

# Development Management

## Central Bedfordshire Council

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## PLANNING OFFICER DELEGATED REPORT

<b>APPLICATION NUMBER</b>	<b>SB/09/00162/OUT</b>
<b>LOCATION</b>	<b>Land at Kiln Way, Dunstable, LU5 4GZ</b>
<b>PROPOSAL</b>	<b>Erection of 14 dwellings with access road and ancillary works. Landscaping as a reserved matter.</b>
<b>PARISH</b>	<b>Dunstable</b>
<b>WARD</b>	<b>Icknield</b>
<b>WARD COUNCILLORS</b>	<b>Cllr John Kane &amp; Cllr David McVicar</b>
<b>CASE OFFICER</b>	<b>Mr J Spurgeon</b>
<b>DATE REGISTERED</b>	<b>23 March 2009</b>
<b>EXPIRY DATE</b>	<b>22 June 2009</b>
<b>APPLICANT</b>	<b>Dunmore Developments Ltd</b>
<b>AGENT</b>	<b>R &amp; J Consultants Ltd</b>
<b>RECOMMENDED DECISION</b>	

### Site Location:

This is a 0.35ha 140m long strip of former railway estate land west of the recently completed Kiln Way residential development, having the rear gardens of Jeansway houses as its northern boundary and the railway to the south. It tapers to the west and its depth varies from 40m (at the east end) to 18m. The land is rough and was recently cleared of scrub, although the strip of former railway land westwards continues in an overgrown state. There is a slight upward gradient south towards the foot of the railway (about 1 to 1.5m rise), beyond which is a public right of way and then the scrubland of Blows Down rises steeply. A rectangle of enclosed land within the site, behind 280 Jeansway, is tended as garden by that property, having also a garden building, and notice has been served on that property on the principal of a title being granted by adverse possession. An adjacent enclosed rectangle behind 278 is also within the site but notice has not been served on 278, presumably because the applicant acquired its freehold from BRB (Residuary) Ltd. Gardens to Jeansway fall about 2.5m to the houses.

The railway is due to be removed and replaced by the Luton-Dunstable busway, which would be on a slight embankment here with modest landscaping.

### The Application:

It is proposed to extend Kiln Way adjacent to the railway (allowing for the Busway formation) and to build 14 dwellings, together with associated works and landscaping. The application is in outline with only landscaping reserved. Notwithstanding this, the scheme does not propose landscaping the southern boundary as this would duplicate the landscaping of the busway corridor.

The houses would be mainly 2 storey and in semi-detached pairs, though with 2 having a 3-storey part and one terrace of 3 houses. Apart from 2 houses sideways-on at the western end of the site, all of them would face the Down across the busway and their rear gardens would adjoin those of Jeansway houses. Rear garden depths of between 5.8m and 8.6m compare with a mean Jeansway garden depth of about 33m. Closest relationships (building to building) would be 37m (r/o 276 Jeansway to plot 12) and 27.6m (r/o 268 Jeansway to the side of plot 14). Nine of the houses would be 3-beds and the remainder 4-bed (2 of which having a ground floor study which could be used as a 5th bedroom). All would be open market. The design is modern and low profile, typically presenting varied detailing to both front and rear and employing several facing materials: brick, render and weatherboarding (details subject to condition). Parking tends to be in a carport with a recessed patio deck above, facing the Down, thus articulating the building form as well. There is storage space for cycles. To the rear, in the plots closer to Jeansway houses fenestration is in contrasting blind 'oriel' bays with side facing windows. Roofs are shallow and of metal (as are doors) so that maximum heights are 6.1m (2 storey) and 8.9m (3 storey), which represents a roof elevation of less than 1m.

Parking is at the rate of 1 space per dwelling onsite (1 house with 2) and 9 unallocated offstreet spaces (total provision 1.7 spaces per dwelling). 14 cycle spaces would be provided.

External hard areas would be tarmac and block paviers and fences in timber. Foul drainage would be to mains and there would be a SUDs for surface water.

The application is accompanied by a Visual impact assessment, simple environmental report and an Extended Phase 1 habitat survey (which includes an arboricultural report).

**The application has been appealed on the grounds of non-determination.**

## **RELEVANT POLICIES:**

### **National Policies (PPG & PPS)**

PPS1 - Delivering Sustainable Development; PPS3 - Housing; PPS9 - Biodiversity and Geological Conservation; PPG13 - Transport; PPS10 - Planning for Sustainable Waste Management; PPG17 - Planning for Open Space, Sport & Recreation; PPG24 - Planning & Noise

### **Regional Spatial Strategy**

#### **East of England Plan (May 2008)**

H1 - Regional Housing Provision 2001 to 2021  
T2 - Changing Travel Behaviour  
T4 - Urban Transport  
T8 - Local Roads  
T9 - Walking, Cycling and other Non-Motorised Transport  
T14 - Parking  
ENV2 - Landscape Conservation  
ENV3 - Biodiversity and Earth Heritage  
ENV7 - Quality in the Built Environment  
ENG1 - Carbon Dioxide Emissions and Energy Performance  
WM6 - Waste Management in Development

## **Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)**

### **Bedfordshire Structure Plan 2011**

25 - Infrastructure

### **South Bedfordshire Local Plan Review Policies**

BE8 - Design Considerations  
T10 - Parking - New Development  
T11 - Contributions - Alt Parking  
H1 - Provision for Housing  
H3 - Local Housing Needs  
R10 - Play Area Standards  
R11 - New Urban Open Space

### **Supplementary Planning Guidance**

Land at Skimpot Road, Dunstable Development Brief 2003

### **Local constraints**

Luton to Dunstable disused railway CWS adjacent to the site.

### **Planning History**

None on current site, which was land within the railway boundary fence since c1860.

Main permissions of Phase 1:

SB/TP/03/0433 Outline permission for residential development - Phase 1  
SB/ARM/05/0306 Approval of reserved matters for residential development of 110 units, car parking and landscaping.

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

Dunstable Town  
Council (29/4/09)

Object due to the designs being out of character with the surrounding area.

Neighbours

Objections from 276, 282, 284 (2 letters from different residents), 286, 288, 290, 292 Jeansway; 57 Evelyn Road -

- would lose accesses (believed to be up to 45 years old) from the bottom of several gardens, across site, and across railway / which enables dog to be exercised and permanently affects quality of life / other local people use path through site
- loss of an informal allotment on the site
- would like trees adjacent to fence to remain
- loss of growing conditions at rear of gardens through shadow
- incorrect statement that there are no trees or hedges on the site
- development would overshadow summerhouse/prevent sun shining on conservatory and rear windows/loss of light contrary to E+W Prescription Act 1832 as amended 1959
- disturbance by noise, fumes, radios on garden (and summerhouse) and light pollution including during construction

- loss of privacy to house (especially where there is a glazed conservatory) and garden
- why build on green-field rather than brownfield site?
- bank voles and slowworms have lived in the site and clearance could cause death or injury to reptiles / disregard for wildlife on site / much clearance has already taken place/bats frequent area and use site trees
- proposal has affected family and community
- together with the Tesco development, there will be too much activity for too long
- CWS boundary inconsistent
- inadequate environmental certificate/environmental reports need checking
- loss of direct aspect to Down, made worse by upper floor terraces
- town houses should be in a town - even the low pitch roofs have too great an impact
- solar panels facing houses would cause glare
- an archaeological survey should be undertaken
- risk of flash flooding
- appearance of houses not in keeping with existing local properties / materials cheap / eyesore from the Down
- thought has only been given to lining pockets of developer by maximum site usage
- no thought into infrastructure
- extra vehicle pressure on Skimpot Road roundabout
- urges extension of publicity to users of the Down.

### **Consultations/Publicity responses**

Public Protection  
(1/4/09, 19/5/09)

Contamination: Requires imposition of conditions and informatives. Noise from Busway: Recommends condition to secure noise attenuation measures within the buildings. Thermal double glazing should be sufficient and windows need not be fixed closed.

Landscape Officer  
(20/4/09)

There are no trees of any merit on the site. The busway site and its vegetation should be protected during construction. Evidence of Japanese Knotweed which falls within the Environmental Protection Act 1990.

Waste Strategy, Policy and Performance  
(28/4/09)

Appropriate access must be available from the rear to ensure that containers can be located at the boundary on collection day. A site waste audit should be submitted with the full application and a site waste management plan in accordance with the regulations will be required upon appointment of the primary contractor.

Environment Agency  
(15/4/09)

Permission should only be granted with the imposition of specified conditions. These cover potential contamination of the ground.

- CBC Drainage Engineer (23/4/09) Potential for serious flash flooding from Down. Development should show how this would be mitigated in view of new surfaces.
- Natural England (9/4/09) Designated sites: Proposals are unlikely to have any significant impact on the special interest features of the SSSI. Satisfied that there will be no adverse effect on the AONB or on people's enjoyment of it from within or outside the site.  
Legally protected species: No objection provided the recommendations of the Protected Species Survey Report are followed up.  
Enhancements: Support the indication that commuted sums will be provided for off-site open space through a S106 Agreement and the potential for SUDs within the development. Landscaping should include planting with native species of local provenance, taking account of, and feeding into, the Route Biodiversity Action Plan for the busway.
- Wildlife Trust (2/4/09, 23/7/09) The Trust owns and manages Blow's Down Nature Reserve (CWS and SSSI), which is the suggested open space for this development and the benefits of which are repeatedly mentioned in the Design and Access Statement. Due to its urban edge it requires additional management to mitigate for the high visitor pressure it receives (eg removing rubbish, closely monitoring livestock and maintaining damaged fences). The proposal will increase visitor pressure and therefore welcomes intended contributions and encourages a proportion to be dedicated to enhancing and maintaining Blow's Down. A figure of £1000 per dwelling is suggested which would go towards: access improvements, maintenance and enhancement of site infrastructure for a period of 10 years; site monitoring to evaluate changes to special features or the site's integrity; responding to the results of monitoring and evaluation to manage the grassland habitats, ensuring that they are preserved and enhanced.
- Highways Officer (29/4/09, 17/12/09) Can accept number of proposed parking spaces but the visitor spaces at either end would tend to encourage parking and a degree of obstruction along the access. The entrance to the car ports would be narrow causing people to load and unload on the access, and would also give inadequate visibility splays. Some may attempt to park a second car, thus overhanging the access. It is not clear what type of access is being proposed and more work is needed to demonstrate that appropriate standards are complied with. Footway/service margin does not extend all the way round turning head and to all dwellings meaning that pedestrians would step into carriageway and leading to maintenance liability. The alignment of the road is too straight and would lead to excessive speeds. Unadoptable and therefore contrary to policy. Plans for cycle storage are not fully considered. If permission is granted conditions

<p>Archaeological Officer (15/09/09, 18/9/09, 22/9/09, 25/9/09)</p>	<p>should be imposed and a contribution towards sustainable transport (about £1450 per dwelling) sought.</p> <p>Site lies within an archaeologically sensitive area, crossing the Icknield Way and being adjacent to 2 areas of later prehistoric and Roman settlement. It is likely that deposits of prehistoric, Roman and Saxon periods will survive. The proposal would have a negative and irreversible impact on such deposits. This does not provide an overriding constraint provided adequate provision is made for investigation and recording. Therefore requests condition T3.</p>
<p>Luton BC Busway Officer (30/3/09)</p>	<p>Will not accommodate an at-grade pedestrian crossing from the site to the Down as this will have significant operational impact on the busway. A crossing has been provided from Jeansway further to the west. The development should be noise modelled and suitable noise attenuation barriers provided prior to the busway project. This would negate future compensation claims. The busway will provide considerable benefits to the site and a financial contribution should be made.</p>
<p>Rights of Way Officer (14/4/09)</p>	<p>Assumes that the busway will provide an west-east cycleway to supplement the present footpath south of the railway. Supports developer contributions for open space and Blow's Down.</p>
<p>School places Officer (11/12/09)</p>	<p>This response sets out the up to date position with developer contributions, given that previous correspondence was complicated by differing numbers of proposed dwellings.</p>
<p>Affordable Housing (31/7/09)</p>	<p>Does not agree with conclusions drawn from HCEAT model. On the basis of the Development Brief, 2 houses should be provided either in full or in cash equivalent.</p>
<p>Play and Open Space Officer (12/5/09, 17/9/09)</p>	<p>A contribution towards the Wildlife Trust management of Blows Down would be suitable in lieu of on-site open space.</p>
<p>Police ALO (30/3/09)</p>	<p>No mention of community safety. Asks for more details on lighting, boundary treatments and Secured by Design compliance in relation to the houses.</p>

## **Determining Issues**

The main considerations of the application are;

1. Whether the proposal satisfies the requirements of the Development Brief.
2. Biodiversity and impact on AONB.
3. Design and relationship with Jeansway properties and the character of the area.
4. Other.

## Considerations

### 1. Whether the proposal satisfies the requirements of the Development Brief.

Most of the site is within the area allocated in the Local Plan for residential development and this allocation is a highly material consideration. Although not 'previously developed' according to PPS3, it is considered to be 'vacant land within urban areas' and thus of the first rank in the Local Plan development strategy. Otherwise it would be 2nd rank because it was allocated in the previous Local Plan. Site 2 within Policy H2 (which includes the now completed Kiln Way development area) is considered suitable for a medium/high density scheme and sets out a target figure of 100 dwellings on 1.86ha. Its proximity to the busway makes full car parking standards unnecessary and contributions would be expected towards recreation/leisure facilities. The Brief was produced in 2003 and is a material consideration except where it can be shown that its content is materially at odds with current national and Regional policy. The following are still relevant and worthy of particular note, with our comment in relation to the current proposal:

- It was recognised that the site would be delivered in 2 phases with a single access. The proposal extends the present estate road from phase 1. Requirement satisfied.
- Developer contributions towards public transport in lieu of full parking provision. Parking rate is 1.7 spaces per dwelling, which is higher than the requirement (and provision in phase 1) of 1.2 to one. Applicant not able to provide contribution. Requirement not satisfied.
- Safe and efficient internal circulation. Highway Authority not satisfied with highway arrangement and internal visibility. Requirement not satisfied.
- Landscape assessment will be required to determine the effect also on the wider landscape. An assessment is provided. Requirement satisfied.
- Housing total in excess of 75 units over both phases subject to design with 33% 1/2 person units. A total of 110 (mainly 2-bed) units was provided in phase 1 making the density for that phase 77.5dpha. The current application proposes 40dpha which we consider acceptable subject to design. The high proportion of 2-bed units on phase 1 would compensate for the lack of such units on this smaller phase. Requirement satisfied.
- Each phase should make a contribution of 25% affordable housing (par.2.6). PPS3 now sets the threshold for affordable housing at 15 units, and since the proposal is for below this number the applicant proposes none notwithstanding the Brief, and in view of viability issues. Discussions were ongoing as to a balance of developer contributions and affordable housing when the appeal was lodged against non-determination. Requirement not satisfied.
- Provision of facilities for open space and play or equivalent developer contributions, together with retention of existing footpath in phase 2 and a new crossing of the busway. The applicant proposes to make a contribution which, with the agreement of Natural England and the Wildlife Trust, would be used for the management of Blows Down CWS. The busway project now opposes an at-grade crossing, notwithstanding the reference on the plan within the Brief. We have to accept this as the advantage for a busway is significantly reduced if buses have repeatedly to slow right down to pass unprotected crossings. We note residents' claims of long use, and the popularity of this route to the Down, but even if the busway response had not been made, we are not in a position to determine if the routes had become legal rights of way and we cannot take their existence into account. Requirement deemed satisfied.

- Education contributions. Initially none required but, under new assessment, a sum is required. Discussions were ongoing as to balance of developer contributions at the time the appeal was lodged. Therefore requirement not satisfied.
- Transport assessment. Limitations on the capacity of the junction between the estate road and Skimpot Road (which is the responsibility of Luton BC as highway authority) meant limitations on the scale of development. Highway Officer satisfied with scale of development on access (meeting 12/5/09). Requirement satisfied.
- Frontage development. The proposal has full frontage development and it complies with the indicative layout. Requirement satisfied.
- Drainage should be to Skimpot Road sewer (foul) and soakaways (if found practicable) and SUDs are favoured by the Environment Agency. Condition to be imposed to ensure satisfactory surface water scheme in the event of rare rainfall event. Requirement satisfied.
- Noise should not be a problem this far into the allocated land area but an assessment is recommended. The busway project ask for a noise assessment to reduce the risk of claims against Luton Council by aggrieved future residents; the proposed acoustic fence is calculated only to protect Jeansway properties. With the advice of the Public Protection officer we consider that a condition relating to construction details is sufficient We do not consider the noise from buses to justify an indemnity scheme such as is proposed by the Busway project officer. Requirement satisfied.
- Urban design. This is considered separately below.

## **2. Biodiversity and impact on AONB**

The site is adjacent to the Luton to Dunstable Railway CWS and Blows Down SSSI commences on the far side of the railway. A Phase 1 Habitat Survey is required by the Development Brief, together with any mitigation measures. This survey has been submitted and, with no evidence of badger activity, no suitable features for roosting bats, and sub-optimal habitats for dormice and reptiles, it would be sufficient for appropriate precautionary measures rather than constituting a material constraint on development. Natural England and The Wildlife Trust agree that there are no biodiversity impediments to the scheme provided proper care is taken (covered by relevant legislation) and the Trust reasonably seeks a developer contribution in view of likely use of the adjacent area of downland. The Play and Open Spaces Officer agrees with this arrangement.

Within the site there are no trees of significance, the origins being a shallow managed railway embankment and then pioneer scrub. The habitat survey also finds no plants which would inhibit clearance (mention clearance event). The survey similarly finds no constraints in terms of protected species.

The railway marks the boundary of the Chilterns AONB but the site lies outside its extent. Although Structure and Local Plan policies on the AONB are not saved, the brief requires regard to be had to its objectives which include the requirement that development outside the AONB shall not have an adverse effect on the character etc of the AONB. The proposal will sit in a changed relationship with the Down as the present soft edge will be replaced, in the short term, by a concrete double-width channel for the busway. In time this will soften slightly by landscaping but it will serve to define the edge of the urban area more than at present. The proposed housing will be on the urban side and its prominence (subject to materials) will register in between the urban blocks at phase 1 to the east and the suburban gardens at Jeansway to the west. From



the north, on Jeansway, the view towards the Down is already limited between the houses in Jeansway. The row of new housing would now remove all views towards the Down between the existing housing. Nevertheless, we do not consider this impact to harm the AONB. From further away the Down would still be dominant, the roofs being little higher than a single storey bus on the busway.

### **3. Design and relationship with Jeansway properties and the character of the area**

PPS1 requires planning authorities to seek high quality and inclusive design for all development which should improve the character and quality of the area; yet innovation and originality should not be stifled by the imposition of particular architectural styles or tastes. The Planning and Climate Change section states that authorities should only exceptionally deter cutting edge developments. PPS3 also advocates good design.

The Visual impact assessment addresses the relationship between the proposal and Jeansway properties. We agree that longer distance views towards the Down, over the top of Jeansway houses, would be substantially unimpaired by the proposal. However, by observation and calculation, ground level rooms and gardens of the houses backing onto the site would lose most of their direct views to the Down as the new roofline would be higher than the ridgeline of the Down, notwithstanding the effort to keep roof pitches to 5°. Although some of the gardens have mature landscaping and others have buildings, there would be a marked difference in outlook. Typically, the closest roofline of the new 2-storey houses would be about 9m above ground level at the rear of the Jeansway houses (7.5m above eye height). The distances between the 2 sets of houses (not allowing for rear extensions) would range from 42m (nos. 296/298), to 37m (no. 278).

The rear gardens of the proposed houses are between 6 and 8.5m deep. Although there is no local policy on garden depth, this is well below the general minimum of 9m applied locally over a period of many years. The development is relying on the length of Jeansway gardens to make the back-to-back distance acceptable. There appears to be a current reaction to the view that, if people are buying houses, the standards must be adequate. Irrespective of whether we could successfully make the restricted garden length objection, their limited size has a clearer impact. The combination of the relative height of the new houses (some being 3 storey), the complete blocking out of the outlook towards the Down, and the fact that many Jeansway houses have landscaping on their side boundaries, so channelling their outlook directly rearward towards the houses, and the closeness of the houses to the rear of Jeansway gardens, makes this an oppressive impact. Ongoing discussions at the time the appeal was lodged, and where a considerable degree of progress seemed to have been made, were aimed at breaking up this long wall of housing, increasing garden length and redesigning individual buildings.

The proposed houses would be on elevated land compared with the rear of the Jeansway gardens, and certainly compared with the ground floor of their houses. The design of the proposed houses seeks to address this by having sideways-on 'slits' for upper floor windows. Privacy should not therefore be an issue.

The character of the south-east side of Jeansway is of traditional semi-detached 2- storey houses in a standard suburban street but with long mature rear gardens. To the east the first phase of Kiln Way and the Tesco store behind it

have both been built in this traditional pattern of predominant red brick and hipped or ridge roofs. The proposed housing would have a busy frontage of projections and recesses employing brick, render and weatherboarding, capped by a low pitched metal roof. The rear elevation would have similar materials but, in view of the need to avoid overlooking, these materials are used in bolder blocks, giving a blind appearance at first floor level. This is in considerable contrast to traditional balances of wall and fenestration 'anchored' by a tiled roof. This modern design is considered to be too striking in its setting of traditional buildings and would provide the impression of deliberate confrontation rather than harmony. The incongruous use of metal roofs would be further seen from the publicly accessible Down just to the south. Therefore the design of the proposed houses pays insufficient regard to the character of the setting of the site and would be demonstrably incongruous.

The Development Brief required particular attention to (a) height and massing, (b) use of materials to ensure the character of the area is enhanced, (c) avoidance of uniformity, (d) attractive views into and out of site towards Down, (e) no loss of privacy and residential amenity to Jeansway properties (and maximum of 2 stories with main habitable rooms not facing towards the rear), (f) parking wherever possible to be within plots, (g) maximise energy efficiency by making use of natural light and solar gain, (h) use of local materials and building methods, (i) consideration of photovoltaics and solar panels. The proposal does not appropriately address matters a, b, d, e.

It should be noted that the objections to these designs do not make the prospect of a successful scheme unlikely, as discussions on a different approach have been progressing. Therefore the above objections can reasonably be made without compromising the objectives of the Development Brief or Development Plan site allocation.

#### **4. Other**

Access, from phase 1, would be adoptable.

The Archaeological Officer has asked for condition T3 which requires investigation and recording of any archaeological remains that may be affected.

Residents raise several points some of which are dealt with in their appropriate place above. Summarising: we accept that, for operational reasons, it would not be reasonable to insist on a busway crossing; the site is appropriate for development; Natural England is satisfied with the on-site precautions; we cannot take into account informal access across the site without evidence of legal right; we agree with the impact on Jeansway properties and the character of the area. Of the new matters: occasional informal use as an allotment must be considered by the new land owner and is not a planning matter; small trees and shrubs were removed to enable a survey of the site but, after inspection by Natural England, no material harm was found to have occurred; the summerhouse faces north and the development would not block light to its main windows; reliable CWS boundary excludes site; the environmental report does not aim to replace a full assessment which would be required in due course; solar panels would face south, not north, where they would be ineffective; the Archaeological Officer has been consulted; light pollution could be controlled by careful choice of luminaires for public lighting although admittedly there is no control over personal security lights, although they are less unlikely where gardens back onto existing gardens; whereas the Environment Agency has not objected and does not require a Flood Risk Assessment, the CBC Engineer

(Building Control) recommends a surface water condition to address potential extreme rainfall events; infrastructure relevant to this scale of development has been considered; trees near boundary may be kept by a condition requiring no further clearance until landscaping scheme approved; site notices have been posted on the footpath at the foot of the Down and in Kiln Way, which is considered adequate.

## **Conclusion**

The site is allocated in the Development Plan for residential development and a Development Brief has been compiled and approved. Phase 1 of the allocation has been completed and is occupied. This scheme would comprise phase 2. The scheme complies with most of the requirements of the Brief but the scale and design of the houses would be oppressive to the amenities of properties in Jeansway to the rear and out of character with the locality to the degree that harm would be caused. The proposed highway and access arrangements would not meet the standards required by the Highway Authority. The applicant is resisting a full developer contribution requirement (capital sums and affordable housing), partly on viability grounds but also on principle (affordable housing). Therefore a satisfactory S106 or Unilateral Undertaking is not forthcoming and sufficient community infrastructure would not be provided.

## **Recommendation: that permission be REFUSED**

### **RECOMMENDED REASONS**

1. The proposal, by reason of the intended location, scale, size and design of the houses and their relation to adjacent properties in Jeansway, would both appear out of character with its urban setting and have an overpowering and oppressive visual impact on those properties to the extent that material harm is caused to the amenities of the occupiers of those properties and to the character of the local area. The proposal would therefore be contrary to Policy ENV7 of the East of England Plan (the Regional Spatial Strategy) and Policy BE8 of the South Bedfordshire Local Plan Review.
2. The proposed access within the site would be unsatisfactory, by reason of the straightness and nature of the proposed access likely leading to excessive speeds, the lack of a safeguarded pedestrian/service route to some dwellings and the configuration of some private accesses leading to inadequate pedestrian/vehicle intervisibility. The proposal would therefore be contrary to Policy T8 of the East of England Plan.
3. Insufficient information is provided to conclude that the proposal would deliver appropriate community infrastructure including areas of affordable housing, education, green infrastructure, and sustainable travel, having regard to the Development Brief for the site. The proposal would therefore be contrary to Policy 25 of the Bedfordshire Structure Plan 2011 and Policy H4 of the South Bedfordshire Local Plan Review as amended by PPS3 in respect of the threshold figure in (i).