

Item No. 7**SCHEDULE A**

APPLICATION NUMBER	CB/09/06431/OUT
LOCATION	Land at Frenchs Avenue and Hillcroft/Weatherby Dunstable and Land to the west of Hillcroft including Maidenbower (Houghton Regis Ward), Bedfordshire
PROPOSAL	Erection of 650 dwellings, small scale neighbourhood facilities, public open space area, access and utilities infrastructure (outline).
PARISHES	Houghton Regis, Dunstable
WARDS	Houghton Hall and Dunstable - Northfields
WARD COUNCILLORS	Cllrs Mrs Goodchild, Jones, Mrs Green, Murray
CASE OFFICER	Mr J Spurgeon
DATE REGISTERED	30 October 2009
EXPIRY DATE	29 January 2010
APPLICANT	Trenport Investments Ltd & Cemex
AGENT	David Lock Associates Ltd
REASON FOR COMMITTEE TO DETERMINE	The Chairman and Assistant Director Planning consider it prudent to refer the application to DMC in the grounds of exceptional public interest.
RECOMMENDED DECISION	Outline Application - Refused

Recommendation

That Planning Permission be REFUSED for the following reasons:

- 1 The site lies within the South Bedfordshire Green Belt, where, having regard to Planning Policy Guidance 2: Green Belts, permission will not be granted except in very special circumstances for development for purposes other than agriculture and forestry, mineral working, small scale facilities for outdoor sport and outdoor recreation or other uses appropriate to a rural area which preserve the openness of the Green Belt. The proposal would comprise inappropriate development which is by definition harmful to the Green Belt. Harm by reason of inappropriateness and other harm caused to the openness and purposes of the Green Belt is not outweighed by any benefit so as to amount to very special circumstances justifying an exception to Green Belt policy. The proposal thus conflicts with national policy as set out in PPG2, Policy SS7 of the East of England Plan and planning guidance contained in Policies CS1, CS4 of the Luton and southern Central Bedfordshire Joint Core Strategy.
- 2 The proposed development, by reason of its scale, would be prejudicial to the proper consideration of strategic sites and growth options through the Central Bedfordshire Development Strategy, contrary to the principles contained in national guidance in Planning System:General principles
- 3 The proposed development would clearly encroach upon, and have a

negative, irreversible and detrimental impact on, the setting of 'Maiden Bower', a particularly rare and nationally important Scheduled Ancient Monument, so as to prejudice the relevant characteristic of apparent isolation and relationship with other important historic sites; would physically affect archaeology in the eastern field beyond the SAM, and would likely give rise to physical pressure on the SAM through general access. The mitigation measures proposed partly add to the harm and in any case do not justify the proposal. The public benefits claimed through the development are not considered to offset this harm. The proposal would therefore be contrary to national guidance as set out in PPS5, Policies ENV6 and ENV7 of the East of England Plan, Policy BE8 of the South Bedfordshire Local Plan Review and planning guidance contained in Policy CS9 of the Luton and southern Central Bedfordshire Joint Core Strategy.

- 4 The proposed development would extend the Dunstable urban area into the open countryside on land which is generally elevated above the surrounding area, would be conspicuous from significant parts of this area and would appear as an unacceptable visual intrusion into the landscape. The proposed planting areas would not be an effective screen to the built development for a considerable period of time, if at all, and, together with the proposed development generally, would not accord with the open local landscape character as identified in the South Bedfordshire Landscape Character Assessment (2009) and which is sensitive to change. Furthermore the proposal would encroach upon Maidenbower Scheduled Ancient Monument. The proposal would therefore conflict with national guidance as set out in PPS7, Policies ENV2 and ENV7 of the East of England Plan, BE8 of the South Bedfordshire Local Plan Review and planning guidance contained in policy CS9 of the Luton and southern Central Bedfordshire Joint Core Strategy.
- 5 The proposal would fail to deliver infrastructure, in the form of a reasonable and proportional developer contribution towards the costs of education in relation to the new affordable dwellings to be provided, thus being contrary to Policy 25 of the Bedfordshire Structure Plan 2011.
- 6 The proposal fails to demonstrate that it would make adequate provision for the increase in traffic that it would generate and is likely to lead to an increase in traffic congestion at a number of junctions within the Dunstable urban area and thereby cause an unreasonable degree of congestion and delay within the conurbation. The Proposal would therefore be contrary to National Guidance as set out in PPG3

NOTES

(1) In advance of the consideration of the application the Committee were advised of additional consultation and publicity responses subsequent to the despatch of the agenda as set out in the Late sheet Appended to these Minutes, including an additional 167 signatures to the petition referred to on page 22 of the agenda, a response from the CPRE.

The Committee were advised of issue of an appeal decision of considerable importance to this application (Appeal by Wainhomes (South West) Holdings Ltd on Land at Treverbyn Road, St Austell, Cornwall)

An additional reason for refusal was also proposed.

(2) In advance of the consideration of this application the Committee received representations made under the Public Participation Scheme.