the site is visible from the parts of the main centre of Woburn it is sited on Duck Lane moving

away from the main, central heritage assets.

- 2.3 The proposed dwelling would be set back from the existing established front building line of No.3 Duck Lane adjacent to the site. The building would be finished with a flat roof which would sit below the ridge line of the original neighbouring properties and the two storey rear extensions to No.3. Considering this design, siting and scale a partial view of the existing timber framed dwelling at No.3 would be retained.
- 2.4 Whilst the proposal would introduce a new contemporary form of development within Duck Lane there are a number of existing dwellings within Duck Lane of differing styles, design and material finish. Including a row of large, detached 90's style, gable frontage, dwellings which are sited just two dwellings down from the application site.
- 2.5 The garage buildings to the north of the application site, associated with No.1 Duck Lane are currently finished with a flat roof. Whilst it is noted that these garages are single storey, the flat roof design of the proposed dwelling can be seen within the context of the existing adjacent flat roof building.
- 2.6 The existing public convenience block located on the application site was also constructed in the 1990's and is of a more contemporary design than both adjacent properties and the general "Georgian" design of Woburn. The building has not been in use for a number of years and is in a bad state of disrepair, the surrounding land has also been left to become overgrown. As such the existing state of the site is considered to have a negative impact on the Conservation Area.
- 2.7 Whilst the application site, and proposed dwelling would be partially visible from a number of listed buildings within Woburn. The dwelling would not be sited within the grounds or immediate vicinity of any listed building and as such, it would not result in harm to the setting or significance of any listed building.
- 2.8 The Conservation Officer has been consulted on the proposal and has made the following comment: "Given the eclectic mix of styles and ages of properties in Duck Lane which includes the current Public Conveniences the proposal although contemporary is supportable subject to the use of sympathetic and high quality materials. Materials should be submitted prior to any work commencing. The reduced scheme at first floor level sits more comfortably in the street and avoids a "terracing" effect of the previous scheme".
- 2.9 Updated comments from the Conservation Officer state: "A subsequent revised scheme has been received which looks to eliminate the mono pitch roof and reduce the overall mass and scale of the scheme which better reveals the timber frame detail of number 3 which is considered to make a positive contribution to the character and appearance of the conservation area a. The new proposal is considered to better reveal the historical significance by demonstrating the ongoing development of Duck Lane which ranges from 19th century to 20th century".

- 2.10 The proposal is considered acceptable having regard to paragraph 137 which states that "local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably". The siting of the proposed dwelling is considered to better reveal the historical significance of the adjacent timber framed building which is considered to make a positive contribution to the Conservation Area.
- 2.11 The dwelling would be sited off of the boundaries of the site and as such would not result in any terracing effect.
- 2.12 Whilst the application site is not of a significant size the private amenity space provided would have an area of approximately 89m² this is well above the minimum requirement of 60m² as outlined in the Central Bedfordshire Design Guide 2014. Whilst the rear garden depth would not meet with the minimum requirement of 10 metres the design guide states that residential development on infill sites need only comply with one of the criteria (either the area or depth criteria). As such the private amenity space provided on site is considered to be acceptable in accordance with the Central Bedfordshire Design Guide 2014.
- 2.13 Considering the size of the plot, the design of the dwelling, the provision of the relevant private amenity space and the size of neighbouring plots, the proposal is not considered to be an overdevelopment of the site.
- 2.14 The proposal includes on site parking for two vehicles, located primarily to the side of the main dwelling. The siting of the car parking would not be to the front of the main dwelling, as such the proposal is not considered to result in a car dominant street frontage. Duck Lane is currently dominated by car parking on both sides of the street, considering the proximity of the dwellings to the highway of Duck Lane it can be argued that the existing built form appears to be "car dominant". The proposal is considered to result in an improvement to this existing situation through the provision of on site parking.
- 2.15 In conclusion, considering the above points the proposal is considered to result in less than substantial harm to the Conservation Area which would be outweighed by the benefit of bringing the site back into use. Whilst the design is contemporary a condition is recommended in order to require the use of quality traditional materials to ensure that the material finish is in keeping with the general character and appearance of the area. As such the proposal is considered to have an acceptable impact on the character or appearance of the Conservation Area and it is therefore in accordance with the National Planning Policy Framework, policies CS14, CS15, DM3 and DM13 of the Core Strategy and Development Management Policies - North Document dated 2009 and the Central Bedfordshire Design Guide

3. Neighbouring Amenity

- 3.1 The proposed dwelling would be sited a minimum of 1 metre from the adjacent dwelling at No.3 Duck Lane to the south of the application site. No.3 has previously benefited from rear extensions at both ground and first floor level

- along the boundary of the site. No.3 benefits from two ground floor windows facing the application site, these appear to serve an entrance hall and ground floor w/c neither of which are considered to be habitable rooms. No.3 also benefits from two first floor windows facing the application site, these serve the first floor hallway, which is not considered to be a habitable room, and a rear bedroom which is also lit from a large window to the rear. As such whilst the proposed dwelling is likely to result in a minor loss of light to these windows, considering its proximity and two storey nature, the level of loss is not considered to be unduly detrimental given these windows serve non habitable rooms or rooms also lit by windows to the rear. No.3 also benefits from a loft conversion with two windows in the side elevation gable at second storey level, considering the height and nature of the proposed dwelling it would not result in any undue loss of light into these windows.
- 3.2 The boundary between No.3 and the application site runs at an angle in comparison to the siting of the proposed dwelling. As such the rear of the proposed dwelling would be located a minimum of 3.7 metres from the rear of No.3. The proposed dwelling would only protrude approximately 2.3 metres beyond of the rear of No.3 with the section closest to the shared boundary being single storey. Considering this relationship the proposal would not appear as unduly overbearing to No.3.
 - 3.3 A number of ground floor windows are proposed facing No.3, as these would be sited on the ground floor they would not result in any direct overlooking of No.3. No windows are proposed on the first floor directly facing No.3, as such the proposal would not result in any undue loss of privacy to No.3.
 - 3.4 The proposed sky light in the flat roof aspect closest to No.3 has been reduced in size to ensure that there is no view from the side facing bedroom window of No.3 down into the sky light. As such the position of such roof light is considered to be acceptable.
 - 3.5 The proposed dwelling would be sited a minimum of 0.5 metres at ground floor level and 2.6 metres at first floor level from the boundary with the neighbouring property to the north of the application site at No.1 Duck Lane. No.1 benefits from a garage building and rear garden, with a minimum depth of 10 metres, along this shared boundary. The rear to side relationship between the rear of No.1 and the proposed dwelling at a minimum of 10 metres is considered to be in accordance with the Central Bedfordshire Design Guide.
 - 3.6 Considering the distance between the rear of No.1 and the side of the proposed dwelling, and the design of the proposed dwelling it would not intersect a 45 degree vertical angle from the mid point of the nearest ground floor, rear facing window of No.1. Therefore the proposal would not result in any undue loss of light into the main dwelling of No.1 and would not appear as unduly overbearing.
 - 3.7 The proposed dwelling is likely to result in minor overshadowing of a small section of rear garden closest to the boundary of the application site. Considering the flat roof design of the proposed dwelling and the siting of the first floor aspects off of this shared boundary, the loss of light to the rear garden by way of overshadowing is not considered to be unduly detrimental.

- 3.8 One window is proposed in the ground floor of the side elevation facing No.1, this would not result in any direct overlooking. Two windows are proposed at first floor level in the side elevation facing No.1. The first would be sited to the front corner of the dwelling and would only result in overlooking of the flat roofs of the existing adjacent garages. The second would be sited adjacent to the rear garden of No.1, this window would be obscurely glazed and would not result in any direct overlooking. As such the proposal would not result in any undue loss of privacy to No.1.
- 3.9 The rear garden of the proposed dwelling would also share a boundary with the neighbouring property to the north west of the application site at No.69 Leighton Street. The proposed dwelling would be sited a minimum of 15.3 metres from the rear of No.69. Considering the relationship between No.69 and the proposed dwelling it is not considered to result in any undue loss of light or privacy to No.69 and would not appear as unduly overbearing.
- 3.10 The proposed dwelling would be sited a minimum of 20 metres from the rear of the neighbouring properties to the west of the application site at Nos.6 and 7 Howland Place. The properties are slightly offset from each other and are not directly back to back, as such the relationship between these two dwellings is considered to be acceptable in accordance with the Central Bedfordshire Design Guide 2014. As a result no undue loss of light or privacy would result to the owners / occupiers of Nos.6 and 7, and the dwelling would not appear as unduly overbearing.
- 3.11 All other neighbouring properties are considered to be far enough removed from the application site for the proposal to have no impact on neighbouring amenity.

4. Highways

- 4.1 The proposed dwelling would benefit from the provision of two on site car parking spaces, as such the parking provision is considered to be in accordance with the Central Bedfordshire Design Guide for a dwelling of this size.

4.2 The Highways Officer has been consulted on the proposal and has made the following comment: "The existing is a public convenience with a dropped kerb pedestrian access at the highway. The proposal is for a 3 bedroom dwelling with an access located at the north of the site for 2 vehicles, with pedestrian visibility splays. Driver /driver inter visibility from the access is acceptable". As such the proposed vehicular access to the site is considered to have an acceptable impact on Highway Safety.

5. Other Considerations

5.1 Landscaping:

Limited detail has been included in regards to the boundary treatment and landscaping on site, as such a condition has been attached to ensure that this is provided before any development works commence on site.

5.2 Public and Parish Comments:

The various comments and objections received by members of the public and

parish council have been considered throughout the processing of this application and have been addressed in the relevant sections of this report.

5.3 Human Rights issues:

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

5.4 Equality Act 2010:

The development has been assessed in the context of the Equality Act 2010 and would have no relevant implications.

Recommendation:

That Planning Permission be **APPROVED** subject to the following:

RECOMMENDED CONDITIONS

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

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

- 2 **Notwithstanding the details submitted with the application, no work on the construction of the new dwelling, hereby permitted shall take place until samples of the exterior materials proposed to be used in the development hereby approved, including roofing materials, ridge piece and rainwater goods, timber cladding, have been made available on site for inspection and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: To control the appearance of the development in the interests of the character, appearance of the Conservation Area. (NPPF 12).

- 3 **All new doors, windows and garage door shall be timer and detailed drawings at a scale of 1:10 of all new doors and windows shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The works shall be carried out in strict accordance with the approved details.**

Reason: To control the appearance of the development in the interests of character, appearance of the Conservation Area. (NPPF, Section 12).

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

grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

**Reason: To ensure an acceptable standard of landscaping.
(Sections 7 & 11, NPPF)**

- 5 The first floor windows in the north facing side elevation of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the windows which can be opened are more than 1.7m above the floor of the rooms in which the windows is installed. No further windows or other openings shall be formed in the side elevations.

Reason: To safeguard the privacy of occupiers of adjoining properties.
(Section 7, NPPF)

- 6 No building shall be occupied until the junction of the proposed vehicular access with the highway has been constructed in accordance with the approved details and any surplus lengths of dropped kerb not required in the approved proposed access shall be re-instated to full height kerbs.

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

- 7 Prior to occupation, the proposed development shall be carried out and completed in all respects in accordance with the access siting and layout, secure and covered long stay cycle parking, refuse collection point, pedestrian visibility splay illustrated on the approved drawing no. 817-L4A and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

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

- 8 The proposed vehicular access shall be surfaced in bituminous or other similar durable material (not loose aggregate) as may be approved in writing by the Local Planning Authority for a distance of 5.0m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

- 9 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the

covered/car port accommodation on the site shall not be used for any purpose, other than as covered/car port accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

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

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 817-L1, 817-L2, 817-L3D, 817-L4A, 817-P1F, 817-P2E, 817-P3F, 817-P4E.

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

INFORMATIVE 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 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
3. The applicant is advised that no works associated with the construction of the vehicular access and re-instatement of any surplus lengths of kerbs should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to follow this link on the Council website <http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx> or contact Central Bedfordshire Council Tel: 0300 300 8301 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

The applicant is advised that, under the provisions of the Highways Act 1980, no part of the structure, including boundary foundations and surface water hardware shall be erected or installed in, under or overhanging the public highway and no door or gate shall be fixed so as to open outwards into the highway. The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway.

The applicant is advised that the requirements of the New Roads and Street

Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained by this link on the Council website

<http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx> or contact Central Bedfordshire Council Tel: 0300 300 8301.

The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to follow this link on the Council website <http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx> or contact Central Bedfordshire Council Tel: 0300 300 8301. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.

The contractor and/or client are to ensure that any mud or building material debris such as sand, cement or concrete that is left on the public highway, or any mud arising from construction vehicular movement, shall be removed immediately and in the case of concrete, cement, mud or mortar not allowed to dry on the highway.

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

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

.....

.....

This page is intentionally left blank



	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No. CB/17/05966/VOC
	Date: 08:February:2018	
	Grid Ref: 520895; 235409	
Scale: 1:5000	Former Pig Testing Unit, Hitchin Road, Stotfold	

This page is intentionally left blank

Item No. 13

APPLICATION NUMBER	CB/17/05966/VOC
LOCATION	Former Pig Testing Unit, Hitchin Road, Fairfield
PROPOSAL	Removal of Condition No. 16 of planning permission ref: CB/15/03182/FULL dated 18/12/15
PARISH	Fairfield
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Alex Harrison
DATE REGISTERED	20 December 2017
EXPIRY DATE	21 March 2018
APPLICANT	Crest Nicholson Chiltern
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Call in from Councillor Dixon <ul style="list-style-type: none">• Too early to conclude there is no demand• There is significant demand from within Fairfield for these units.
RECOMMENDED DECISION	Variation of Condition - Recommended for Approval

Reasons for Recommendation:

The applicant has demonstrated, through an acceptable period of marketing that there is very little demand for the occupation of the permitted apartment block by residents aged over 55 and therefore the removal of the condition is considered to be appropriate in the interests of realising the full number of residential units approved and the provision of homes. The proposal is therefore acceptable in light of policies DM3 and DM10 of the Core Strategy and Development Management Policies 2009.

Site Location:

The site is situated on the east side of Hitchin Road, between Stotfold and Fairfield Park which is located opposite to the west. The site lies within the Parish of Fairfield but is outside the Settlement Envelope boundary and therefore within open countryside.

It is currently a construction site providing a development of 131 dwellings. A separate care home facility is being provided immediately adjacent to this site as well. The area subject of this application concerns the approved apartment block which sits at the frontage area of the site facing onto Hitchin Road.

The Application:

This application seeks the removal of an existing condition on the decision notice. Condition 16 requires the occupation of an apartment block of 19 residential units by over 55s only and reads as follows:

'Each unit within the apartment block hereby approved shall be occupied only by:

- a) persons aged 55 or older; or*
- b) a widow or widower of such a person or persons, or*
- c) any resident dependant or dependants of such a person or persons, or*
- d) a resident carer of such a person or persons.*

Reason: In view of the limited amenity space provided with the apartments and given the need or elderly accommodation in the area and in accordance with the NPPF.'

The applicant notes in its submission that the condition requires occupation by over 55s in perpetuity and that the apartments themselves, as originally approved, had not been designed to any particular specification that would make them desirable to older occupants.

Following marketing and a lack of interest in the units the applicant seeks to remove this condition to enable it to be marketed for sale on the open market.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS5 - Providing Homes

DM3 - High Quality Development

DM10 - Housing Mix

Local Plan

The Central Bedfordshire Local Plan has reached pre-submission stage and is out for consultation in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 until 22nd February 2018.

The National Planning Policy Framework (paragraph 216) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

In summary it is therefore considered that reference should be made to the emerging plan but limited weight should be applied to the Central Bedfordshire Pre-Submission Local Plan taking into account its stage of preparation, the level of consistency with the Framework and acknowledging that the draft site allocations have not yet been subject to statutory public consultation. The following policies are relevant to the consideration of this application:

H1 - Housing Mix
H2 - Housing Standards
H3 - Housing for Older People
HQ1 - High Quality Development
T3 - Parking

LDF Site Allocations (North) April 2011

MA7: Land at Former Pig Development Unit, Hitchin Road, Stotfold
Site Area: 5 ha

Land at the former Pig Development Unit, as identified on the Proposals Map, is allocated for mixed-use development providing 5 replacement dwellings and B1, B2 and B8 employment land. The site will be developed in accordance with its approved planning permission.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

There is an extensive planning history for this site however the application which includes the condition to which this current submission relates is as follows:

Application Number	CB/15/03182/FULL
Description	Erection of 131 dwellings with access, parking, landscaping, open space and associated works.
Decision	Approve
Decision Date	18/12/2105

Consultees:

Fairfield Parish Council Object to the application stating:

Fairfield Parish Council is unable to see any reason to amend or remove condition 16. The evidence provided can be seen that restriction to over 55s is being well received to potential purchasers. There has been no change in distance and facilities since this site and original application was made. A need for this type of development for those wishing to downsize is required and the residents of Fairfield Hall is evidence of this.

Housing Development Officer Raised no objections.

Adult Social Care The Meeting the Accommodation Needs of Older People Team (MANOP) raises no objections

Other Representations:

Neighbours 1 letter of objection received raising the following grounds:

- Allowing non over-55s to occupy these apartments would place yet more strain on the traffic in Hitchin Road.
- Younger people occupying the apartments will add to the demand for school places
- Consideration of the previous application specifically mentioned the need for housing for the over-55s.
- Condition 16 of the planning permission clearly states that the over 55 provision is required because of the limited amenity space provided with the apartments and given the need for elderly accommodation in the area.
- Original MANOP letter dated 8/10/15 clearly states the need for accommodation for older people in the area.
- The previous application stated the apartment block towards the front of the site was specifically designed for the older generation yet the application states they are not.
- It is difficult to see how, little more than two years later, the situation of need has changed over 2 years.
- In order to remove the age restriction there must therefore clearly be a requirement for more amenity space. That is not proposed in these plans.

Determining Issues:

The main considerations of the application are;

1. Principle
2. Marketing and Evidence
3. The Impact of The Removed Condition
4. Other Matters
5. Decision Making

Considerations

1. Principle

- 1.1 The proposal seeks to vary conditions relating to an existing consent and therefore the principle of the development is already established. The mechanism to apply for the variation of conditions can be proposed under S73 of the Planning Act TCPA 1990.
- 1.2 In terms of the principle of the entire development consideration is given to the extant consent on the site for the same quantum of development. The site is designated by the Core Strategy Proposals Maps however the Site Allocations Document (2001) allocated the application site for 18,000 sq m of B1, B2 and B8 employment land together with 5 replacement dwellings under Policy MA7.
- 1.3 The original application (CB/15/03182/FULL) was submitted against the backdrop of a previous consent (CB/14/04048/FULL) on the site which granted approval for residential development with obligations secured to provide monies

towards a new lower school south of this site which has since been approved and is under construction. A principal difference between the two is that the revised proposal included the apartment block for occupations for over 55s which included a lift to the upper floors.

- 1.4 It is therefore considered that the principle of development can be considered acceptable. What will be required is suitable evidence to demonstrate that the condition can be removed.

2. Marketing and Evidence.

- 2.1 The applicant submitted a number of marketing materials with the application. The apartment units have been marketed since April 2017 and at the time the application was submitted accounted for a period of 8 months. Having previously contacted that Council in respect of concerns over the take up of these units the applicant was advised by Officers that marketing should be carried out for a minimum of 6 months.
- 2.2 The apartments provide a mix of 2 or 3 bed units and have been advertised on 'rightmove' and the Crest Nicholson website. The units were also marketed in The Comet newspaper that covers Hitchin and Letchworth. A sales building at the site was installed in July 2017. During the marketing the applicant has secured reservations for the units for 3 of the 19 apartments. By way of comparison, sales on the wider site have happened at a rate of nearly 1 unit per week. Furthermore the applicant advises that another of their developments in Hitchin providing 85 units has also sold at nearly 1 unit per week. The applicant has also advised that enquiries were limited into the apartments with a log submitted showing 17 enquiries made over the marketing period with all but the reserved three choosing not to follow up initial interest. Of these 14 enquiries that were not followed through 7 were made asking if the occupancy condition would be removed.
- 2.3 It is considered that comprehensive marketing of the over 55s apartments has taken place. This is a view which is shared with the Council's Housing Development Officer and the MANOP team. The results of the marketing carried out demonstrate that there is not a reasonable demand for the over 55s on this development. That is not to say however that there is not a demand for such accommodation in general. It is acknowledged that there is a demand for over 55s accommodation in Central Bedfordshire but in this instance the interest for this development is not apparent. The applicant has commented that the apartments as approved are not purpose designed for older occupants aside from the inclusion of a lift and notes that there are other purpose built retirement schemes in Hitchin Letchworth and Stevenage which offer such accommodation. Access to private garden space is only available to a minority of the units proposed. The MANOP team has commented that the location of the development some distance from amenities such as shops and the lack strong public transport links mean that its appeal to older people may be limited.
- 2.4 The objections received relating to the length of time for marketing and the views that there is demand for such accommodation are noted and as stated the application does not suggest that there is no demand for accommodation for over 55s in the area. The details demonstrate that there is not the demand for these specific apartments. Enquiries were made from people in the area seeking

such accommodation however these have not been pursued. A period of six months is considered appropriate and the apartments are still being marketed which means that it will have taken place for 10 months. The objections are acknowledged however on the basis of the information provided and the views of Council Officers it is considered that in this instance the demand for occupation of these units by residents aged 55 or over is not forthcoming.

3. The impact of the removed condition.

- 3.1 The removal of the condition would allow for the possibility to sell the apartment units without restriction. The applicant argues that the condition is unreasonable in that it restricts accommodation in an age where there is a national housing shortage in a scenario where the dwellings can be otherwise occupied.
- 3.2 It is considered that retaining the condition in light of there being no interest from over 55 occupiers would not be beneficial in respect of housing delivery. It should be made clear however that at the time of making the original decision the Council considered that this condition was necessary to make the scheme acceptable in planning terms. The applicant (which was not the current applicant) considered it necessary by way of proposing the accommodation type to the Council in their scheme. Furthermore the condition was not appealed by the applicant once the decision was issued. The condition, and the securing of such accommodation, is not therefore considered unacceptable in planning terms however in this instance the demand is not shown and the flexibility of the planning system allows for a review of this through the application process.
- 3.3 Removal of the condition would allow for the units to be sold which would realise the full extent of residential accommodation approved with this scheme which can be considered positively. Removal of the condition does not preclude the occupation of the apartments by over 55s which would mean that the three reserved plots can still be sold on this basis.

4. Other Issues

- 4.1 Objection is received on the grounds that if the apartments were to be occupied without age restriction that there would be increased strain on the highway and school places in the area. It is presumptuous to suggest that residents over 55 would have less car use as a rule. Occupiers could still be working and making daily trips by car. The highway is being upgraded as part of this scheme to account for the increased traffic and therefore is considered to be a negligible difference when taking account of the whole 131 unit development and therefore there is no harm to the highway network. In respect of school places this is an acknowledged concern however a new primary school is currently under construction and it is considered that the pupil yield from the 19 apartments can be accommodated at the lower school level. The middle and upper school level would accommodate what is considered to be a small increase in school place requirement from the removal of this condition.
- 4.2 Impact on the character of the area.
This application does not introduce any additional built form into the area. In considering the original application the Council determined that while there would be a material change to the character and appearance of the area the change would not be significant to the extent that it would result in detrimental

harm. There has been no material change to this position with this application and therefore the development would not harm the character and appearance of the area.

5. Decision Making

5.1 Conditions

The practice for S73 applications is to produce an entirely new consent with the amended conditions and all previous conditions that remain relevant. Since the original grant the applicant has had pre-commencement condition details approved in accordance with proposals that reflect the originally approved scheme. Therefore the conditions that form the recommendation are worded to reflect the details previously approved to ensure consistency in decision making and to ensure the scheme continues to be developed as approved.

5.2 Legal Agreement

A deed of variation would be required on the existing S106 for the original consent to ensure that the revised decision notice is subject to the previously agreed obligations.

Human Rights issues

Based on the information submitted there are no known issues raised in the context of Human Rights/equalities Act 2010 and as such there would be no relevant implications with this proposal.

Recommendation:

That the removal of Condition 16 be granted and a new decision notice issued subject to the conditions detailed below and the completion of a deed of variation to the S106 agreement.

RECOMMENDED CONDITIONS

- 1 The development shall be carried out in accordance with the approved external materials schedule and details approved under the original consent CB/15/03182/FULL which are:
 - Materials Schedule 16/10/2016
 - Ibstock Leicester Multi Cream Stock facing brick
 - Ibstock Dorset Red Stock feature brick
 - Amber Precast Portland drycast stone
 - Marley Eternit Rivendale Blue/Black roof slate
 - Marley Eternit Riven Edgemere smooth grey roof tile

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

- 2 Prior to and during demolition and construction works, all tree protection measures and working method procedures shall be carried out in strict accordance with the Haydens Tree Survey Arboricultural Impact Assessment Preliminary Arboricultural Method Statement & Tree Protection Plan (11/11/15 Rev A) and plans 4820-D/2/rev A, 4820-D/1 rev A,

Reason: To ensure that a satisfactory standard of working practice is implemented that safeguards the trees from damage incurred during development works, so as to ensure the health, safety, amenity and screening value of the retained trees in accordance with policies contained within the Core Strategy and Development Management Policies Document (2009)

- 3 The approved scheme shown in drawing numbers 5990/ASP1.0 Rev A, 990/ASP1.1 Rev A, 5990/ASP1.2 Rev A, 5990/ASP1.3 Rev A, 5990/ASP1.4 Rev A, 5990/ASP2.0 Rev A, 5990/ASP2.1 Rev A, 5990/ASP2.2 Rev A, 5990/ASP2.3 Rev A and 5990/ASP2.4 Rev A shall be implemented by the end of the full planting season immediately following completion and/or first use of any building (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season with others of a similar size and species.

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

- 4 The scheme detailing on-site equipped play provision and details of the arrangements for the future maintenance of the play equipment in Drawing Number: 5990/ASP3.0 Rev B and Drawing Number: 5990/ASP3.1 Rev D shall be implemented prior to the first occupation of any dwelling unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure satisfactory provision for play facilities to serve the development in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

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

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbered 5793/001, 5793/004, 5793/002C, 5793/007, 5793/008, 5793/003A, 070, 071, 072, 5793/006B, P440/001 rev B, 5793/056, 5793/055, 5793/054, 5793/053, 5793/052, 5793/015/01A, 5793/015/B, 5793/033/B, 5793/033/01A, 5793/032/B, 5793/032/1B, 5793/031/B, 5793/031/1A, 5793/027/A, 5793/027/1, 5793/026/B, 5793/026/1, 5793/025/A, 5793/025/1, 5793/024/A, 5793/024/1, 5793/023/A, 5793/023/1, 5793/022/A, 5793/022/1, 5793/021/A, 5793/021/1, 5793/020/A, 5793/020/1A, 5793/0196, 5793/0196/1, 5793/0195, 5793/0195/1, 5793/0193/1, 5793/0193, 5793/0194, 5793/0194/1, 5793/0192, 5793/0192/1, 5793/016A, 5793/016/1, 5793/017/A, 5793/017/1, 5793/018/A, 5793/018/1A,

5793/019/1, 5793/019/A, 5793/0191, 5793/0191/1, 5793/034, 5793/035/A, 4820-D EXTRACT, P440/SK002A, P440/SK001, P440/SK003

Flood Risk Assessment ref 1377 FRA September 2015, Capacity Analysis Report September 2015, Tree Survey Arboricultural Impact Assessment Preliminary Arboricultural Method Statement & Tree Protection Plan (11/11/15 Rev A), 4820-D-1/A, 4820-D-2/A, Updated Ground Investigation ref BRD1534-OR3-A, BG_1035_01A rev A, Transport Assessment ref: 406.05741.00003, Heritage Asset Assessment 2014/007 Version 1.0, Phase 1 Desk Study BRD1534-OR1 version B July 2012, Phase 2 Site Investigation BRD1534-OR2 version B September 2012, Preliminary Ecological Appraisal December 2013, Final Ecological Appraisal October 2015,

BRD Initial Remediation Method Statement Ref BRD1534-Let13
BRD Additional Ground Investigation and Remediation Strategy Ref BRD1534-OR5-A
BRD Remediation Verification Report Ref: BRD1534-OR6-A
Asbestos Removal Close Out Report from Mick George Environmental Reference MGL-1479

Drawing Number 14663/3200 Rev T1
Drawing Number 14663/3201 Rev T1
Drawing Number 14663/3202 Rev T1
Drawing Number 14663/3203 Rev T1
Drawing Number 14663/3204 Rev T2

AE Designs LTD Flood Risk Assessment Ref: 1377 FRA dated September 2015 to be taken in conjunction with AE Designs LTD Flood Risk Assessment Addendum 2 Ref 1377 FRA Addendum 2 dated October 2016.
Withers Design Associates Ltd Sustainable Urban Drainage Maintenance Statement V1 dated 23 January 2017
Withers Design Associates Ltd Surface Water Management Plan V1 dated 23 January 2017
Drawing Number 14663/3800 T1

Drawing Number: 5990/ASP1.0 Rev A
Drawing Number: 5990/ASP1.1 Rev A
Drawing Number: 5990/ASP1.2 Rev A
Drawing Number: 5990/ASP1.3 Rev A
Drawing Number: 5990/ASP1.4 Rev A
Drawing Number: 5990/ASP2.0 Rev A
Drawing Number: 5990/ASP2.1 Rev A
Drawing Number: 5990/ASP2.2 Rev A
Drawing Number: 5990/ASP2.3 Rev A
Drawing Number: 5990/ASP2.4 Rev A

Crest Nicholson Waste Strategy
Email from Susie Hartas (Crest Nicholson) confirming cost of bin provision will be covered by the developer sent 24 February 2017.

Drawing Number: 5990/ASP3.0 Rev B
Drawing Number: 5990/ASP3.1 Rev D

Drawing number 12971-1-A (clarification on spill provided in an email from Kelly Heath, DW Windsor, on 7 February confirming lux spill lines are within the application boundary)

Hodkinson Energy Statement dated October 2016

Residential Travel Plan by Markides Associates dated November 2016

Drawing Number 14663/3010 Rev T1

Drawing Number 14663/3011 Rev T1

Drawing Number 14663/3012 Rev T1

Drawing Number 14663/3013 Rev T1

Dunton Environmental Construction Environmental Management Plan Ref

DTR 16529 dated December 2016

Wheel Cleaning Method Statement

Traffic Management Plans 1, 2 and 3

Reason: To identify the approved plan/s and details approved pursuant to conditions on the original consent CB/15/03182/FULL to ensure development is implemented as approved and to avoid doubt.

INFORMATIVE 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 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the Core Strategy and Development Management Policies Document (2009)
3. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. Any improvements must be

approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

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

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

All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Central Bedfordshire Design Guide A guide for designing high quality new developments" and the Department for Transport's "Manual for Streets", or any amendment thereto. Otherwise the applicant is advised that Central Bedfordshire Council as highway authority may not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.

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

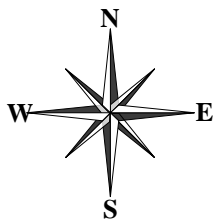
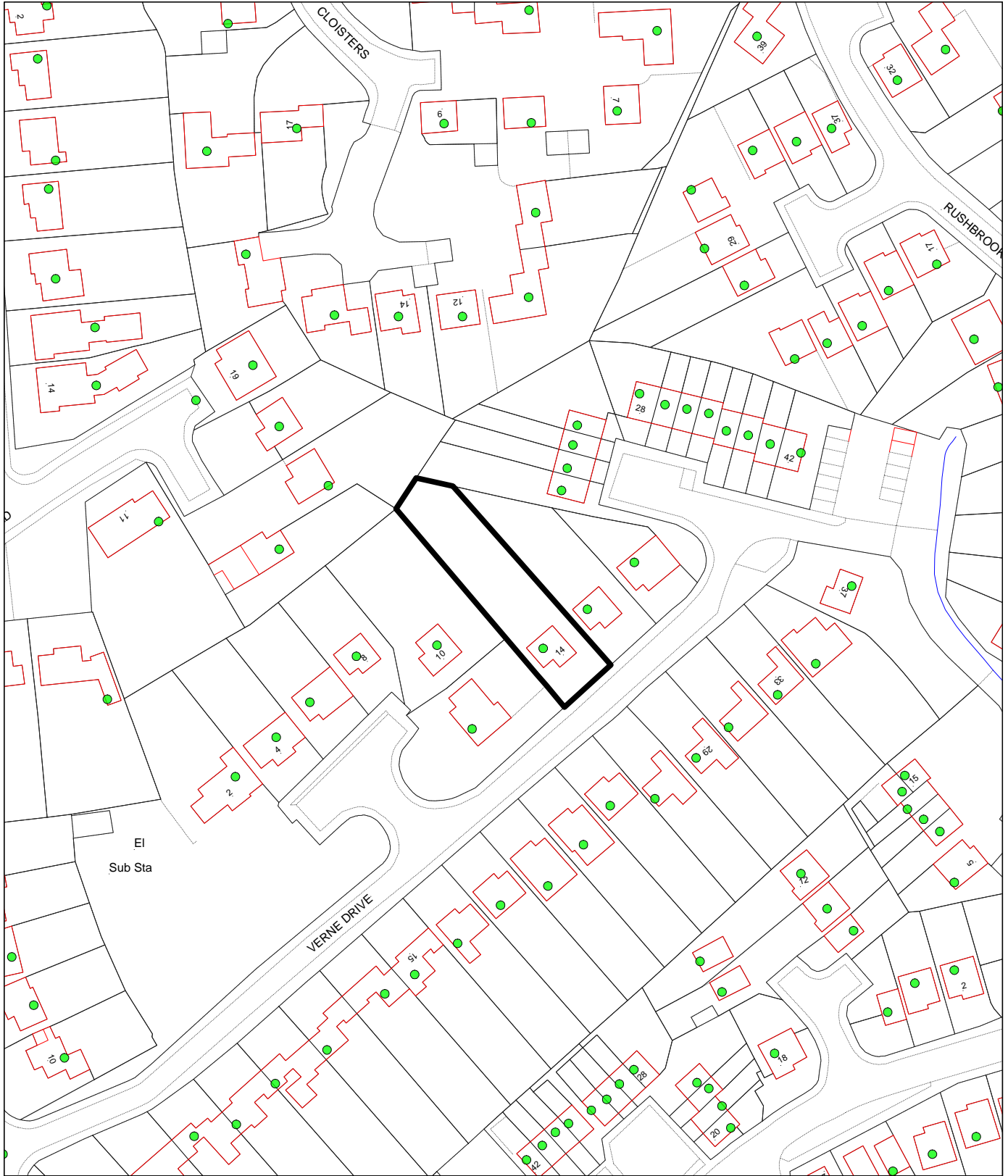
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

.....

.....



© Crown Copyright. All rights reserved.
Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 07:February:2018
Grid Ref: 503827; 238030

Application No.
CB/17/06061/FULL

Scale: 1:1250

14 Verne Drive, Ampthill, Bedford, MK45 2PS

This page is intentionally left blank

Item No. 14

APPLICATION NUMBER	CB/17/06061/FULL
LOCATION	14 Verne Drive, Ampthill, Bedford, MK45 2PS
PROPOSAL	First floor side extension above garage/utility (previous planning permission CB/15/01464/Full)
PARISH	Ampthill
WARD	Ampthill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Lauren Rance
DATE REGISTERED	29 December 2017
EXPIRY DATE	23 February 2018
APPLICANT	Mrs L Brown
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Applicant is a member of staff within the Development Management team at the council Full Application - Recommended for Approval

Reason for Recommendation:

The principle of a first floor side extension over the existing garage, within the settlement envelope of Ampthill is acceptable. The development would not result in an unacceptable impact on the character of the area, an adverse impact on the residential amenity of neighbouring properties or highway safety. Therefore subject to conditions, the proposed development is in conformity with Policy DM3 of the Core Strategy and Development Management Policies (2009), Policy HQ1 of the Emerging Central Bedfordshire Local Plan and The National Planning Policy Framework.

Site Location:

The site consists of a two storey dwellinghouse and its curtilage, located to the north west of Verne Drive, Ampthill. The site is within the settlement envelope of Ampthill. To the north east of the site is No.16 Verne Drive and to the south west is No.12 Verne Drive.

The Application:

The application seeks planning permission for a first floor side extension over the existing attached garage. The extension would extend 3.8 metres beyond the side elevation over the garage and have a height of 6.7 metres and an eaves height of 4.6 metres.

The same proposal was granted permission in May 2015 under reference CB/15/1464/FULL.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS14 High quality Development
DM3 High quality Development

Local Plan

Section 38(6) of The Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 require all planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan currently consists of the South Bedfordshire Local Plan Review (2004), the Core Strategy and Development Management Policies Development Plan (2009) and the Minerals and Waste Local Plan; Strategic Sites and Policies (2014). The National Planning Policy Framework (2012) must be taken into account in the preparation of local and neighbourhood plans and is a material planning consideration in planning decisions.

The Central Bedfordshire Local Plan has reached pre-submission stage and is out for consultation in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 until 22nd February 2018. The National Planning Policy Framework (paragraph 216) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

In summary it is therefore considered that reference should be made to the emerging plan but limited weight should be applied to the Central Bedfordshire Pre-Submission Local Plan taking into account its stage of preparation, the level of consistency with the Framework and acknowledging that the draft site allocations have not yet been subject to statutory public consultation. Where there are site specific Pre-Submission Local Plan policies these will be acknowledged for those specific applications on this agenda.

HQ1 High Quality Development

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)
7 Householder Alterations and Extensions

Relevant Planning History:

Case Reference	CB/15/01464/FULL
Location	14 Verne Drive, Ampthill, Bedford, MK45 2PS
Proposal	First floor side extension above existing garage/utility room.
Decision	Full Application - Granted
Decision Date	27/05/2015

Case Reference	MB/03/01535/FULL
Location	14 Verne Drive, Ampthill, MK45 2PS
Proposal	Full: Single storey side and rear extension
Decision	Full Application - Granted
Decision Date	17/10/2003

Consultees:

Ampthill Town Council Support the application.

Other Representations:

Neighbours No response.

Considerations

1. Character and Appearance of the Area

1.1 Due to the location of the proposed extension it would be highly visible from the highway and public realm. However, the extension is set back from the front elevation of the dwellinghouse by 1 metre and the proposed roof ridge is set down from the host ridge height. The extension is 2 storey in height at the shared boundary, however due to the positioning of the neighbouring dwellinghouse, 1.2 metres away, there would be no terracing affect. It is also of note that there are other dwellings along Verne Drive with two storey side extensions. Therefore the proposed development is in keeping with the character and appearance of the area and is subservient to the main dwellinghouse. All these considerations are in accordance with the design principles outlined within the Central Bedfordshire Design Guide (2014).

1.2 Therefore, subject to conditions which would ensure that the external materials used for the construction of the first floor side extension would match those of the existing host building, it is considered that the proposed development would not cause harm to the character and appearance of the area, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009) and Policy HQ1 of the emerging Local Plan.

2. Amenity and Living Conditions of Occupiers of Neighbouring Dwellings

2.1 Due to the location of the proposed extension, the only neighbour impact would be to No.16 Verne Drive. The proposed extension would not cause any loss of light to the windows of No.16, and due to the location of the extension in relation to No.16, the proposal would not cause an overbearing impact nor a loss of outlook. There is one side window proposed in the extension, however this window would serve an ensuite shower room and so it would be necessary condition this window to be obscurely glazed and non-opening to 1.7 metres in

order to preserve privacy to No.16. There would be some loss of light to the rear outside amenity space of No.16, however due to the siting and orientation of the houses this would be minimal and not to an unacceptable level.

- 2.2 Therefore for reasons outlined above, it is considered that the proposed side enlargement would not cause harm to the amenity or living conditions of occupiers of any neighbouring dwelling, in accordance with Policy DM3 of the core Strategy and Development Management Policies (2009) and Policy HQ1 of the emerging Local Plan.

3. Highways and Car Parking

- 3.1 The proposed extension would result in an additional fifth bedroom and therefore there could be additional vehicular movement to and from the property. The Central Bedfordshire Design Guidance requires for a property of this size to have a minimum of three designated car parking spaces. The property currently has two car parking spaces on the hardstanding to the front of the property and an additional space in the garage. Therefore, in the context of Car Parking and Highways Safety, in accordance with Policy DM3 of the core Strategy and Development Management Policies (2009) and Policy HQ1 of the emerging Local Plan enough parking provision is provided.

4. Equality and Human Rights

- 4.1 Based on information submitted there are no known issues raised in the context of Human Rights/ The Equalities Act 2010 and as such there would be no relevant implications.

Recommendation:

That Planning Permission be **GRANTED**.

RECOMMENDED CONDITIONS

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

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

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

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality. (Policy DM3 of the Core Strategy and Development Management Policies (2009) and Section 7, NPPF)

- 3 The first floor window in the north facing side elevation of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.

Reason: To safeguard the privacy of occupiers of adjoining properties.
(Section 7, NPPF)

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1, 2, 3A, and 4A.

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

INFORMATIVE NOTES TO APPLICANT

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

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

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

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

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

The website link is:

<http://www.centralbedfordshire.gov.uk/council-tax/bands/find.aspx>

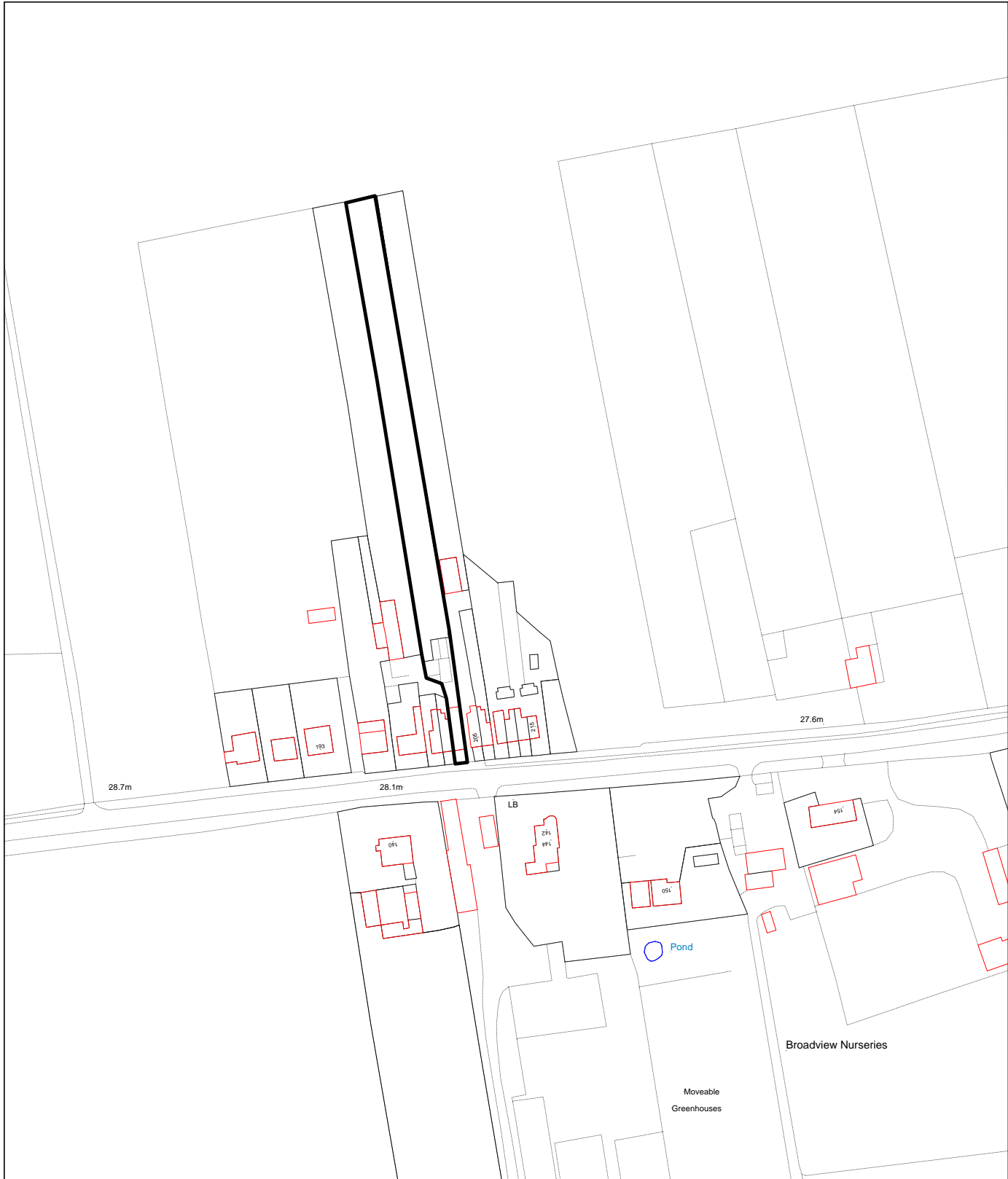
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

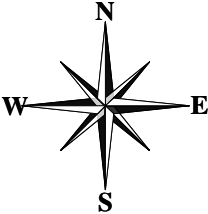
Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

.....

.....



	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No. CB/17/05981/FULL
	Date: 08:February:2018 Grid Ref: 517780; 246109	
Scale: 1:2000	203 Bigglewade Road, Upper Caldecote, Biggleswade, SG18 9BJ	

This page is intentionally left blank

Item No. 15

APPLICATION NUMBER	CB/17/05981/FULL
LOCATION	203 Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BJ
PROPOSAL	Single Storey Rear Extension and Alterations
PARISH	Northill
WARD	Northill
WARD COUNCILLORS	Cllr Mr Firth
CASE OFFICER	Nicola Stevens
DATE REGISTERED	18 December 2017
EXPIRY DATE	12 February 2018
APPLICANT	Ms C Maudlin
AGENT	Richard Beaty (Building Design) Limited
REASON FOR COMMITTEE TO DETERMINE	The applicant is a Ward Member
RECOMMENDED DECISION	Full Application - Recommended for Approval

Summary of Recommendation:

Having regard to the size, design and siting of the development it would not have an unacceptable impact on character of the area, or on the amenities of any nearby dwelling and would not have an unacceptable impact on highway safety. Overall the proposal is in accordance with the Policy DM3 of the Core Strategy and National Planning Policy Framework.

Site Location:

The application comprises of a two storey end of terrace property, located on the northern side of Biggleswade Road Upper Caldecote.

The property is constructed with yellow brick on the front, red brick on the side and rear and a slate roof. It has a subservient 2 storey rear gable with a single storey flat roofed extension beyond the latter of which will be replaced.

The site is located outside the Settlement Envelope of Upper Caldecote and within open countryside. It lies within a ribbon of residential development grouped in that part of Biggleswade Road with Woodside Nurseries located opposite.

The Application:

The application seeks permission for Single storey rear extension and alterations.

RELEVANT POLICIES:

National Policies

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies Adopted November 2009

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

Local Plan

Section 38(6) of The Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 require all planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan currently consists of the South Bedfordshire Local Plan Review (2004), the Core Strategy and Development Management Policies Development Plan (2009) and the Minerals and Waste Local Plan; Strategic Sites and Policies (2014). The National Planning Policy Framework (2012) must be taken into account in the preparation of local and neighbourhood plans and is a material planning consideration in planning decisions.

The Central Bedfordshire Local Plan has reached pre-submission stage and is out for consultation in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 until 22nd February 2018.

The National Planning Policy Framework (paragraph 216) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

In summary it is therefore considered that reference should be made to the emerging plan but limited weight should be applied to the Central Bedfordshire Pre-Submission Local Plan taking into account its stage of preparation, the level of consistency with the Framework and acknowledging that the draft site allocations have not yet been subject to statutory public consultation. Where there are site specific Pre-Submission Local Plan policies these will be acknowledged for those specific applications on this agenda.

HQ1 High Quality Development

Supplementary Planning Guidance

Central Bedfordshire Design Guide Adopted 18 March 2014

Planning History

None.

**Representations:
(Parish & Neighbours)**

Northill Parish Council Approve.

Neighbours
Site notice 5.1.18 Comments received from 201 Biggleswade Road:
Our only concerns are the access down the back lane as already tight, the angle to the curve on the back of the house (203) looks like it still needs to come in slightly as the angle will still make the access tight. I have discussed this with Caroline but wanted it in writing as she agrees the angle on the plan is tighter than she had asked for from her architect. Other than that we have no other issues with the plans.

Consultations/Publicity responses

IDB No comments to make.

Determining Issues

The main considerations of the application are;

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

Considerations

1. Principle of development

- 1.1 The proposed development lies outside the settlement envelope of Upper Caldecote.
- 1.2 Policy DM4 states that development beyond settlement envelopes shall only be permitted as long as it does not cause harm to the character and appearance of the area, and is appropriate within its setting. The policy makes clear that new development should reflect the scale of the settlement in which it is located and that it should complement the surrounding pattern of development. Further to this careful consideration must be given to the criteria set out in Policy DM3 (High Quality Development) of the Central Bedfordshire Core Strategy and Development Management Policies (2009), which also states that development must be appropriate in its scale and design within its setting, and must respect the amenity of surrounding dwellings.
- 1.3 Whilst the principle of a residential extension in this location is acceptable, how successfully the proposals for this site respond to its constraints, the residential amenity of its existing neighbouring occupiers and the character and appearance of the area are matters which shall be addressed within the main body of the report below.

2. Visual impact

- 2.1 The proposal seeks permission for a single storey rear extension to replace the existing. It would also involve re-roofing the single storey side element to be retained for insulation purposes which would increase marginally in height by approx 150mm together with a sunpipe. The large ground floor kitchen window on the side would be reduced in size to two small windows.
- 2.2 The single storey rear extension will provide an enlarged ground floor kitchen area following internal alterations. It will be slightly deeper than the existing extension and marginally taller. The corner of the extension will be curved adjacent to the side access. A rooflight is shown within the flat roofed structure. As the extension will be located to the rear it will not be visible in the streetscene.
- 2.3 Although the flat roof does not match the host dwelling, it replaces an existing flat roofed structure and will not be out of keeping in this rear location where other flat roofs are noted. Given that the extension will be single storey and subservient to the main dwelling it is not considered that this part of the proposal will adversely affect the character and appearance of the area.
- 2.4 It appears the replacement of the large side kitchen window with two smaller windows to serve a wet room and utility room could be constructed under permitted development. As they are shown on the plans they are considered here and are considered in visually in keeping with the residential dwelling.

3. Residential amenity

- 3.1 The two properties most likely to be affected are on either side, the attached mid terrace No 201 Biggleswade Road to the west and the semi-detached property No 205 Biggleswade Road to the east separated by a vehicular access.
- 3.2 There is a ground floor window on the rear elevation of No 201 adjacent to the boundary and set back which is assumed to serve a main habitable room. It appears that the 45 degree rule is already broken in relation to that window by the existing extension. The proposed rear extension will be slightly longer than the existing by approx 0.8m and together with the part to be retained it will also be marginally taller but is not considered to be significantly worse to warrant a reason for refusal. Although it would abut the shared boundary and thus is likely to result in some loss of light early in the morning to the rear amenity area of 201 Biggleswade Road directly adjacent, given there appears to be a ground floor obscure glazed window opposite and the modest increase in depth at single storey only it is not considered that this would result in any undue loss of light or overbearing impact as a result in this instance. The roof lantern will serve the ground floor only. As the extension abuts the shared boundary a condition can be attached to ensure it remains blank sided to protect neighbours privacy.
- 3.3 The rear extension would be well offset from No 205 Biggleswade Road as it will be separated by the side access. Although two smaller replacement windows are proposed in the side of the existing dwelling which face directly onto the two large side kitchen windows of No 205 this is no worse than the existing situation. A new ground floor kitchen window is proposed in the side (eastern) elevation but would be adequately screened from the rear of No 205 by its existing hard

boundary treatment.

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

4. Other issues

- 4.1 Sufficient private amenity space would be retained.
- 4.2 Existing vehicular access and parking would be unaffected. As the proposal is to enlarge the ground floor living accommodation there would be no requirement for additional on site parking.
- 4.3 The neighbour at No 201 Biggleswade Road has raised concern regarding any impact to the access down the side of the property however this would appear to be a civil matter. Furthermore, the agent has confirmed in writing that the proposal does not encroach on the neighbours legal rights of way in anyway and this cutting back of the wall is an improvement that is being made at the expense of property within the boundary of 203.
- 4.4 Based on the information submitted there are no known issues raised in the context of the Human Rights/The Equalities Act) and as such there would be no relevant implications.
- 4.5 There are no further considerations to this application.

Recommendation

That Planning Permission be Approved subject to the following:

RECOMMENDED CONDITIONS

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

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

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

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009) and Section 7, NPPF.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows shall be inserted into the western flank of the proposed extension, without the grant of further specific

planning permission from the Local Planning Authority.

Reason: To protect the privacy of neighbouring residents in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009) and Section 7, NPPF.

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 17.48.OSmap, 17.48.01.

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

INFORMATIVE 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.

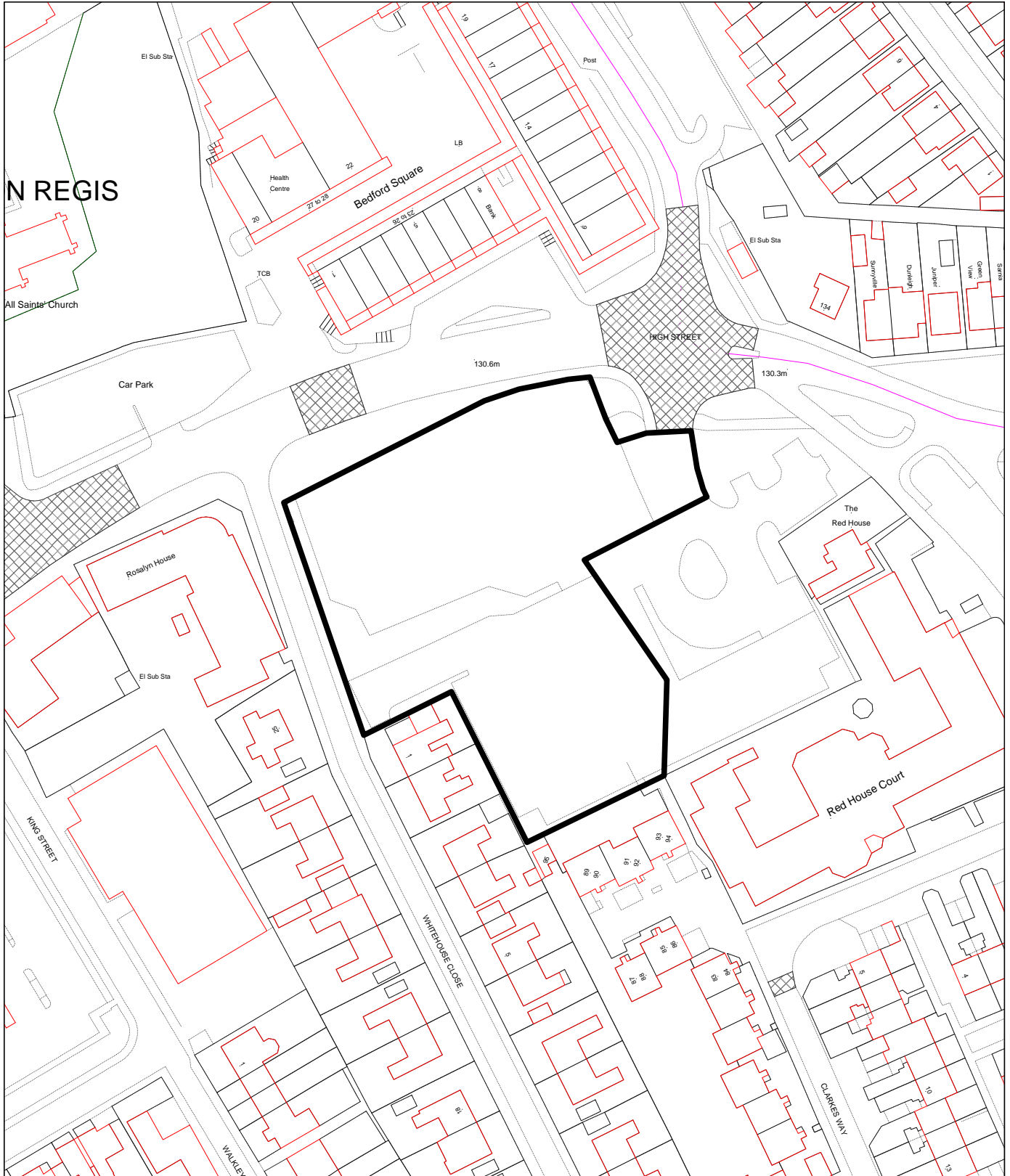
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

.....

.....



	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No. CB/18/00077/FULL
	Date: 08:February:2018 Grid Ref: 501958; 246109	
Scale: 1:1250	Co-op Supermarket, High Street, Houghton Regis, Dunstable, LU5 5QT	

This page is intentionally left blank

Item No. 16

APPLICATION NUMBER	CB/18/00077/FULL
LOCATION	Co-Op Supermarket, High Street, Houghton Regis, Dunstable, LU5 5QT
PROPOSAL	Temporary use of land as car park with minor works, temporary stationing of 2 no. portable buildings for ancillary use as security and shelter and temporary stationing of lighting
PARISH	Houghton Regis
WARD	Houghton Hall
WARD COUNCILLORS	Cllrs Mrs Goodchild & Kane
CASE OFFICER	Peter Vosper
DATE REGISTERED	09 January 2018
EXPIRY DATE	06 March 2018
APPLICANT	Whitbread Group PLC
AGENT	Walsingham Planning
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Application on Council owned land and objection received from neighbour Full Application - Recommended for Approval

Reason for recommendation:

In principle, the temporary car park use is acceptable. The impact of the proposal on the character and appearance of the area, and the impact on neighbouring amenity would be acceptable. The proposal is also acceptable in highway terms.

Site Location:

The 0.51 hectare application site is in Houghton Regis town centre, with the most eastern section being in the Houghton Regis Conservation Area.

A Co-op supermarket and Community Centre were built in the north of the site, with associated car parking to the south, in the early 1980s but was demolished in 2005 following a large scale fire. Since then, a smaller store operated until early summer 2014, and a social club used temporary portacabins on part of the site.

The site returned back into the full ownership of Central Bedfordshire Council in 2015 and is currently enclosed by hoarding, following the demolition and removal of all remaining buildings and structures on the site.

Planning permission was granted in November 2016 for the re-development of the site and adjoining land to the east to create an Independent Living Scheme for Older Persons (details below).

Vehicular access into the site is from the High Street via a four-arm roundabout which also links into The Green and Tithe Farm Road.

The area around the site contains a variety of land uses. Immediately to the north is Bedford Square shopping centre, comprising shop units on the ground floor with flats above. To the north west is All Saints Church which is Grade I listed, originating from the 14th century.

To the west, positioned at the junction of the High Street and Whitehouse Close, is Rosalyn House, a 46 bedroom care home. Whitehouse Close and Clarkes Way, to the south, contain residential properties, varying in type.

There is an existing unofficial pedestrian route immediately to the east of the site which enters via Clarkes Way to the south and provides a connection to the High Street to the north.

The Application:

Full planning permission is sought for:

Temporary use of land as a car park for 205 cars for Whitbread employees for a six month period starting on 1 February 2018. This period is to coincide with the construction of a decked car park at Houghton Hall Business Park for Whitbread employees, granted planning permission on 2 February 2018, under reference CB/17/05857/FULL. This car park will be positioned on land currently used as a surface level car park and therefore during the build period there will be a shortfall of parking available at Houghton Hall Business Park for Whitbread employees.

Two temporary portable buildings would be used by security staff and by Whitbread staff awaiting a shuttle bus that would operate back and forth to the Houghton Hall Business Park office locations.

Seven temporary lighting columns, 5.0m in height.

The existing vehicular access into the site from the High Street would be used and enclosure hoarding retained.

The pedestrian route to the east of the site would be retained.

Relevant Policies:

National Planning Policy Framework (NPPF), March 2012

Achieving sustainable development

Section 1: Building a strong, competitive economy

Section 2: Ensuring the vitality of town centres

Section 4: Promoting sustainable transport

Section 7: Requiring good design

Section 12: Conserving and enhancing the historic environment

South Bedfordshire Local Plan Review, January 2004

Policy BE8: Design Considerations

Policy T10: Controlling Parking in New Developments

Policy TCS1: Sustaining and Enhancing the District's Town Centres

Policy TCS3: Houghton Regis Town Centre
Policy TCS5: Houghton Regis Town Centre Enhancement

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant policies in existing plans according to their degree of consistency with the Framework. It is considered that Policy BE8 is broadly consistent with the Framework and carries significant weight. Policies T10, TCS1, TCS3 and TCS5 carry less weight but are considered relevant to the proposal.

Central Bedfordshire Local Plan - Emerging

Policy R3: Town Centre Development
Policy T3: Parking
Policy HE3: Built Heritage

The Council is currently consulting on its Pre-submission Local Plan 2015-2035 (Regulation 19). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)
Houghton Regis Town Centre Masterplan Supplementary Planning Document (SPD), 2008

Relevant Planning History:

Application site:

Application Number	CB/16/03378/REG3
Description	Construction of a new Independent Living Scheme for Older Persons comprising 168 apartments with support facilities, a Restaurant & Bar, Retail Units, Cafe, 2no Reablement Suites, the conversion and Change of Use of a Grade 2 listed building and the demolition of an existing Sheltered Housing scheme with associated parking and landscaping.
Decision	Conditional planning permission
Decision Date	11 November 2016
Application Number	CB/16/03379/LB
Description	Listed Building: Phased construction of a new Independent Living Scheme for older persons comprising 168 apartments with support facilities, a restaurant & bar, retail units, cafe, 2no reablement suites, the conversion and

change of use of a Grade 2 listed building and the demolition of an existing sheltered housing scheme with associated parking and landscaping.
Decision Conditional Listed Building Consent
Decision Date 8 July 2016

Application Number CB/16/01922/SCN
Description EIA Screening Opinion: Construction of new Independent Living Scheme for Older persons comprising 167 apartments with support facilities, a restaurant & Bar, 6 no retail units, a cafe, 2 no re-ablement suites, the conversion and change of use of a grade 2 listed building and the demolition of an existing sheltered housing scheme
Decision Environmental Impact Assessment not required
Decision Date 8 July 2016

Application Number SB/08/00214/FULL
Description Siting of a temporary building for use as a library
Decision Conditional planning permission
Decision Date 14 July 2008

Application Number SB/06/01165/FULL
Description Temporary siting of single storey building for use as social club (pending replacement of building demolished following fire)
Decision Conditional planning permission
Decision Date 23 November 2006

Chiswell Court (formerly Degremont House), Houghton Hall Business Park:

Application Number CB/17/05857/FULL
Description Decked car park, alterations to existing car park layouts and alterations to access, revision to previously approved scheme under reference CB/17/02781/FULL
Decision Conditional planning permission
Decision Date 2 February 2018

Application Number CB/17/02781/FULL
Location Degremont, Houghton Hall Business Park, Porz Avenue, Houghton Regis
Description Decked car park, alterations to existing car park layouts and alterations to access.
Decision Conditional planning permission
Decision Date 8 September 2017

Consultees:

Houghton Regis Town Council
Comments: No objections, however members raised concerns regarding timescales. Whilst it was acknowledged that temporary permission would be granted for a 6-month period, members were concerned that any delay in implementing the 6-month period could

have a detrimental impact on the provision of the independent living facility, proposed for the site. It was also noted that there appeared a lack of welfare facilities onsite. The Town Council was supportive of the applicant in their commitment to the local area and the decision to make a sum of money available to support local organisations active in the community, for the longer-term benefit of the residents of Houghton Regis. It was proposed, in order to support this commitment, an invitation to the applicant from the Town Council be extended in the spirit of community engagement.

Highways
(Development
Management)

The proposal is the forming of a car park to cater for the workforce to the Houghton Hall Business Park on a temporary basis of 6 months. Having looked at the application and the proposed arrangement and mindful that most of the area is a car park in any case I do not believe that the proposal will generate a significant issue on the public highway.

Subsequently, In a highway context I confirm that the above proposal should not be restricted.

Conservation and
Design

I note the temporary nature of the proposed development, and am satisfied that there are no particular historic environment impacts which would merit objection or the application of particular design controls.

Archaeology

The proposed development site is located within the core of the historic settlement of Houghton Regis (HER 16988) and under the terms of the *National Planning Policy Framework* (NPPF) this is a heritage asset with archaeological interest. Archaeological evaluation, undertaken in connection with application CB/16/03378/REG3, has shown that buried archaeological remains dating to medieval period survive within the boundaries of the site (Albion Archaeology 2016).

However, the nature of the proposals is such that there would be no impact upon any surviving archaeological remains. Consequently, there would be no archaeological objection to this application.

Trees and Landscape

I have examined the plans and documents associated with this application. In recognition that this is a temporary car park, may I request that there in no tree felling carried out to accommodate the proposal, and that the 'B' category *Robinia pseudoacacia* indicated for removal is retained.

Public Protection

No comment.

Other Representations:

Neighbours A representation objecting to the proposal was received from No. 48 Chalton View:

This will increase traffic and Pollution on roads already overload, lorries over weight all the time, nothing encouraging traffic to use by pass.

Also it was ok for public to use when used by co op so why not now.

When they fill this car park they will use the other carparks and there will be no parking for people who need to go to doctors or shops. I have been unable to park there before.

Determining Issues:

The main considerations of the application are:

1. Principle of Development
2. Affect on the Character and Appearance of the Area
4. Neighbouring Amenity
5. Highway Considerations
6. Other Considerations

Considerations:

1. Principle of Development

- 1.1 The proposal is for temporary use of the application site as a car park for 205 cars for a six month period starting on 1 February 2018 and ending on 31 July 2018. 75 of the 205 car parking spaces were previously used as a car park in association with the Co-op supermarket, and retains lawful use as a car park.
- 1.2 A condition should be attached to any planning permission granted requiring the temporary car park use to cease on 31 July 2018, or another date to be agreed in writing by the Local Planning Authority, and for the site to be returned to its pre-development condition. This will ensure the permitted redevelopment scheme of an Independent Living Scheme is not unacceptably impacted.
- 1.3 South Bedfordshire Local Plan Review (SBLPR) policy TCS1 states that favourable consideration will be given to proposals which will sustain and enhance the vitality and viability of the town centre and in particular those which support the retail function and contribute to town centre regeneration. The policy states that the redevelopment of vacant sites for retail and/or other uses which support the vitality and viability of the town centre will be given favourable consideration. Also of note is the Houghton Regis Town Centre Masterplan Supplementary Planning Document (SPD), 2008 which refers to the application site having retail use at ground floor with residential above. A six month temporary permission would also ensure that the aspirations of policy TCS1 and the SPD are not compromised.

1.4 Paragraph 19 of the NPPF states, '*... significant weight should be placed on the need to support economic growth through the planning system*'. Paragraph 20 continues, '*To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support fit for the 21st century*'. In general terms, the temporary car parking proposal is compliant with the stance of the NPPF in terms of securing economic growth to create jobs and prosperity.

1.5 In principle, the temporary car park use is acceptable.

2. Affect on the Character and Appearance of the Area

2.1 The car parking use would be predominantly at ground level. The portable buildings would be plain dark blue colour to match the existing site hoarding. With a height of 2.2m, i.e 0.2m higher than the hoarding, they would have little, if no impact from outside the site. The seven lighting columns would be located as close as possible to the centre of the site so that any impact on the surrounding area is minimised.

2.2 As detailed above, the proposal would have no adverse impact on the historic environment - archaeological or Conservation Area, and therefore Section 12 of the NPPF is complied with.

2.3 Whilst the Trees and Landscape response requests the retention of the 'B' category *Robinia pseudoacacia* indicated for removal, its loss was proposed by the Independent Living Scheme proposal and is therefore acceptable.

2.4 Overall, the impact of the proposal on the character and appearance of the area would be acceptable.

3. Neighbouring Amenity

3.1 The site is entirely located in Houghton Regis town centre and as such the area has significant levels of activity. The residential properties in Whitehouse Close and Clarkes Way, which abut the site, are generally closest to the parts of the site formerly in use as a car park.

3.2 The car park would be closed outside of 07:00 to 20:00 hours and at weekends - and therefore any noise generated by the car park use would not occur during unsocial hours. A condition restricting use to these hours, and for the lighting columns and light fittings fixed to the inside face of the hoarding to only operate during these hours, should be attached to any planning permission granted.

3.3 Overall, subject to this condition, the impact of the proposal on neighbouring amenity would be acceptable.

4. Highway Considerations

4.1 Use will be made of the existing vehicular access and Highways (Development Management) do not raise any concerns. The proposal is acceptable in highway terms.

5. Other Considerations

5.1 Response to Town Council concerns

The concerns regarding timescales are considered above.

Whilst the lack of welfare facilities is noted, this is not a material planning consideration.

The comments in respect of sourcing suitable community projects is a matter entirely separate from the consideration, recommendation and subsequent determination of this planning application.

5.2 Response to neighbour objections

As stated in the Highways (Development Management) response, the proposal will not generate a significant issue on the public highway.

Only the proposal submitted - for a temporary car park for Whitbread employees - can be considered - not the public use of the site.

Nearby car parks have time restrictions, so are unlikely to be appropriate for Whitbread employees to use.

5.3 Human Rights issues

The proposal raises no Human Rights issues.

5.4 Equality Act 2010

The proposed car park would serve employees of Whitbread and needs to accommodate any employees with disabilities. The car park should therefore comply with the Equality Act 2010 and an Informative will be applied accordingly to the decision reminding the applicant of their responsibilities under the Act. It is however noted from the covering letter (Walsingham Planning) that *'it is not expected that disabled staff or visitors will use the facility as unallocated parking spaces are allocated at the different offices and will remain fully available during construction works for the decked car park'*.

Recommendation:

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS

- 1 The temporary car park use shall cease on 31 July 2018, or another date to be agreed in writing by the Local Planning Authority, and the site shall be returned to its pre-development condition.

Reason: To ensure the redevelopment of this town centre site is not compromised.

(Policy TCS1, SBLPR and Section 2, NPPF)

- 2 The car park gates shall be closed, and the lighting columns and light fittings fixed to the inside face of the hoarding shall not operate, outside of the hours 07:00 to 20:00 Mondays to Fridays and at weekends.

Reason: To protect the amenity of neighbouring residential occupants.
(Policy BE8, SBLPR)

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2014/2272/211 Rev B, 2014/2272/212 and PA01.

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The 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)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The applicant and the Council engaged in discussion and negotiation at pre-application stage which led to improvements to the scheme. The applicant and the Council have therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

.....

.....