

Item No. 7

APPLICATION NUMBER	CB/14/01184/FULL
LOCATION	Land South Of Stotfold, Norton Road, Stotfold
PROPOSAL	Erection of 1 No. 1 bed flat, 2 No. 2 bed flats, 151sq.m (gross internal) A1 shop, parking spaces and parking bay on main street (resubmission of CB/13/01624/FULL)
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Clarke, Saunders & Saunders
CASE OFFICER	Stuart Robinson
DATE REGISTERED	16 April 2014
EXPIRY DATE	11 June 2014
APPLICANT	Taylor Wimpey (South Midlands)
AGENT	APC Planning
REASON FOR COMMITTEE TO DETERMINE	Request by Councillor Brian Saunders in light of concerns expressed by Stotfold Town Council.
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site comprises of a parcel of land within the Land South of Stotfold development. The application site lies near the centre of this development, neighbouring residential development. The site is located opposite a parcel of land identified for a community building and is located in close proximity to a recently constructed lower school.

The Application:

Outline planning permission (reference MB/02/00242/OUT) was granted in April 2006. This outline planning application provided planning permission for residential development of up to 650 dwellings, up to 2.27 Ha of employment land (Class B1), a neighbourhood centre, a shop (150 sq. metres), public open space and access. This application is made pursuant to the outline planning permission.

The application proposes the erection of 1 No. 1 bed flat, 2 No. 2 bed flats, 151 sq. metres (gross internal) A1 shop, parking spaces and a parking bay on the main street. The ground floor would include a shop, store room area and cycle store. The residential flats would be located on the first floor.

The building would be constructed on a corner plot, following the street to form an "L" shape. The elevation of the building facing Valerian Way would measure 7.5 metres in depth and 14.6 metres in width. The elevation facing Grange Drive would

measure 20.1 metres in width and 7.5 metres in depth. The building would measure 10.1 metres in maximum height. A stairwell would be located to the rear of the building, measuring 2.3 metres in width and 4.1 metres in length. A drive through, accessed off Grange Drive, would provide access to four parking spaces at the rear of the building.

RELEVANT POLICIES:

National Policies

National Planning Policy Framework (2012)

Core Strategy and Development Management Policies, November 2009

Policy CS14	High Quality Development
Policy DM3	High Quality Development
Policy DM4	Development Within and Beyond Settlement Envelopes

The Emerging Central Bedfordshire Development Strategy (January 2013)

Policy 21	Provision for Social and Community Infrastructure
Policy 27	Car Parking
Policy 38	Within and Beyond Settlement Boundaries
Policy 43	High Quality Development

Having regard to the National Planning Policy Framework, significant weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in 2014.

Technical Guidance

Revised Central Bedfordshire Design Guide (2014)

Land South of Stotfold Design and Landscape Strategy Code (2007)

Land South of Stotfold Development Brief (2003)

Planning History

CB/13/01624/FULL	Planning application withdrawn: Erection of 1 No. 1 bed flat, 2 No. 2 bed flats, 151sq. metre (gross internal) A1 shop, parking spaces and parking bay on main street (resubmission of 12/00726/FULL).
CB/12/00726/FULL	Full application refused: Erection of a new building on 0.04ha site to include 1 No. 1 bed flat, 2 No. 2 bed flats, 151 sq. metres (gross internal) A1 shop and 4 No. car parking spaces together with parking bay on main street.
MB/02/00242/OUT	Outline application granted: Comprehensive development comprising up to 650 dwellings, up to 2.27 Hectares of employment land (Class B1 Business), neighbourhood centre, a shop (150 square metres), public open space

including sports pitches, equipped play areas and informal open space and access. All matters reserved except access.

**Representations:
(Parish & Neighbours)**

Stotfold Town Council The Town Council object on the following grounds:

The proposal shows inadequate provision of parking and service area within the curtilage of the shops/flats, and as the current Central Bedfordshire Council guidelines (DM3 of the Core Strategy and Development Management Policies Development Plan Document 2009 and the Design Supplement 7 of Design in Central Bedfordshire: A Guide for Development 2010) require that there should be sufficient off street parking to serve the development, and with 1 no. 1 bed and 2 no. 2 bed flats, there should therefore be a minimum of 5 parking spaces within the curtilage of the property.

We are aware that under the current application for a community building opposite the proposed development, the area shown within the planning application boundary is shown as dual use with the community building and shoppers/users of the flats. We feel that this dual usage will severely compromise the parking provision for the community building, being immediately outside that building and with associated difficulties in policing parking activities in the area.

We also object on health and safety grounds as visitors to the shop/flats would be crossing what will be a busy junction and route into the new development, together with deliveries to the shop from the lay by outside the proposed community building opposite. This is also a main safer route to Roecroft Lower School, and as such we would insist that the corner of Grange Drive and into Valerian Way (on both sides of the road) have double yellow lines to keep the road clear for pedestrian and other vehicle safety.

The hardstanding area between the shop front and the footway should be turned into the footway, and the area currently shown as footway on the plans should be utilised as additional parking bays to alleviate pressure on the 'shared' parking opposite and within the lay by opposite to be shared with delivery lorries.

Neighbours No comments received.

Consultations/Publicity responses

Waste Services

The following points need to be addressed:

- Bin provisions, the applicant has suggested individual bins, the Council will provide communal bins in the form of 2 x 660 litre bins, one for recycling and the other for domestic waste and three food waste caddies
- A secure bin store will need to be constructed in order to accommodate the above bins
- Each bin must be accessible without having to first move the other bins. This store is to be secured with a keypad in order to prevent misuse by the commercial premises.
- The bin store can be no further than 10 metres from the bin store to the middle of road Grange Drive Line, the applicant will need to confirm this and make any alterations necessary.
- The collection crew will collect the bins from the store on collection day and return them back to the store after emptying, to that end there will be no need for the collection point.
- The proposed gates will need to be unrestricted an collection day
- There will need to be parking restriction in front of the bin store to prevent access being restricted.

Highways

Once again in a highway context consideration of the proposal does not differ significantly from the previous proposals CB/12/00726 and CB/13/01624.

Since the previous schemes the applicants have identified additional parking and fundamentally the CBC parking standards for new development have been reviewed and that the provision proposed is more than compliant with the latest requirements. In these circumstances I am therefore content that in terms of parking demand there is not a justifiable reason to raise an objection on highway grounds.

In the event that a grant of planning permission is to be considered I recommend inclusion of two conditions to comply with the proposed parking layout and to produce a car parking management plan.

Internal Drainage Board

No comments.

Public Protection

I note that the applicant has not stated opening hours within the application. However, conditions 9 and 10 of

the Outline Planning Permission MB/02/00242/OUT limit the opening hours of the retail unit and delivery hours respectively. I would therefore advise that an informative is attached to any approval reminding the applicant that these conditions apply.

The applicant has not provided any details of refrigeration plant, equipment or machinery to be provided at the shop premises. Noisy plant, machinery or equipment could be detrimental to residential amenity.

I am concerned that the proposed residential flats will suffer detriment to amenity from noise from traffic along Main Street/ Grange Drive Link and customer noise from customers entering and leaving the shop and also noise from the Community Hall opposite. Flat 3 may suffer detriment from residents using the car parking access as their Kitchen/living/dining room is over the traffic access route. The proposed flats may also suffer detriment to amenity from noise from the commercial shop premises on the ground floor beneath them.

I would therefore advise that conditions, identifying that the details of all machinery and a scheme for limiting the transmission of noise, are attached to any approval.

Forest of Marston Vale

On behalf of the Marston Vale Trust please note that this planning application may be relevant for a contribution to the delivery of the Forest of Marston Vale as set out within the Mid Bedfordshire Planning Obligations Strategy 2008.

Determining Issues

The main considerations of the application are;

1. Principle of development
2. Design and impact on the local character
3. Neighbouring amenity
4. Traffic and parking
5. Public Protection
6. Planning Obligations

Considerations

1. Principle of development

The Land South of Stotfold site was allocated in the Mid Bedfordshire Local Plan.

Outline planning permission (reference MB/02/00242/OUT) was granted in April 2006. This outline planning permission provided for residential development of up to 650 dwellings, up to 2.27 Ha of employment land (Class

B1), a neighbourhood centre, a shop (150 sq. metres), public open space and access.

The principle of a shop within the site is supported further by the adopted Land South of Stotfold Development Brief (2003) and the adopted Design Code (2007), which identifies a shop in the location of the application site.

The site is located wholly within the Settlement Envelope for Stotfold. As such the Central Bedfordshire (North) Core Strategy identifies that the Council will approve housing, employment and other settlement related development commensurate with the scale of development. This stance is echoed by the emerging Development Strategy for Central Bedfordshire. As such the principle of flats above a ground floor shop within the application site is considered acceptable.

As such the proposal would be in accordance with Policy DM4 of the Core Strategy and Development Management Policies Development Plan Document, Policy 38 of the emerging Development Strategy for Central Bedfordshire, the Land South of Stotfold Development Brief and the Land South of Stotfold Design and Landscape Strategy Code and as such is acceptable in principle.

2. Design and impact on the local character

The proposed development would be located in a predominantly residential area, bordered by two storey residential properties. These dwellings vary in brick type, between buff and red brick. The proposed development would seek to maintain a similar design to the existing properties, matching the existing building materials. The proposed development would follow a similar style to the roof design of the neighbouring properties, however the design would include a steeply pitched roof on the corner of Valerian Way and Grange Drive. This design is considered to be complementary to the local character and would comply with the adopted Design Code's aim of creating a focal building in this location.

The development would follow the street, curving around the junction of Valerian Way and Grange Drive. As such the proposed development would be clearly visible within the streetscene. The development would be located 5.0 metres away from Valerian Way and 4.0 metres away from Grange Drive, following a similar frontage depth of the neighbouring residential properties. As such the form and massing would be considered complementary to the surrounding environment.

As such the proposal would be in accordance with Policies CS14 and DM3 of the Core Strategy and Development Management Policies Development Plan Document, Policy 43 of the emerging Development Strategy for Central Bedfordshire, the Revised Central Bedfordshire Design Guide, the Land South of Stotfold Development Brief and the Land South of Stotfold Design and Landscape Strategy Code and as such is considered acceptable.

3. Neighbouring amenity

The proposed development would be located approximately 12.0 metres away from the existing residential properties on Grange Drive and approximately 23.0

metres away from the nearest properties on Valerian Way. Planning permission has also been granted for residential development to the north and west of the site, which would result in residential properties adjoining the sides of the development.

Due to the location of the proposed building there would be no detrimental impact in terms of being unduly overbearing or through loss of light. The proposed development would include nine first floor windows, five of which would directly face the residents of Grange Drive. As the windows would be approximately 12.0 metres away from the resident's first floor front windows on Grange Drive there would not be a detrimental impact in terms of privacy.

Therefore it is considered that the proposal meets the requirements of Policies CS14 and DM3 of the Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document, Policy 43 of the emerging Central Bedfordshire Development Strategy and the Revised Central Bedfordshire Design Guide. As such the proposal is not considered to cause a detrimental impact in terms of loss of privacy, loss of light or result in noise or light pollution and is considered acceptable.

4. Traffic and parking

The Town Council have raised concerns that the level of parking provided within this planning application is inadequate. This matter has been raised previously, when considering application CB/12/00726/FULL. This application was refused at Development Management Committee as it was considered that the development would provide insufficient dedicated off street parking to the detriment of highway safety.

The current planning application identifies that four parking spaces would be provided to the rear of the shop front for the 2 No.2 bed flats. The application also identifies that there is a parking bay, with space for five cars, opposite the proposed building. One of these spaces would be allocated to the 1 bed flat, while the remaining four spaces would be in shared use between the shop and the community building. This would increase the level of car parking from application CB/12/00726/FULL by five parking spaces. As such the level of parking provision would comply with the Revised Central Bedfordshire Design Guide. In order to confirm the location and to adequately manage the car parking spaces, two conditions have been recommended should the application be approved.

The Town Council have also identified concerns regarding the proposed dual use of the parking spaces opposite the shop, identifying that there may be a detrimental impact to the use of the proposed community building and there may be issues regarding management of the parking spaces. While the community building application has yet to be determined, it is identified that this application proposes 27 parking spaces, with 22 dedicated to the community building. The peak use of the two buildings is expected to vary between the day, reducing any detrimental impact. The parking provision would comply with the Revised Central Bedfordshire Design Guide and, as such, the parking provision is considered acceptable.

The Town Council have also identified that, as the dual use parking spaces are

located opposite the proposed shop, on the other side of Valerian Way, there is concern regarding highway safety. While it is accepted that users would need to cross a 30 mph road to access the shop, it must be noted that there is a crossing point approximately 18.0 metres from the dual use car parking spaces. No concerns regarding highway safety have been raised by Highways Officers.

5. Public Protection

It is noted that the applicant has not stated opening hours within the application. Conditions 9 and 10 of the Outline Planning Permission MB/02/00242/OUT limit the opening hours of the retail unit and delivery hours respectively. As this is a separate, full application these conditions are proposed to be attached, should permission be granted.

A Public Protection officer has identified that the applicant has not provided any details of refrigeration plant, equipment or machinery to be provided at the shop premises. Concern has been raised by the officer regarding potential detriment to the residential amenity of the proposed residential flats due to the noise from traffic along Valerian Way and Grange Drive and the noise from customers entering and leaving the shop. Concern has also been raised about potential noise from the anticipated community building opposite. In order to address these points, conditions identifying the details of all machinery and a scheme for limiting the transmission of noise, are recommended should the application be approved.

6. Planning Obligations

The applicant will be required to enter into a Unilateral Undertaking to meet the requirements of the Council's Planning Obligations Strategy by contributing to local infrastructure. This will be completed prior to the issuing of any decision.

Human Rights issues

The proposal would not raise any Human Rights issues.

Equality Act 2010

The proposal would not raise any issues under the Equality Act.

Recommendation

That Planning Permission be granted subject to the following conditions and completion of a Unilateral Undertaking:

RECOMMENDED CONDITIONS / REASONS

- 1 The development shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 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 commence until samples of the brick, render, roof tiles and wether boarding to be used for the external walls and roofs of the new building have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: To control the appearance of the building in accordance with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document and Policy 43 of the emerging Central Bedfordshire Development Strategy.

- 3 **No development shall commence until a scheme has been submitted for the written approval of the Local Planning Authority for limiting the transmission of noise between;**

- a) **the car parking access road and the built over first floor residential unit above (flat 3 kitchen/living/dining)**
- b) **the ground floor shop and the first floor residential units**
- c) **main street/grange drive link, external customer noise and the residential units.**

Any works which form part of the scheme approved by the Local Planning Authority shall be completed and the effectiveness of the scheme shall be demonstrated to the satisfaction of the Local Planning Authority before any permitted development is occupied, unless an alternative period is approved in writing by the Authority.

Reason: To ensure adequate insulation against transmission of noise from the car parking access road, ground floor shop and road traffic/customer noise in main street/grange drive link and the residential units and therefore provide an acceptable internal noise environment for future occupiers of the development in accordance with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document and Policies 43 and 44 of the emerging Central Bedfordshire Development Strategy.

- 4 **The development hereby approved shall not be brought into use until details, including acoustic specifications, of all fixed plant, machinery and equipment such as compressors, generators, air conditioning units, refrigeration plant or plant and equipment of a like kind, installed within or external to the shop premises, have been submitted to and approved in writing by the Local Planning Authority.**

Reason: To safeguard the amenities of adjoining occupiers in accordance with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document and Policies 43 and 44 of the emerging Central Bedfordshire Development Strategy.

- 5 **The development hereby approved shall not be occupied until details of bin**

storage, including the inclusion of communal bins, have been submitted to and approved in writing by the Local Planning Authority and the bin storage areas have been implemented in accordance with the approved details. The bin storage areas shall be retained thereafter.

Reason: In the interest of amenity in accordance with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document and Policy 43 of the emerging Central Bedfordshire Development Strategy.

- 6 The development hereby approved shall not be brought into use until a car parking management plan has been submitted to and approved by the Local Planning Authority. The car parking provision hereby approved shall only be implemented in full accordance with the approved management plan.

Reason: To ensure the availability of car parking for the exclusive use of occupiers of the proposed residential units in accordance with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document (2009) and Policy 27 of the emerging Central Bedfordshire Development Strategy (2013).

- 7 The proposed development shall be carried out and completed in all respects in accordance with the parking siting and layout illustrated on the approved plan No.08 870-SK10 Rev.I and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times in accordance with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document (2009) and Policy 27 of the emerging Central Bedfordshire Development Strategy (2013).

- 8 The retail unit shall only be open to customers between the hours of 7.00am to 10.30pm Mondays to Saturdays and 7.00am to 10.00pm on Sundays and Bank Holidays.

Reason: To safeguard the amenities which the occupiers of neighbouring properties might reasonably expect to enjoy and accord with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document and Policies 43 and 44 of the emerging Central Bedfordshire Development Strategy.

- 9 Deliveries by commercial vehicles shall only be made to or from the retail premises between 8.00am and 6.00pm Monday to Saturday, and at no time on Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

Reason: To safeguard the amenities which occupiers of neighbouring properties might reasonably expect to enjoy and accord with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document and Policies 43 and 44 of the emerging Central Bedfordshire Development Strategy.

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 08 870-SO01 Rev.C, 08 870-SK01 Rev.F, 08 870-SK02 Rev.C, 08 870-SK04 Rev.D, 08 870-SK05 Rev.D, 08 870-SK06 Rev.B, 08 870-SK07 Rev.C, 08 870-SK08, 08 870-SK10 Rev.I, 08 870-SK20 Rev.A and 08 870-SK21 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. Each bin must be accessible without having to move the other bins. This store should be secured with a keypad in order to prevent misuse by the commercial premises.
3. The proposed gates will need to be unrestricted on collection day. The collection crew will collect the bins from the store on collection day and return them back to the store after emptying, to that end there will be no need for a collection point.

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

Planning permission has been granted for this proposal. 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.

Reasons for Granting

The principle of development has been established by the granting of outline planning permission (reference MB/02/00242/OUT) and is further supported by Policy DM4 of the Core Strategy and Development Management Policies Development Plan Document, Policy

38 of the emerging Development Strategy for Central Bedfordshire, the Land South of Stotfold Development Brief, the Land South of Stotfold Design and Landscape Strategy Code and the National Planning Policy Framework.

The proposed erection of 1 No. 1 bed flat, 2 No. 2 bed flats, 151 sq. metres A1 shop, parking spaces and parking bay, by reason of the siting, design, scale would complement the local surroundings and would not result in a loss of light, privacy or overshadowing or be prejudicial to highway safety as considered by Policies CS14, DM3 and DM4 of the Core Strategy and Development Management Policies Development Plan Document, Policies 27, 38 and 43 of the emerging Development Strategy for Central Bedfordshire and the National Planning Policy Framework. The development is in further conformity with technical guidance the Revised Central Bedfordshire Design Guide, the Land South of Stotfold Development Brief and the Land South of Stotfold Design and Landscape Strategy Code.

DECISION

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