

Item No. 10

APPLICATION NUMBER	CB/13/00967/RM
LOCATION	Brogborough Club House, Bedford Road, Brogborough, Bedford, MK43 0XY
PROPOSAL	Reserved Matters: Development for 16 Residential dwellings with associated roads and landscaping. Following Outline application CB/11/4171/OUT 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	Cllrs Bastable, Matthews & Mrs Clark
CASE OFFICER	James Clements
DATE REGISTERED	14 March 2013
EXPIRY DATE	13 June 2013
APPLICANT	Orbit Group
AGENT	Life Space Developments
REASON FOR COMMITTEE TO DETERMINE	Councillor Call-in & Departure
RECOMMENDED DECISION	Reserved Matters – Recommended Decision Approve

Recommended Reasons for Granting

The proposed development would not result in a detrimental impact upon either the character or appearance of the area or upon either existing or future residential amenity. As such the proposal is considered to be in conformity with Policies CS5, CS7, CS14, DM2, DM3 & DM4 of the Core Strategy and Development Management Policies 2009; The National Planning Policy Framework (2012) and Design Guide in Central Bedfordshire (2010)

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 site is separated from the main village of Brogborough by the Bedford Road.

The bowling green area was screened by a number of large evergreen trees but these have recently been felled. There is a significant level change between the site and the main road.

The Application:

Permission is sought for Reserved Matters for 16 Residential dwellings with associated roads and landscaping following Outline application CB/11/4171/OUT: 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.

RELEVANT POLICIES:

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

Draft Development Strategy (2013)

Policy 38: Within and Beyond Settlement Boundaries

Policy 39: Formally Designated Important Open Space

Policy 44: High Quality Development

Policy 50: Renewable and low carbon energy development

Policy 51: Resource Efficiency

Supplementary Planning Guidance

Design in Central Bedfordshire - A guide for development

Planning Obligations Strategy

Planning History

CB/11/04171/OUT 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 - Granted

Representations: (Parish & Neighbours)

Parish/Town Council Parish Council responded in favour of the outline planning application number CB/11/4171/OUT, although at a meeting with design representatives of O & H Properties (previous owners of the Brogborough Social Club site) it did express concerns over the density of housing proposed, as the sizes of the properties were not in general keeping with those of the village. However, the outline plans and the designs of the properties lent themselves to a mix of tenure, price, design and building height (the latter not being detrimental to the site, given its lowered elevation). The outline plans also had a number of social housing units (proposed 6 out of the 16 dwellings), which was slightly above the lower limits set by CBC Planning recommendations (25%). Although the Parish Council appreciates that outline planning permission was granted for 16 housing units and that applicant and its agent (Life Space Development) have consulted with Central Bedfordshire planning officers, and may have taken their advice about certain matters, the change in the nature of the plans and design of the properties between the Outline Plans and those submitted is quite radical and a deterioration on the original outline plans. Now that the Parish Council have had time to examine the full plans submitted to the Central Bedfordshire Planning, it has some very grave concerns on the following fronts:

1. The statement on Environment & Community in the Design and Access Statement
2. Social mix of housing
3. Size of properties, particularly the 6 terraced houses
4. Design of properties
5. The proposer's comments on the public transport and other public amenity accessibility and how these link with the proposed development.

Neighbours None received

Consultations/Publicity responses

Public Protection I have no additional comments to make to those made in my e-mail dated 20th December 2011 with regards to CB/11/4171/OUT, namely:

"I have read the Preliminary Statement on Ground Condition produced by Peter Brett Associates on 17 November 2011 provided with the application and agree with the findings. Therefore no condition relating to contaminated land is required; however I would ask that the following informative is attached to any grant of planning permission:

The applicant is advised that while the Council has no reason to believe this site is contaminated, commercial/industrial use of the land has the potential to give rise to historic contamination. It is the applicants' responsibility to ensure that final ground conditions are fit for the end use of the site. Any contamination that is identified as a result of the development should be notified to Central Bedfordshire Council as soon as practicable. Further information can be obtained from Andre Douglas, Public Protection, Tel 0300 300 4404.

No objection subject to boundary condition.

Tree & Landscape Officer
Housing Officer

No objection - "I support this scheme as it provides 100% affordable housing or 16 affordable residential units and provides much needed affordable housing in Central Bedfordshire as identified in our SHMA. I would like to see a mix of tenures and would like to see a tenure split of 63% Social/Affordable Rent and 37% Intermediate tenures such as Shared Ownership as per our SHMA. In this case I would like to see 10 unit for affordable rent and 6 units of Intermediate tenure dependent on viability. I would like to see the various tenures of affordable units dispersed throughout the site and integrated promote community cohesion & tenure blindness. I would also expect all units to meet the code for sustainable homes level 3 and meet all HCA design and quality standards. If these comments are taken on board, I would support this application".

Internal Drainage Board No objection subject to a storm water drainage condition.

Sport England None received

Determining Issues

The main considerations of the application are;

1. Background and principle of development
2. Affordable Housing and tenure mix
3. Design Considerations
4. Impact upon residential amenity
5. Highway considerations
6. Tree & Landscape considerations
7. s106 Legal Agreement

Considerations

Human Rights issues

The application raises human rights issues in relation to Article 14 of the Human Rights Act 1998: The enjoyment of the rights and freedoms set forth in this European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. It is considered that the application is compliant with the Human Rights Act 1998.

Equality Act 2010

The application raises issues with regard to Part 1 of the Equality Act Public sector duty regarding socio-economic inequalities. Paragraph 1 states that, 'An authority to which this section applies must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage'. It is considered that the application is compliant with the Equality Act 2010.

1. Background and principle of development

Outline planning permission was granted as part of CB/11/04171/OUT 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.

The application site is within the settlement envelope of Brogborough, therefore the general principle of residential development was 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.

It was determined that the application site plays no role in terms of functional or visual open space and the bowling green has not been used or maintained for a number of years. It was 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. Sport England had no objection to the outline application and the loss of the recreation space.

The Outline approval only determined the access and the parameters for the upper and lower limits for the scale of the dwellings. An illustrative layout was submitted with the application in order to demonstrate that an acceptable scheme could be achieved on the site.

2. Affordable Housing and tenure mix

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 16 units would all be affordable units with a mix of 63% affordable rent and 37% Shared Ownership. The affordable rent units on the scheme would be let by Choice Based Lettings which is the Council's allocation system.

The Parish Council has raised concern that:

'Brogborough will be in danger of being 'swamped' by socially affordable housing as it brings the percentage of such housing in the main village well above the recommended mix set out by the present Central and Local Government, given the fact that there are 16 low rent properties out of 103 houses in the main village of Brogborough already, which are owned and managed by Housing Associations. We do not 'need' the proposed accommodation mix as it clearly has no 'mix' to it. In fact, we can do without it'. Brogborough residents have upwardly mobile aspirations, which are certainly not met by the proposed development, contrary to the developer's claims on p22 of the Design and Access Statement. They are not reflecting the aspirations of the local community...

The Parish Council would recommend that the proposed development has a mix of property size, tenure, design and price to reflect more accurately both that of the present property accommodation in Brogborough and the aspirations of the residents...

There are 16 houses proposed for the site, all of them being classed as 'affordable', meaning that the development comprises 100% 'affordable housing'. CBC Planning has a guideline set for 'affordable housing' of 25% minimum on new development. Therefore the proposed development far exceeds this minimum. Although this will certainly help Central Bedfordshire reach its targets for such affordable housing more easily, it will have detrimental effects on the village in terms of social mix...

The Parish Council feels that the percentage mix of rented versus shared ownership

(where stakeholder interest would be far greater) should be at least reversed, if not even tipped further towards shared ownership and even outright ownership. This would still entail 'socially affordable housing' units being offered to the local population and still adhere to the 25% minimum yardstick, but with a greater social mix. If there is affordable housing then this should be offered to local residents first...

Other than the much older, long-standing residents of Brogborough who rent their properties here, the rest who rent are younger families who tend to be a relatively transient population with no stakeholder allegiance to the village, who do not take part in village life, and sometimes even have to have the customs of English life explained to them in terms of rubbish disposal, dumping unwanted property, socially acceptable pet ownership and noise levels, to name just four problem areas. It is hard to envisage anything very different than the latter with such a high percentage of rentals, especially knowing the nature of some of the areas in Milton Keynes where there is an equally high percentage of affordable rented accommodation.

Having such a high proportion of affordable rented accommodation may tip the balance in terms of management of the development. Housing Associations or other landlords, managing properties from a distance, may not always keep abreast of the issues, nor be very proactive. This will certainly have a detrimental effect on the upkeep and appearance of the housing, especially as it is stressed that the residents will all look after the joint public spaces on a communal basis (page 21 of Design and Access Statement). As most social economists know, this is 'cloud cuckoo land' as publically owned spaces are subject to the highest external costs and need far more expenditure from the public purse...

The properties are likely to be occupied by young families with 1, 2 or 3 children. The proposal that they should also be all of an 'affordable' nature means that there will be a high proportion of lower income people. There may be some householders who are single-parent families on the lowest level of income or reliant on Social Benefits. Whether they will be able to afford to run cars is obviously not a planning matter, but the likelihood of such a large number of such low-income families being 'marooned' in a locality where there are no amenities (as noticed in the last question on Page 22 of the Design and Access Statement) as well as a paucity of public transport, is quite great. This, coupled with the comments about the social mix of housing, is not acceptable to the Parish Council who is trying to encourage social cohesion and community sustainability. If there is a mix of housing then there would be more opportunity for car sharing and a greater sense of community with less isolation. The lack of access to a reliable and useable public transport system would be problematic to a smaller number of the families if there were a greater social and economic mix of householders'.

Housing and tenure mix

There is a mix of 2 & 3 bedroom properties, either semi-detached or as part of a terrace which are split between 63% affordable rent and 37% Shared Ownership which equates to 10 Affordable rent units and 6 Shared Ownership units which could potentially be fully owned by the occupants in the future. The proposal does therefore have a mix of house design, size and tenure types that meet different needs with a variety of affordable homes. The recently updated Strategic Housing Market Assessment (SHMA) shows a mix of 63% affordable rent and 37% Shared Ownership

is needed in the North of Central Bedfordshire Council.

There is no 25% minimum affordable housing as stated by the Parish Council. The percentage of affordable housing the Council seeks is 35% at the minimum on sites. The size of the scheme does not exceed the number of units the Council sets out as a maximum for clusters of affordable housing.

Choice Based Lettings

Choice Based Lettings was introduced by the Council to improve social mobility and aspirations. Choice-based lettings (CBL) schemes are designed to introduce an element of choice for people who apply for council and housing association homes. Choice-based lettings allow people applying for a home (including existing tenants who want a transfer) to bid for properties which become available on a points-based system.

Available properties are advertised locally in printed publications as well as on the internet. Details of the latest properties will usually be published in leaflets or in newsletters available from local libraries, housing offices and community centres. The list of available properties will say which type of household can bid for each one (i.e. if it is for an elderly or disabled person, or for a household which needs a certain number of bedrooms). You can then apply (or 'bid') for any particular properties that you like. The council's housing department, or the housing association which is running the scheme then sorts the bids it receives in order of priority, and the person with the highest priority normally gets first refusal on the property. If that person turns the offer down, the next person on the list gets the chance to see it, and so on. In some areas, more than one applicant may be invited to view the property at the same time. Most choice-based lettings schemes operate a two-stage process to help councils work out who should get the property. This is designed to make the system as fair as possible, and to try to ensure that the property goes to the right person(s).

The Council's Housing Officer has stated that in terms of sustainability and access to transport, given that the dwellings would be family homes, it is unlikely elderly occupants or single-mothers would be placed there. Affordable housing tenants are just as likely to have a means of transport as homeowners or private renters.

Management of the site

The whole site will be continuously managed by Orbit Homes, all public and semi-public areas will be maintained, and no tenant will have the responsibilities for the general upkeep of the areas to the sites frontage. This is under the control of Orbits Management Company.

3. Design considerations

At the Outline planning stage only the access was determined. An illustrative layout was to be submitted with the application in order to demonstrate that an acceptable scheme can be achieved on the site and to determine the scale parameters of the buildings. The illustrative layout showed a linear form of development with parking and landscaping to the front. The illustrative design of the scheme showed that there would be a mix of parking both on-plot and in the form of parking courts.

The proposed layout design of this reserved matters is similar to the indicative plan with a linear form of housing development, albeit slightly staggered than purely linear, set back behind the parking and landscaped areas adjacent to Bedford Road.

The proposed rear gardens back onto open fields. Each dwelling has sufficient private amenity space complying with the 50 square metres set out in the Design Guide. Indeed, many of the rear gardens far exceed 50 square metres.

Three different house types are proposed with a mix of detached, semi-detached and terraces of three units. All of the house types are 2-storey and satisfy the Scale parameters identified in the Outline application Design & Access Statement. The three different house types have been designed to reflect other house types in the locality. The buildings would be constructed in red brick and tile to reflect the materials of properties in Brogborough village.

Brogborough Parish Council has stated that:

- *The design of the properties should reflect more accurately that of the properties built in the main part of the village;*
- *Concern with light levels to the properties and size;*
- *Reduce the number of properties on the site from 16 to 14 so eliminating the mid-terrace plots and the design problems associated with them;*
- *Increase the size of the remaining smaller properties to a frontage more in keeping with those of the rest of the village with 2-storey height bay windows.*

The design concept for the scheme has been developed in part to reflect the location of the proposal site, which is separated by Bedford Road from the main Village of Brogborough, surrounded by open countryside. The site reads as separate entity from the main village and therefore the proposal has been designed to reflect the adjacent properties to the south west (no's 1-6 Bedford Road) and good examples of local brick workers' cottages (in this case Lidlington Road, Marston). Despite the Outline application's parameter plans, permitting up to 2.5 storeys, the scheme has restricted the dwellings to 2-storey, given the open character of the site surrounded by fields and given the character of nearby dwellings. The design has been developed in an attempt to provide a development that does not overly urbanise the site and that does not appear incongruous when compared to the existing built form.

In terms of light levels and size of the properties, all the proposed dwellings meet Housing Quality Indicators (HQIs). HQIs measure the quality of housing schemes funded by the Housing & Communities Agency (HCA). The HQI system is a measurement and assessment tool to evaluate housing schemes on the basis of quality rather than just cost. They incorporate the design standards required of affordable housing providers receiving funding through the National Affordable Housing Programme (NAHP) and Affordable Homes Programme (AHP). There are ten indicators that measure quality. Each indicator contains a series of questions that are completed by the applicant organisation. These indicators are:

Location;
Site – visual impact, layout and landscaping;
Site – open space;
Site – routes and movement;
Unit – size;
Unit – layout;
Unit – noise, light, services & adaptability;
Unit – accessibility within the unit;
Unit – sustainability;
External environment - Building for Life.

The proposed development has been assessed against Building for Life 12 and has passed.

It is considered that the design concept of the proposal is appropriate for the location and is in accordance with the Outline consent and Policy DM3: High Quality Development and Supplementary Planning Document 'Design in Central Bedfordshire - Design supplement 1: New Residential Development'.

4. Impact upon residential amenity

Given the location of the site, there is no neighbouring residential development and the nearest residential development is opposite the site within Highfield Crescent at a distance of approximately 50m. This separation distance is sufficiently large to ensure that the residential amenity of existing properties would not be adversely harmed by the development.

5. Highway considerations

The Highway Officer has no objections subject to conditions the proposed and has stated:

'Since the grant of outline approval the authority has adopted a new parking strategy which increased the requirement for dedicated parking spaces for residential development. I note that this submission does not fully accord with the new standards for the five, three bedroom properties. Nevertheless I am content that there is sufficient space within the communal vehicle areas and the carriageway of the estate road to accommodate occasional extra parking demand without detriment to highway safety or, importantly, the risk of overspill parking into Bedford Road'.

The Highway Officer has confirmed that a pedestrian crossing for the Bedford Road is not justified in this instance because of the low levels of pedestrian movements that can be expected from 16 dwellings. It should also be noted that the Bedford Road has now been de-trunked and that the Marston Gate application (CB/12/04484/OUT - approved at Planning Committee) includes the provision of traffic calming measures on the Bedford Road and a reduction in the speed limit from 50 to 30 m.p.h.

Tree & Landscape considerations

- 6.** Previous comments Tree & Landscape comments indicate that a tree survey had been supplied and that the majority of trees on the site were of poor condition and quality and that we would not object to the removal of trees with the proviso that quality landscaping was include in the proposals.

The Landscape Plan submitted with this application indicates that there is the intention to provide extensive planting and landscape buffer to the boundary with Bedford Road and the car parking area. This is a positive approach and should add some quality planting to an area that would certainly enhance the locality.

The Tree & Landscape Officer considers that additional planting of carefully selected trees within the rear gardens of the larger plots where suitable will be required. Planting of hedges is to be as a double staggered row at 300mm centres and consist of 50% Hawthorn, 20% Blackthorn and then 10% each of Hazel, Field Maple and Holly. We will also require detailed hard and soft landscape plans to include species, sizes and densities of planting proposed.

The proposal for boundary treatment for the rear of the plots includes panel fencing between the plots and closeboard fencing to the rear. The Tree & Landscape Officer has suggest that the rear boundary treatment would be more suitable in the form of either post and rail fencing or wire mesh fencing in conjunction with native hedge planting. The applicant has agreed to this approach and this will be negotiated through a planning condition.

s106 Legal Agreement

7. The Outline approval secured a S106 legal agreement for affordable housing and contributions in line with the Council's Planning Obligation Strategy and Core Strategy Policy CS2 & CS7. However, given that this application is for 100% affordable units, the contributions are waived in-line with the Council's Planning Obligations strategy. A deed of variation to the s106 has been submitted by the applicant to the Council's legal department.

Recommendation

That the Reserved Matters be approved subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 No development shall begins until details of the architectural detailing of windows, doors, window/door surrounds, sills/headers, eaves, dormers, cornices, chimneys, quoins and porches shall be submitted to and agreed in writing by the District Planning Authority. Thereafter the agreed details shall be carried out in full.
Reason: To ensure an acceptable finish to the development.
- 3 **Before development begins, details of the materials to be used for the hardstandings and shared surfaces shall be submitted to and approved in**

writing by the District Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

**Reason: To control the appearance of the development.
(Policy DM3)**

- 4 **Before development begins, a landscaping scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**

**Reason: To ensure a satisfactory standard of landscaping.
(Policy DM3).**

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers LSD46-01, LSD46-02 REV C, LSD46-04 REV A, LSD46-03 REV C, 300/H883V/PL2 REV A, 300/H883/PLI REV A & 300/H760/PLI REV A.

Reason: For the avoidance of doubt.

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicant is advised that while the Council has no reason to believe this site is contaminated, commercial/industrial use of the land has the potential to give rise to historic contamination. It is the applicants' responsibility to ensure that final ground conditions are fit for the end use of the site. Any contamination that is identified as a result of the development should be notified to Central Bedfordshire Council as soon as practicable. Further information can be obtained from Andre Douglas, Public Protection, Tel 0300 300 4404

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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