

## **LATE SHEET**

### **DEVELOPMENT MANAGEMENT COMMITTEE – 05.02.2014**

#### ***Item 6 (Pages 11 – 56) – CB/13/03597/OUT – Land at French's Avenue, Dunstable, LU6 1BJ***

##### **Updated responses**

Dunstable Town Council (7/11/13)

No objections to redevelopment on the land for housing but the Council has serious concerns regarding access and egress to the potential development. The Council believes that the town's transport infrastructure simply cannot accommodate another housing development of the scale proposed. The existing access and distributory route for Frenchs Avenue is already at capacity. The adjoining A5 itself is also at or above capacity. The Council has further concerns that the development would have an impact on other areas of social infrastructure in the town.

Houghton Regis Town Council (5/11/13)

No objections to the enhancement of part of the County Wildlife Site, which lies within the Parish of Houghton Regis.

##### **Additional Comments**

Following comments by the applicant it is considered that a few clarifications in the report would assist consideration. References to page and location are given although this update can be read on its own. Firstly, the applicant is Ravenside Investments Ltd rather than Mr Robert Hardie.

Assessment of the application has been based on the proposed floorspace but the indicative limit of 223 dwellings has helped in this regard [p.15, end of 1<sup>st</sup> par.]. The parameter plans also include maximum and minimum sizes for building envelopes which would be tied into any permission by condition. The Environmental Assessment was based on these plans. SBLP Policy R14 should be added to the list on page 17. The Development Plan therefore comprises these saved policies and those saved in the 2005 Minerals and Waste LP.

In respect of the infrastructure contributions the applicant refers to par.122 of the CIL Regulations 2010, but the need to make sure planning obligations are necessary, related, and proportionate is also found at par.204 of the NPPF [p.33 (g); table on p.44]. The applicant suggests that p.33 (h) does not 'clearly identify' Green Belt policy. Reference to DS Policy 36 and the extensive treatment in the NPPF, of which Members are well aware, and the 'Green Belt' text on page 36, are considered sufficient to address what is an insignificant issue of use of land in this case.

He highlights the further responses from the Archaeologist and Landscape Officers relating to the reduction in height of the tallest buildings from 17.0 to 14.5m. They ask

that buildings are limited to 12m where they face outwards towards the countryside and that trees be planted on these frontages. The report notes that existing commercial buildings already screen most of the site but it is accepted that new development may be seen 'round the ends'. However, it is considered that such requirements by the consultees are not fully justified. Seeing new buildings of similar height to the side of the commercial buildings would not significantly increase the visual impact of the urban area. Furthermore, the higher parts of the taller buildings could be treated so as to reduce the visual impact over the scarp from the north-west. Large scale tree planting on the western frontage would also be difficult in view of the levels difference.

The report [p.41, penult. par] proposes that precise sustainable travel destinations for developer contributions are confirmed nearer the time of construction. For clarity, the present list of potential initiatives would include (a) improvements to footway/cycle links with Brewers Hill Road, (b) traffic calming to French's Avenue, (c) assistance towards provision of adequate bus service (no.74) to French's Avenue, (d) easier crossing of A5 to link with busway corridor walk/cycle route [the table on p.44 also refers]. By way of an update, the Council is now in receipt of an external grant towards service 74 for the remainder of this year but onward funding has yet to be secured.

For clarification, the remaining commercial land over which the indicative layout rolls out is in third party ownership and cannot be brought forward through the wishes of the applicant [p.46, 8 (third par)]. The application has been appraised alongside the relevant policies in the Development Plan and has considered all material considerations [p.46, 8 (after 5<sup>th</sup> par)]. Finally, the applicant seeks a statement that the proposal has been considered alongside the Development Plan and other material considerations. This is already set out in the 'Reasons for Recommendation' on page 13.

#### Infrastructure, planning obligations and viability

The appropriateness of applying a Review Mechanism to the contributions has been considered. This provides that, as the value of the development increases (if this proves to be the case) between the signing of the S106 and the roll-out of development, an increasing portion of the full infrastructure liability (according to the Council's SPD) is due. The base value is of course the £1.35m on page 45 of the Report. The applicant has been advised of this, agrees in principle to such a mechanism, and an oral report will be made at the Meeting.

#### **Amendments to conditions**

Amendments are proposed to the highway conditions. In view of the proposal to review infrastructure contributions with the roll-out of development, such as at Reserved Matters stage, condition 23 is no longer considered appropriate as it would commit the Council to this particular solution. It will be replaced by a Travel Plan condition. Following discussion with the highways officer and applicant it can be clarified that Condition 24 would only involve a small encroachment into the frontage so that larger vehicles could turn in French's Avenue. At the present a significant area of the factory forecourt is public highway, understood to have been provided to

enable buses to turn. Through an appropriate process, highway rights would be extinguished over that part of this area no longer needed for the new turning head.

#### Replacement condition 23:

Before the occupation of the first dwelling a residential travel plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of:

- Predicted travel to and from the site and targets to reduce car use;
- Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks;
- Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport;
- Timetable for implementation of measures designed to promote travel choice;
- Plans for monitoring and review utilising Central Bedfordshire Council's travel plan monitoring software, annually for a period of 5 years;
- Details of provision of cycle parking;
- Details of marketing and publicity for sustainable modes of transport to include site specific welcome packs. Welcome packs to include walking, cycling, public transport and rights of way information; and
- Details of the appointment of a travel plan co-ordinator.

The details of the Travel Plan shall be implemented solely as approved.

Reason: To reduce reliance on the private car by promoting public transport and sustainable modes of transport.

### ***Item 7 (Page 57- 58 ) – CB/13/04368/FULL – Toddbury Farm, Slapton Road, Little Billington, Leighton Buzzard***

#### **Additional Consultation/Publicity Responses**

Aylesbury Vale District Council – no comment.

Buckingham & River Ouzel Internal Drainage Board – As the site is outside of the Board's district, it is suggested that ground conditions are investigated and if found satisfactory the soakways constructed in accordance with the latest Building Research Establishment Digest 365.

5 letters of objection have been received since the report was written.

One of the objections was received from Andrew Selous MP who requested that his own objections be considered by the Development Management Committee. The reason for the objection is that Billington has more sites per head of settled population than almost any village in Central Bedfordshire if not any village in Bedfordshire.

The other 4 letters were received from nearby residents who raise objections for the following reasons:

- Seemingly endless incremental development to the Toddbury Farm area.
- The site was originally approved as an industrial site.
- Future development can only have a negative impact on the quality of life for the residents of Little Billington.
- Expect more noise from builders and residents in the future.
- More traffic on a very narrow road which cannot tolerate an increase in heavy traffic.
- Approving this application will set a precedent for housing further development in the villages of Great and Little Billington, to the detriment of current and future residents and would run counter to the Council's vision for the area.
- The numbers of travelling residents exceeds those of the settled community and CBC are minded to grant planning permission for even further increases in numbers.
- The site is not one of the proposed "official sites" in the CBC Plan.
- The Parish Council have in the past been given assurances that there will be no new sites & this site cannot be defended as an extension to an existing site.
- Waste water and raw sewage is pumped directly into ditches.
- Reiterated comments of Billington Parish Council and Slapton Parish Council.

### **Officer comments**

Concerns have been raised regarding the waste water and sewage being pumped into ditches. The existing site at Toddbury Farm has a foul drainage system the details of which were approved by the Council on the advise of the Environment Agency. The proposed additional pitch would also connect to the existing system and the Environment Agency has raised no objection subject to conditions. The Council is however aware of potential discharges into ditches from other Gypsy and Traveller sites in the vicinity.

All of the other points raised have been dealt with in the main report.

### **Other issues**

Please note that submitted plan BP-01 has now been removed from the application documents and that any permission granted would be on the basis of the submitted location plan and BP-02 only.

Billington Parish Council has raised concern that the plan contained within the agenda pack is different to the plans within the application and this may cause confusion. The plan in the agenda pack is broadly in line with the red line plan contained within the application, however it does lack the context of the wider Toddbury Farm site. The plans within the application which will be displayed at Committee are likely to be more helpful to Members in making their decision.

### **Additional Comments**

None

#### **Additional/Amended Conditions/Reasons**

None

#### ***Item 8 (Page 79-98 ) – CB/13/04086/FULL – 1 White House Court, Hockliffe Street, Leighton Buzzard***

#### **Additional Consultation/Publicity Responses**

None

#### **Additional Comments**

None

#### **Additional/Amended Conditions/Reasons**

None

#### ***Item 9 (Page 99-114 ) – CB/13/04055/FULL – Russell Lower School, Queens Road, Ampthill, Bedford***

#### **Additional Consultation/Publicity Responses:**

#### **Sustainable Transport Team Comments**

We have no comments on the site layout and design of the proposed extensions and alterations and welcome the addition of a new ramped access to the front entrance of the school. We do however have comments relating to the lack of recognition in the supporting information of the impact in the vicinity of the school of:

- Changes related to the new and existing footpaths and access shown on the drawings; and
- Increased travel activity that will be generated by the proposals;
- Safety issues in the adjacent streets

The planning application will effectively increase the potential capacity of the school by one-third from 300 to 450 pupils. Based on the information provided in 2011 when the last school travel surveys were done there were 201 pupils and there are currently 250. There was a 50% response rate to the 2011 survey indicating 36 pupils came to school by car and 64 walked. There were no staff or visitor surveys carried out at this time.

If travel choices to school do not change significantly in the next few years it is possible to estimate the likely level of pupil trips that a 450 pupil capacity school would generate:

- 100 pupils (50% sample) = 36 by car, 64 walk;
- 200 pupils (2011 pupil numbers) = 72 by car, 128 walk;
- 450 pupils (proposed pupil numbers) = 162 by car, 288 walk

The proposed increase in pupil numbers will therefore result in a 125% increase in pupil trips from 2011 levels.

In reality too as Russell Lower School accommodates children aged 5-9 this means that in terms of numbers there are likely to be at least double the number of people making trips to and from school than pupils because:

- All trips to and from school are likely to be accompanied;
- Although some parents may accompany more than one school age child, many will have younger siblings and other family members with them;
- Accompanying adults will make return trips too doubling their trips to that of the children.
- There are no staff or visitor trip figures included in any of the calculations.

This substantial increase in travel activity in and around the school area raises significant concerns because existing school and other parking and traffic problems have already been identified in the supporting information as causing pedestrian safety issues for parents and pupils. Based on the figures above there is no doubt that vehicle and pedestrian conflicts will increase, caused by the growth in numbers of people accessing the school site and the congestion this causes around it. For this reason it is considered the application and Travel Plan (TP) do not go far enough in recognising the responsibility of the proposals to address the environmental and safety impacts of the increases in travel on local residents, pupils, staff and others affected by the expansion of the school on the site.

On the 16<sup>th</sup> October 2013, at the request of the school on Nick Shaw (CBC Sustainable Transport Officer) met with the Head Teacher and a Governor on site to discuss existing concerns relating to traffic and pupil safety in the vicinity of the school. At this meeting it was made clear that there is currently no CBC funding available to deliver any highway or transportation improvements in this area. The 'Safer Routes to Schools' program (as referred in the TP) now forms an element of Central Bedfordshire's (CBC) Highways Capital Programme, allocated through Local Area Transport Plan (LATP) and this does not include any improvements in the Ampthill area in the plan period (up to 2015). Nick subsequently (17.10.2013) emailed through the details of the LATP and advised that Ampthill Town Council had applied to CBC's rural match funding scheme for £6,000 towards a series of double yellow line proposals at junctions in the town, one of which was Queen Street/Saunders Piece. It was advised that this would not however be of great benefit to the school as from site observations it was apparent that they would need a single yellow line along the whole of Queen Street timed to the start and end of the school day and further measures to improve safety, facilitate pedestrian, cycle and scooter trips. It was recommended that any proposals would need to be aligned to a funding source and that the most feasible one was the expansion of the school as it was assumed this would undoubtedly exacerbate the situation and so it would be essential that the existing concerns were addressed as part of this development process. Offers to be involved in this were made.

It is therefore disappointing that we are faced with the proposals as submitted. Para 1.4 of the TP itself explains the expansion of the school is required as a result of new residential development in the area. Impacts on travel directly resulting from the expansion should therefore not be the responsibility of CBC to resolve and there is no funding available to do this. Travel impact mitigation measures will therefore need to be addressed by the school expansion project itself.

It is also noted that there is a new footpath link and access point to the south of the site and a change in location of the existing entrance slightly north of its current position. The implications of changes in access points on travel patterns, particularly by pedestrians, to and from school are not addressed in any of the supporting information. There is a school safety zone on Queens Road which includes an access barrier, 'zig-zag' no stopping road markings and coloured surfacing outside the entrance. Any change in location of the existing access will require amendments to the barrier position, the new access will require similar barrier treatments and the safety zone will need to be extended potentially with other features to enhance safety and convenience. On-site measures to align with these accesses and the increased pedestrian activity will also need to be explored i.e. provision of additional cycle/scooter parking, its relocation to convenient locations and footpath widths appropriate to accommodate the likely levels of use and parents with pushchairs, accompanying children etc.

At the October 2013 meeting with the school it was explained that infrastructure is only part of the solution to traffic problems and the need for an effective Travel Plan, walking, cycling and scooting culture and ethos needs to be developed in the school in order to help prevent exacerbation of the situation currently seen along Queens Road and creation of it elsewhere. The TP currently falls short of this. Detailed comments are set out below:

#### **Section 2 Policy Review.**

- This does not refer to:
  - National Travel Plan Guidance (Delivering travel plans through the planning process 2009); or
  - CBC Travel Plan Guidance (available on the CBC website)

#### **Section 4 Travel Patterns.**

- The 2011 Travel Survey should be updated to support an application this size. If it is to be done pre occupation but post submission, measures to address increases in travel will still need to be identified and secured prior to this based on what information is available.
- Staff survey data will be required
- The document shows images of significant evidence of scooter parking, but this mode of travel is not recognised in the TP at all.
- The 'Hands Up' survey, although pupil sourced, could be used too
- There is no information about where staff and pupils come from i.e. home post code plots. This is required to seriously consider issues and propose measures
- More information is required to understand why if the preferred choice is for 82% to walk why this is not happening. What are the barriers and perceptions discouraging this now?

- There is no information on schools transport. Do any children get bused/taxied in? Is this likely to increase, can this be accommodated safely and within CBC schools Transport policy requirements?

#### **Section 5 Aims, Objectives and Targets**

- It would be helpful if 2004 surveys exist to use this as an indicator of progress over the period and evidence for target i.e. 2004 to 2011 = 4% change in 7 yrs = 0.6% change per year. 2014 data would further assist with this evidence based approach. A trend could be generated against which progress could be monitored in future years.

#### **Section 6 travel Plan Measures and Initiatives**

- Overall this section looks to repeat a previous TP. Is there any evidence/records that demonstrate any of these initiatives work, that they are or have been done successfully previously?
- 6.6 The School Council might be able to help identify issues and problems from a pupil perspective using maps etc.?
- 6.13 School gate parking issues identified but solutions not.
- 6.36 'Working with CBC' on footpath issues on Queens Road. See comments above re funding.
- 6.45 There is no specific 'Safer Routes to School' programme. Funds allocated through the LATP. See comments above.
- 6.37 Hazards identified need to be addressed. Same comments on funding as above.

In summary therefore based on the comments above it is considered that further discussions on this application will be necessary to:

- Identify physical measures to mitigate the immediate travel, environmental and safety impacts of increased travel generated by the extension proposals on the school and adjacent local communities; and
- Ensure a robust Travel Plan that will promote measures to encourage continuing increases in sustainable travel behaviours and mode shift to further reduce or minimise the travel impacts of the school in the future.

29/01/14

#### **Additional Comments**

None

#### ***Item 10 (Page 115-120 ) – CB/13/04209/FULL – 22 The Grove, Biggleswade***

#### **Additional Consultation/Publicity Responses**

None

#### **Additional Comments**

None



**Additional/Amended Conditions/Reasons**

None

***Item 11 (Page 121- 130 ) – CB/13/03796/FULL – 9 Park Leys Harlington***

**Additional Consultation/Publicity Responses**

None

**Additional Comments**

None

**Additional/Amended Conditions/Reasons**

None