

**Item No. 9****SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>CB/11/00723/RM</b>
<b>LOCATION</b>	<b>Land At Houghton Quarry, Houghton Road, Dunstable</b>
<b>PROPOSAL</b>	<b>Reserved Matters following outline approval of planning permission SB/07/01448/OUT for erections of 113 dwellings with associated car parking, amenity space, landscaping, formation of new vehicular access to Houghton Road and drainage works.</b>
<b>PARISH</b>	<b>Houghton Regis</b>
<b>WARD</b>	<b>Houghton Hall</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Goodchild &amp; Jones</b>
<b>CASE OFFICER</b>	<b>Mr J Spurgeon</b>
<b>DATE REGISTERED</b>	<b>02 March 2011</b>
<b>EXPIRY DATE</b>	<b>01 June 2011</b>
<b>APPLICANT</b>	<b>Bovis Homes Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Unresolved objections by Houghton Regis Town Council</b>
<b>RECOMMENDED DECISION</b>	<b>Reserved Matters - Granted</b>

**Site Location:**

The site comprises 4.9ha (4.5ha excluding local roads) of land fronting the west side of Houghton Road between its junctions with Millers Way, to the north, and Mayer Way, to the south. The land was part of Houghton Quarry, a large chalk pit whose cliffs and terraces are now recolonising and have the designation variously as County Wildlife Site (CWS) and Site of Special Scientific Interest (SSSI). Although the site is part of the CWS, planning permission was granted for residential development because the eastern part of the pit was of poorer habitat quality and the scheme would deliver valuable funds towards maintenance of the remainder. The northern part of the site, below Millers Way, falls in stages westwards towards the internally-draining basin whereas the southern part falls sharply towards a deep lake, used for fishing. The north and east boundaries are marked by tree buffers (save for a gap recently formed for the access) and the remainder of the southern part of the site has been cleared of vegetation. Part of the site comprises a long panhandle of land, undefined on the ground, extending west to an 'ephemeral lake' (seasonal lake) into which drainage would be piped.

**The Application:****CONTEXT OF OUTLINE PERMISSION**

This application seeks approval of the reserved matters pursuant to the Outline permission except that access details are again submitted in full. The reserved matters are therefore appearance, landscaping, layout, scale and access. Certain facts should be borne in mind:

- Amount: after amendments during the currency of this application the number now proposed is reduced from 140 dwellings maximum to 113 dwellings;
- Layout: the submission meets the broad template for the layout as set out in the S106 ('general accordancy' means generalised access, housing areas, buffers etc) and condition 22 (bring point);
- Scale: the submission meets the 'general accordancy' with parameters for height and other dimensions set out in the S106;
- Landscaping: the Design and Access Statement set broad principles to inform the detailed stages and conditions 7, 19 and 20 inform on details to be included;
- Appearance: a Design Code (see below) is included (condition 2) and details of materials have been submitted (condition 21); informative 6 recommended relating design to the local natural resource;
- Access: this application does not materially amend the main road access from that approved earlier, but includes minor accesses to Houghton Road and the layout within the site generally; condition 24 requires accessibility standards for disablement;
- The S106 required that the developer shall use all reasonable endeavours to acquire ownership of a triangle of third party land near Millers Way to make the layout more comprehensive - the land could not be acquired and the Council has accordingly discharged this requirement;
- Waste Audit (condition 4) is included in this application;
- Parking rates to satisfy condition 28.

Matters still to be subject to Discharge of Condition procedure [condition numbers in brackets]:

- Great Crested Newts scheme [5]
- Pollution Prevention and Control scheme [8]
- details of excavation, fill and capping, stabilisation [9]
- contamination studies [10, 12 - 14]
- full surface water details (including in pit) [11]
- landscape management plan (non-adopted, excluding gardens) [18]
- noise mitigation scheme [23]
- various highway and travel plan related matters [25 - 27]

## DESIGN CODE

As required by outline condition 2 the submitted Design Code is central to these reserved matters. It is a set of rules that seeks to promote a high level of design quality and controls the alignment of streets, built form and key open spaces that are being created, and draws influence from the CBC Design Guide and Dunstable in general.

## DETAILS OF THE SCHEME

**Ground form:** Sections demonstrate that the centre of the site would experience local increase or decrease in level by up to 3m, but the highest such level would not be above the height of Houghton Road. The highest roofs would tend to be no higher than the highest adjacent ground level in Millers Way.

**Framework:** The main axis of the scheme is the 'boulevard', a wide corridor extending west from the Townsend Farm Road junction and the reserved corridor for any future major road which may need to be built westwards towards the north Houghton Regis growth area. This is proposed to have a formal appearance and would be lined with 3 storey houses and flats, the majority of the open space being

landscaped. At its eastern end there would be a 'gateway' of a shaped block of flats to the north (next to Millers Way) and a crescent of town houses to the south. From a mid point on the boulevard the main estate road would run south, being supported by a new structure near the lake, to the new junction opposite Mayer Way passing through a secondary square and crossing side roads. Here, the housing would generally be 2 storey and in mews, terraced and small villa style. Open spaces and landscaped margins would enclose the layout, with substantial wooded buffers to the north and east. The public footpath across the site would return to its registered course except for a small deviation at the crescent. Parking, except for the block of flats which has a parking court, is generally on plot or in front of buildings thus creating a form of visual busyness. Buildings have been linked across space with screen walls and trellis and the range of materials include a modern equivalent of 'Luton Grey' brick. It is proposed to provide close boarded fences against the tree buffers and facing Millers Way. The lake would be overlooked by an 'amphitheatre park' equipped with creative play equipment and in turn overlooked by houses elevated in more traditional waterside styles and materials. Metal railings would border the 'amphitheatre' area and metal park railings the CWS boundary.

Accommodation: The 113 dwellings would break down to: 2 x 1-bed flat, 22 x 2-bed flat, 47 x 3-bed house, 26 x 4-bed house, 6 x 5-bed house. The Affordable Housing provision (11 units) is located in the first cul-de-sac.

## **RELEVANT POLICIES:**

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

PPS1 - Delivering Sustainable Development; PPS9 - Biodiversity and Geological Conservation; PPS10 - Planning for Sustainable Waste Management; PPG13 - Transport; PPG14 - Development on unstable land; PPG17 - Planning for Open Space, Sport & Recreation; PPS22 - Renewable energy. Includes a companion guide; PPS23 - Planning and Pollution Control; PPG24 - Planning & Noise; PPS25 - Development and Flood Risk

### **Regional Spatial Strategy**

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

T8 Local Roads

ENV7 Quality in the Built Environment

ENV3 Biodiversity and Earth Heritage

ENG1 Carbon Dioxide Emissions and Energy Performance

WAT3 Integrated Water Management

WAT4 Flood Risk Management

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

BE8 Design and environmental considerations

T10 Parking - New Development

R10 Play Area Standards

R15 Rights of Way Network

### **Supplementary Planning Guidance**

Design in Central Bedfordshire - Guide for development

### **Planning History**

SB/07/01448/OUT      Erection of up to 140 dwellings with associated car parking,

amenity space and landscaping, formation of new vehicular access to Houghton Road and drainage works (Outline).

**Representations:  
(Parish & Neighbours)**

Houghton Regis Town  
Council (23/3/11)

Object. The following concerns do not appear to have been met:

1. It was understood that CBC had a policy whereby proposed housing development had to go through a design guide to avoid houses looking like "boxes". It would appear from the plans that this has not happened.
2. There were doubts that not enough parking space had been allocated for the number of houses proposed.
3. There did not appear to be any indication of how much S106 money would be coming from the development and no attempt by the applicant to liaise with the Town Council over what such money might be used for to benefit the community.
4. How many of the proposed homes would be affordable housing?
5. Would any perimeter footpaths be linked up to existing paths?
6. Had consideration been given to erecting some form of barrier to prevent access to the quarry from the development site?
7. The sensibility of creating decorative amenity land along the line of the potential access road to the Woodside Estate, before it is finally determined if this land would be used for that purpose, was questioned.

Dunstable Town  
Council (16/3/11)

No objection.

Neighbours

No comments received.

**Consultations/Publicity responses**

Highways Agency  
(8/3/11)

No objection.

Highways Officer

Comments will be reported at the Meeting.

Rights of Way Officer  
(23/3/11, 28/3/11,  
7/4/11)

- Legal line of FP1 obstructed by landscaping and railings. Diversion will delay by perhaps a year and may not be successful (need to show that diversion is necessary to enable development to be carried out). Legal line must be kept open until Order confirmed and developer should start this process as soon as Approval is granted.
- Highway officers should ensure that the Street is suitable to accommodate pedestrians and cyclists.

	<ul style="list-style-type: none"> <li>• Planting alongside foot/cycleways must not cause future maintenance problems.</li> <li>• Public footpath to be kept open at all times except for temporary closures on health and safety grounds.</li> </ul>
Tree Officer (16/3/11, 22/3/11)	2 trees near existing course of FP9 suitable for retention and reshaping. With so much riding on plan interpretation the symbols used in key and plan of the constraints drawings should be the same.
Landscape Officer (28/3/11, 5/5/11)	<p>Landscape scheme is very thorough and has a high proportion of native species, which is important next to a SSSI and CWS. Scheme approved in principle but requests further amendments as insufficient space is provided between housing and the quarry edge to achieve a suitably sympathetic integration between the sites:</p> <ul style="list-style-type: none"> <li>• While a native hedge is appropriate, this has insufficient room to grow and will present management problems in future. Suggest a single species,</li> <li>• Various comments on use of certain species on site and opportunities for features,</li> <li>• Requests some larger standard trees on site,</li> <li>• Details of buffer areas needed,</li> <li>• How will various areas be managed?</li> </ul>
Environment Agency (17/3/11)	No comments.
Thames Water (21/3/11)	No build-over agreements required.
Environmental Health Officer (24/3/11)	No further comments.
Open Space and Leisure Officer (24/3/11)	<ul style="list-style-type: none"> <li>• Trees in open spaces for adoption - no objections to retention of T20 and T22 and removal of remainder.</li> <li>• Play areas - needs to be some form of mound/planting separation between LEAP and LAP areas; some equipment does not meet S106 requirements and looks too artificial.</li> <li>• CBC would not wish to adopt the open spaces, which should be offered to HRTC or a management company.</li> </ul>
Wildlife Trust (29/3/11)	Support comments from the Landscape Officer. It is vital that landscaping is sympathetic to the important adjacent site for biodiversity and countryside beyond. The first submitted scheme contained few native species and should be dominated by native plants, locally sourced, which reflect the surrounding chalk communities in the quarry and along the chalk escarpments. Particular care

should be taken to avoid inappropriate or ornamental species that could spread or seed into the CWS. The S106 requires that an Ecological Management Plan for the CWS needs to have been produced before development commences and this should be started as soon as possible to avoid delays.

Natural England  
(29/3/11)

Does not wish to comment in detail but wishes to be consulted on discharge of outline permission conditions 5, 6, 11, 19; also wished to be consulted on alterations to this application. Supports responses of Wildlife Trust and Landscape Officer that planting should be of native species of local provenance.

Waste Services (4/5/11)

Amendments needed to collection points. Recommends informative to ensure that bin collection points are of sufficient exact size.

Strategic Housing  
(5/5/11)

It is likely that funding has not been available from the H&CA and therefore 10% provision 11 units should be provided. It is agreed between the parties that a 65:35 mix in favour of rent is acceptable.

Accessibility Officer  
(14/3/11)

No comments with regard to disabled access.

Police ALO (31/3/11)

Far from ideal from a community safety perspective and conflicts with police/planner guidance. However, accepts that the site has various constraints and the layout is consistent with that previously discussed.

## **Determining Issues**

The main considerations of the application are;

1. Conformity with outline permission
2. Movement corridors and links
3. Built environment
4. Open space and landscaping
5. Conclusion and sense of place
6. Objections and outstanding matters.

## **Considerations**

### **1. Conformity with outline permission**

It will be seen under 'Context of outline application' above that this submission substantially agrees with the outline permission and parameters.

The layout of the Reserved Matters (RM) is in conformity with the template for layout. This means that the general form of the layout is fixed and may not be revisited. The number of dwellings proposed is within the scope of the outline permission and their heights in general accordance with the parameter plan. A Design Code has been submitted and the design has been tested against the

requirement for appropriate relationship with the quarry as a landscape, natural history and historical resource. A Waste Audit has been submitted and a bring site included. The drawings include room for a foot/cycleway to Houghton Road and, compliant with the S106 Agreement, the RMs do not include the thin wedge of land ('third party land') next to the Townsend junction, as negotiations to acquire this land failed. Play area details would be submitted further to the S106 schedule of requirements. The required proportion of affordable housing is shown.

The remaining sections below consider the details of the RMs within this framework. Certain matters remain to be considered and settled through conditions and S106 Schedules at the appropriate time. It is not necessary to wait on these matters before determining this application.

## **2. Movement corridors and links**

The layout retains the main junction opposite Mayer Way and footpath links at either end of footpath FP1, which featured on the parameter plan. This is now joined by a more direct pedestrian link to Houghton Road from dwellings north of the Boulevard. The development would be well connected. There is also flexibility in the unlikely event that a footpath diversion order could not be obtained to deviate slightly between the two halves of the Crescent. FP1 would be upgraded to take cycles. This upgrade would also be well placed to connect to future upgrading south-westwards towards the A5 at French's Avenue (not within the scope of this development). It is almost certain that the Woodside Connection will not go through the site (a planning application being likely for the eastern alignment at the end of 2011 at the earliest) but use of the corridor for future access to the North Houghton Regis urban extension (draft Core Strategy) is not ruled out. The proposed interim use of the Boulevard as open space remains therefore justified.

## **3. Built environment**

The overall design would provide a distinctive development ranging from the formal boulevard, with its general unity of house type and materials overlooking a very practical greenspace, through mews types on shared surfaces, to informal detached houses facing the lake. There are few obvious architectural exemplars in the immediate vicinity so the overall range of designs include the variety found in the centre of local towns and villages. The use of a brick to reflect Luton Greys in the boulevard would further link with the locality. Parking would be partly in laybys onstreet to retain an active streetscape. The development would relate appropriately to the quarry and safeguard its natural history status.

The submitted Waste Audit proposes to recycle plasterboard, concrete brick block waste to form fill/sub formation.

## **4. Open space and landscaping**

The open spaces are generally satisfactory subject to detailed landscaping and provision of play equipment; an update on the latter will be given in the Late Sheet.

In ongoing discussions the landscaping principles are becoming more settled, with a high proportion of native species, and final drawings should be available by the Meeting; we will update on the Late Sheet. All landscaped areas outside

the curtilage of dwellinghouses and areas adopted by a Local Authority, are subject to a Landscape Management Plan, which shall be approved by the Council before development commences (outline condition 18). We would remind the applicant by informative.

## **5. Conclusion and sense of place**

The overall reserved matters show that a good standard of development can be achieved and that there would be a distinct sense of place. Particular unique features of the scheme would be the dignified boulevard and crescent, panorama over the quarry, and lakeside location on entering the site from the south. Materials would reflect local styles but also offer variety. The open spaces would be attractively arranged and the development would enjoy a degree of identity afforded by the perimeter landscaped buffers while being well linked to local road and path corridors.

## **6. Objections and outstanding matters**

Houghton Regis Town Council has made several objections which are here addressed.

1. Concern is expressed that the dwellings look like 'boxes'. There have been extensive discussions on design and it is considered that the scheme strikes a right balance between key streetscapes where the grouped effect is important and the need to provide practical individual internal layouts. There are 21 house types and variations within some of them; a good variety of design has been offered and they have been grouped imaginatively. The waterfront offers scope for detached houses rather than a high density flatted scheme, which some other waterfronts feature and which would be entirely out of scale on this urban edge.
2. A total of 269 parking spaces has been provided for 113 dwellings, an overall provision of 2.4 spaces per dwelling.
3. The S106 monies will be received by this Council and allocated where appropriate by the relevant Service. This is not a Reserved Matters issue.
4. 11 dwellings would be affordable, being the proportion set by the S106 in the event that no grant be forthcoming from the H&CA. This figure also took into account challenges to the viability of the development, and the scheme may not have gone ahead to deliver much needed housing if a higher figure had been set.
5. There are proposed path links to the public footpath to French's Avenue, to Houghton Road at Mayer Way and in 2 places opposite Townsend Farm Road. Other links were considered impracticable because of excessive gradients or land ownership at outline stage.
6. There would be a permanent barrier fence to the quarry, which may be designed through a local competition. In the interim there would be a security fence (outline condition 19).
7. It is increasingly unlikely that the Woodside Link would pass through the site. However, it is still possible that a road may be needed through the site to serve the growth area to the north of Houghton Regis. In the meantime it makes sense to put this land to an attractive purpose at no cost to the local authorities.

The recommendation below is made subject to the receipt of

- (a) satisfactory comments from the Highways Officer
- (b) a final landscaping scheme acceptable to the Landscape Officer



- (c) play equipment acceptable to the Leisure and Open Space Officer
  - (d) minor amendments to waste collection facilities.
- We anticipate no difficulty in these matters being settled by the time of the Meeting.

## Recommendation

That the Reserved Matters be APPROVED subject to the following:

- 1 This approval relates only to the details shown on the following drawings and submitted documents or to any subsequent appropriately endorsed revised plan:

(a) 6626\_2\_1, 6626\_2\_2, 6626\_1\_1, 6626\_1\_2, LPUK5037;

(b) All of the following are prefixed "HOUG/02":  
105, 100D, 104A (sheets 1 and 2), 101B, 121, 200B;

(c) All of the following are prefixed "HOUG-03" or Houg-03":  
100A, 101A, 102A, 103A, 104A (3 sheets), 105A;

(d) All of the following are prefixed "HOUG-5":  
500, 501, 700, 600A, 601A, 603A.;

(e) Site Waste Management Plan, Tensartech GreensSlope system, Play equipment specifications;

(f) Housing details, all prefixed "HOUG/":

Type A - 01/AF17B and 02/AF17B;

Type A2 - 01/AF09A and 02/AF09A;

Type B - 01/A208B;

Type C - 01/AF05 2A vt C, 02/AF05 2A vt A, 03/AF05 2A vt;

Type D - 01/A357A;

Type F - 01/A344.3A and 02/A344.1B;

Type G - 01/A437A;

Type H - 01/A356B;

Type i - 01/A463;

Type J - 01/C3002A;

Type K - 01/A431 and 02/A431A;

Type L - 01/A436;

Type M - 01/A457A A;

Type N - 01/A551;

Type N 3ST - 01/A551VT;

Type O - 01/A336A;

Type S1 - 01/AF10A;

Type S2 - 01/AF17B and 02/AF17B;

Type S3 - 01/S351;

Type S4 - 01/S461;

Various related drawings - HOUG-02-BS1 and BS2, HOUG-02-CS1A and CS2, HOUG-AGS2 01, HOUG-02-300, HOUG/02/120, 102A and 103A.

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

- 2 Notwithstanding the provisions of Part 25 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 as amended no microwave antenna shall be installed on the buildings comprising units 98 - 115 save such as may be approved in writing beforehand by the Local Planning Authority.

Reason: To safeguard the appearance of this prominent building and to encourage the use of communal antennae.  
(Policies ENV7 RSS, BE8 SBLPR).

- 3 The obscure glazing in the rooflights indicated on drawing HOUG/03/AF05 2A vt shall be fully installed before such dwellings are first occupied and thereafter the rooflights remain obscured.

Reason: To safeguard the amenities of plots 55 and 56 from any intrusive intervisibility which may arise with plot 42.  
(Policies ENV7 RSS, BE8 SBLPR).

- 4 **Construction shall not commence on any residential unit except in exact accordance with a plan of finished ground floor heights related to datum within or close to the site which shall be submitted to and approved in writing by the Local Planning Authority.**

**Reason: The submitted drawings do not provide sufficient detail to confirm that buildings will relate satisfactorily to each other and off-site levels and buildings.  
(Policies ENV7 RSS, BE8 SBLPR).**

- 5 Further to conditions 2 and 19 of Outline planning permission SB/TP/07/1448 dated 20th October 2010 and to drawings submitted with this application for approval of Reserved Matters, details remain to be submitted and approved of the permanent western boundary fence between the point where the public footpath no.1 meets the site boundary and the north-west corner of the main site (ie. excluding the corridor used to construct the SUDS). Such fence as may be approved by the Local Planning Authority shall be fully installed within 6 months of the occupation of the first dwelling on the site or such other period as may be agreed in writing by that Authority.

Reason: To ensure timely provision of this important practical and artistic feature.  
(Policies ENV7 RSS, BE8 SBLPR).

### **Reasons for Granting**

The submission substantially conforms to the requirements set out in the outline permission and would provide a distinctive development of both formal and informal elements taking advantage of outlooks towards the quarry and lake. The access and links would be satisfactory and parking provision should enable the layout to function well. The proposal would possess a clear sense of place, the design relating well to its setting.

## Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

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

T8 Local roads

ENV7 Quality in the built environment

ENV3 Biodiversity and earth heritage

ENG1 Carbon dioxide emissions and energy performance

WAT1 Integrated water management

WAT4 Flood risk management

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

BE8 Design and environmental considerations

T10 Parking - new development

R10 Play area standards

R15 Rights of way network

3. 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.
4. The legal line of Public Footpath no. 1, which crosses the site, shall be kept open at all times during site development and vehicles or materials should not be left on or near the path so as to cause an obstruction or hazard to users at any time. If this is not possible on health or safety grounds the developer should apply to the Council for a temporary closure/diversion of the public footpath. The developer is advised to commence discussions and legal processes in respect of the path as soon as possible. Contact (in the first instance): Michelle Flynn, Rights of Way Officer (Central South), Central Bedfordshire Council.
5. The developer is advised that the Landscape Management Plan, required by reason of condition 18 of the Outline planning permission, would extend to cover any proposed public open spaces not adopted by a Local Authority as well as the grounds of flats and the 'retained wooded buffers' as shown on the parameter plan. The Plan may reasonably embrace the landscaping scheme and planting details hereby approved but will also need to include

reinforcing the retained wooded buffers. Contact: Alison Myers, Landscape Officer, Central Bedfordshire Council.

- 6. The developer is advised to ensure that the precise size of bin collection points is such as will enable each dwelling to store two bins on collection day. Contact: Andrew McWha, Waste Services Planning Liaison Officer, Central Bedfordshire Council.
  
- 7. The Wildlife Trust advise early start on the Ecological Management Plan (EMP) (outline planning permission S106 Agreement). The Agreement sets a timescale which requires advance notice to the Council of the first Ecology Contribution before submission of the EMP which has not yet been given. Contact: Katharine Banham, The Wildlife Trust.

**DECISION**

.....

.....