

Item No. 19

APPLICATION NUMBER	CB/11/04171/OUT
LOCATION	Former Brogborough Sports and Social Club, Bedford Road, Brogborough, Bedford, MK43 0XY
PROPOSAL	Outline Application: development of site for up to 16 dwellings, alteration to vehicular access, new pedestrian access, associated engineering works, associated landscaping and car parking following demolition of existing buildings.
PARISH	Brogborough
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	
CASE OFFICER	Lisa Newlands
DATE REGISTERED	14 December 2011
EXPIRY DATE	14 March 2012
APPLICANT	O & H Properties Ltd
AGENT	David Lock Associates
REASON FOR COMMITTEE TO DETERMINE	Major Application - Departure from Local Plan
RECOMMENDED DECISION	Resolution to grant outline planning permission subject to S106 agreement

Site Location:

The application site is the former Sports and Social Club within the settlement envelope of Brogborough. The site is allocated as an important open space, however, it has been redundant for a number of years with the building now in a state of disrepair and the bowling green no longer in a suitable condition for use.

The bowling green area is screened by a number of large conifer trees and there is a significant level change between the site and the main road.

The Application:

Outline planning permission is sought for the demolition of the existing building and the erection of 16 dwellings, with all matters reserved except access.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPG's and PPS's have now been replaced by the National Planning Policy Framework (NPPF). The following sections of the NPPF are considered relevant to this application:

Section 1: Building a strong, competitive economy
Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes
Section 7: Requiring good design
Section 11: Conserving and enhancing the natural environment

Regional Spatial Strategy

East of England Plan (May 2008)

Core Strategy and Development Management Policies for Central Bedfordshire (North)

CS1: Development Strategy
CS2: Developer Contributions
CS4: Linking Communities - Accessibility and Transport
CS5: Providing Homes
CS7: Affordable Housing
CS14: High Quality Development
CS16: Landscape and Woodland
DM3: High Quality Development
DM4: Development Within and Beyond Settlement Envelopes
DM5: Important Open Space within Settlement Envelopes
DM10: Housing Mix

Supplementary Planning Guidance

Design in Central Bedfordshire - A guide for development
Planning Obligations Strategy

Planning History

None Relevant

Representations: (Parish & Neighbours)

Parish/Town Council	No objection to the application - The applicants engaged with the Parish Council prior to the submission of the application to discuss the proposal and the draft heads of terms. The Parish Council have commented on the draft heads of terms and these comments have been taken into account in determining the application.
Neighbours	2 letters of objection on the following grounds: <ul style="list-style-type: none">• Concerned about the fencing around the site as the surrounding land is mainly agricultural and used mainly for grazing animals;• Surface water run-off;• Parking needs to be carefully considered.

Consultations/Publicity responses

IDB		No objection subject to conditions
Public Protection		No objection
Affordable Housing Officer	Housing	No objection, the proposal reflects the Council's 35% affordable housing policy.
Sport England		The site does not affect a playing field, the consultation is therefore not statutory. The proposal would involve the loss of the former sports facility. The supporting information identifies that the site is redundant and that the bowling green has not been used or maintained since 1996 and has been damaged by rabbits. It is considered unlikely that the site would be capable of being reinstated to bowling green use without significant investment being made. The applicant has submitted further information showing that there is no demand within the area for this facility and that there is surplus capacity in surrounding facilities. This additional information has been considered by the Council's Play and Open Space Officer and is acceptable.
Play and Open Space Officer		Satisfied with the additional information provided in terms of demand and capacity within the surrounding area. Therefore, no objection to the application.
Highways		No objection subject to conditions

Determining Issues

The main considerations of the application are;

1. The Principle of Development
2. Layout and Design
3. Affordable Housing
4. Highways
5. Legal Agreement

Considerations

1. The Principle of Development

The National Planning Policy Framework (NPPF) has replaced the previous national planning guidance in terms of PPG's and PPS's. There is a presumption in favour of sustainable development, which requires planning permission to be approved where the proposal is in accordance with the local development plan.

The application site is within the settlement envelope of Brogborough, therefore the general principle of residential development is considered acceptable. Brogborough is identified as a small village in Policy CS1 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). Policy DM3 of the same document states that in small villages only infill residential development will be permitted.

The site is designated as an important open space, however, it has been redundant for a number of years and the facilities have been marketed for similar purposes without any interest. Policy DM5 of the Core Strategy and

Development Management Policies for Central Bedfordshire (North) states that the Council will protect designated open space within settlement envelopes by refusing planning permission where proposals would result in the loss of an important open space and this would have an unacceptable adverse impact on its value either in visual or functional terms. The policy expands further by stating that the redevelopment or partial redevelopment of an important open space would be considered acceptable if:

- The proposals would result in enhanced provision in functional terms;
- There are exceptional circumstances that would result in overall community benefit;
- There would be no adverse effect on the visual quality of the settlement.

The application site currently plays no role in terms of functional or visual open space. The site is screened by high conifers and the bowling green has not been used or maintained for a number of years. It is therefore considered that although this site has been designated an important open space, it is not fulfilling its purpose and has not been doing so for a number of years.

Given the current situation with the conifer screening and the redundant building needing considerable repair, it is considered that the redevelopment of the site would not have an adverse effect on the visual quality of the settlement, and in some part a sensitively designed scheme would improve the visual quality of this area.

It is therefore considered that as the site is within the settlement envelope and the proposal would not have an adverse effect on the visual quality of the settlement that the principle of residential development on this site would be acceptable. It is also considered that given the local policy stance that the proposed development would accord with the NPPF.

2. Layout and Design

The application is for outline consent with only access to be considered at this stage. However, as part of the planning process an illustrative layout has to be submitted with the application, in order to demonstrate that an acceptable scheme can be achieved on the site and the parameters considered.

An illustrative layout has been submitted showing a linear form of development with parking and landscaping to the front. The design of the scheme is such that there will be a mix of parking both on-plot and in the form of parking courts within the development. There is an acceptable level of parking, 38 spaces have been provided. This provides the appropriate number of spaces for each dwelling as set out in the Design Guide for Central Bedfordshire and 6 visitor spaces. There are also two refuse collection points provided, one for plots 1-5 and one for plots 12-16, with refuse collection achievable from individual plot boundaries for the remaining plots also in accordance with the Design Guide for Central Bedfordshire.

In terms of private amenity space, each dwelling has sufficient private amenity space, with the standards set out in the Design Guide of 50 square metres being achieved in all cases and on some plots exceeded.

Given the location of the site, there is no neighbouring residential development, the nearest residential development is opposite the site within Highfield Crescent. It is therefore not considered that the illustrative layout shown would result in any loss of residential amenity to surrounding properties. This would be considered more fully in terms of any reserved matters application. However, given the siting of the development and the characteristics of the surrounding area, it is considered that an acceptable development can be achieved on the site without any loss of residential amenity to surrounding properties.

3. Affordable Housing

Policy CS7 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) states that developments of 4 or more dwellings should provide 35% affordable housing.

The proposed development will provide 6 affordable housing units, and is therefore in accordance with the Council's policy in terms of 35% affordable housing. The provision of this affordable housing will be secured through the S106 Legal Agreement.

4. Highways

The application is for all matters reserved except access, therefore access needs to be given detailed consideration at this stage.

The Council's highway officer has commented on the application and considers that the proposed access and internal road network is considered acceptable. They are also satisfied with the garage and parking accommodation and turning areas. There is an existing access to the site from Bedford Road and this has also been taken into consideration in determining the application.

The proposed development will provide one entrance into the site from Bedford Road, with footpaths to be provided in front of the development site.

In terms of the pedestrian connectivity of the site with Brogborough, a financial contribution has been secured within the S106 for traffic calming/ speed reduction measures in Brogborough.

The proposed access is considered to be acceptable and in accordance with the Design Guide for Central Bedfordshire.

5. Legal Agreement

A draft S106 legal agreement has been submitted with the application and is in the process of being completed and signed by all parties. The legal agreement is considered to be acceptable and in accordance with the Planning Obligations Strategy Supplementary Planning Document and Policy CS2 of the Core Strategy and Development Management Policies for Central Bedfordshire (North).

The legal agreement secures the following contributions:

- 35% affordable housing;
- Financial contribution towards Education – Upper School only
- Financial contribution towards traffic/speed reduction measures in Brogborough;

- Financial contribution towards healthcare facilities;
- Financial contribution towards a Youth Shelter and enhanced exercise equipment for all;
- Financial contribution towards the Forest of Marston Vale;
- Financial contribution towards the provision of welcome packs;
- Financial contribution towards waste management;
- Financial contribution towards emergency services – policing.

The contributions secured are in accordance with the Planning Obligations Strategy Supplementary Planning Document.

Recommendation

That Planning Permission be granted subject to the following:

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Sections 92 (2) (b) and (4) of the Town and Country Planning Act 1990.

- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 (2) (a) and (4) of the Town and Country Planning Act 1990.

- 3 Approval of the details of:-

- (a) the layout of the building(s);
- (b) the scale of the building(s);
- (c) the appearance of the building(s);
- (d) the landscaping of the site;

(hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of all of the reserved matters referred to above shall be submitted in writing to the Local Planning Authority and the development shall be implemented as approved.

Reason: To enable the Local Planning Authority to exercise control over the said matters which are not particularised in the application for planning permission in accordance with Section 92 of the Town and Country Planning Act 1990 and Town and Country Planning (General Development Procedure) Order 1995.

- 4 Details of materials to be used for the external finishes of the development

hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 5 **Prior to the development hereby approved commencing on site details of the final ground and slab levels of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas.

- 6 **Details of surface water drainage for the site shall be submitted to and approved in writing by the Local Planning Authority before any work on the site commences. The drainage works shall be constructed in accordance with the approved plans before any part of the development is brought into use.**

Reason: To ensure that adequate surface water drainage is provided to prevent water pollution and flooding.

- 7 **A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied.**

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 8 **Bat boxes shall be installed on 4 of the dwellings hereby approved. Details of the bat boxes and dwellings they are to be sited on shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: In order to conserve the ecological interests on the site.

- 9 **Development shall not begin until details of the junction between the proposed estate road and the highway have been approved in writing by the Local Planning Authority and no building shall be occupied until that 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 the proposed estate road.

- 10 **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 90m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, 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 which is likely to use it.

- 11 Visibility splays shall be provided at all road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junction in the interest of road safety.

- 12 **Development shall not begin until the detailed plans and sections of the proposed road(s), including gradients and method of surface water disposal have been approved in writing by the Local Planning Authority and no building shall be occupied until the section of road which provides its 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.

- 13 No dwelling shall be occupied until all triangular vision splays are provided on each side of all the accesses on to the new road and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: 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.

- 14 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.

- 15 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to

ensure satisfactory parking of vehicles outside highway limits.
Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 16 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, 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.

- 17 The driveway length in front of the garages shall be at least 6.0m as measured from the garage doors to the highway boundary.

Reason: To ensure that parked vehicles do not adversely affect the safety and convenience of road users by overhanging the adjoining public highway.

- 18 If the proposed road is not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority before any building taking access from the road is occupied.

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety.

- 19 No development shall commence until wheel-cleaning facilities have been provided at all site exits in accordance with a scheme submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be installed and made operational before development commences and the Site Developer(s) shall ensure that all vehicles exiting the site use the approved wheel cleaning facilities. The wheel cleaning facilities shall be retained until the development has been substantially completed or until such time as the Local Planning Authority is satisfied that 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.

- 20 **No development shall commence until a scheme for the parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and**

thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 21 Details of bin storage/collection point shall be submitted to and approved by the Local Planning Authority. The bin storage/collection point shall be implemented in accordance with the approved details prior to the occupation of any dwelling.

Reason: In the interest of highway safety.

- 22 Development shall not begin until the detailed plans of the proposed highway lighting, using light emitting diodes (LED) within the development has been approved by the Local Planning Authority and no building shall be occupied until that lighting has been installed in accordance with the approved details.

Reason: To ensure that the proposed highways are adequately lit.

- 23 **Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

Reason: To ensure adequate off street parking during construction in the interests of road safety.

- 24 The access to the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 763-100 Rev C; 763-101 Rev A; 763-102 Rev B.

Reason: For the avoidance of doubt.

Reasons for Granting

The principle of development is considered acceptable and the illustrative layout submitted with the application demonstrates that an acceptable development can be achieved on the site that would be in accordance with the Core Strategy and Development Management Policies for Central Bedfordshire and the Design Guide for Central Bedfordshire. The detailed matters in relation to landscaping, design and layout would be considered fully at the reserved matters stage. In terms of the access which is to be considered within this application. The Highways Officer is satisfied with the proposed access and it is considered that the access would be in accordance with the guidance given in the Design Guide for Central Bedfordshire.

Whilst the proposed development would result in the loss of a designated important open space, it is considered that the site currently has no visual or functional use in terms of open space and that the proposed development would not have an adverse impact on the visual amenity of the area.

It is therefore considered that the proposed development is in conformity with Policies CS1;

CS2; CS4; CS7; CS14; DM3; DM4; DM5 and DM10 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). The proposal is further in conformity with Design in Central Bedfordshire: A guide for development Supplementary Planning Document and Planning Obligations Strategy Supplementary Planning Document.

Notes to Applicant

- 1. 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 Central Bedfordshire Council's Highway Help Desk, P.O. Box 1395, Bedford, MK42 5AN.
- 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 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 Planning and Control Group, Central Bedfordshire Council's Help Desk, P.O.Box 1395, Bedford, MK42 5AN. 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.
- 3. The applicant is advised that in order to comply with Condition 9 of 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 Planning and Control Group, P.O.Box 1395, Bedford, MK42 5AN.
- 4. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's Supplementary Planning Document "Design in Central Bedfordshire: Design Supplement 7 - Movement, Street and Places" and the Department of Environment/ Department of Transport's Manual "Manual for Streets" or any amendment thereto.

DECISION

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