

## LATE SHEET

### DEVELOPMENT MANAGEMENT COMMITTEE – 21 JULY 2014

#### ***Item 4 (Pages 5 - 104) – CB/11/04444/OUT – Land known as The Stearn Land, Clipstone Lane, Leighton Buzzard, Beds.***

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

###### Hogan Lovells/DTZ

A letter was received on 17<sup>th</sup> July 2014 from Hogan Lovells who act on behalf of the owner of the land referred to as the “Chiltern Hunt” land. The letter is attached along with previous correspondence dated 7<sup>th</sup> April 2014.

In response to the letter of 17<sup>th</sup> July the following comments use the numbering in the letter.

1. Hogan Lovells were not notified of the Development Management Committee arrangements. This is due to them being recorded as a consultee to the application rather than a “neighbour.” Consultees are not advised of the scheduling of committee meetings.
2. The letter from DTZ dated 7 April 2014 has been added to the late sheet.
3. The plan at page 105 of the report pack is purely to give the Members of the Committee guidance as to the location of the application site rather than a high level of detail. The error is acknowledged and a revised plan is attached.
4. The Committee report provides high level information with regard to the content of the proposed Section 106 Agreement. It is anticipated that the Section 106 Agreement can contain obligations for the applicants to provide road access and services to the site to facilitate the use of the land at a future date.
5. The Framework Plan does show a pedestrian link across their clients land; however the plans accompanying the planning application do not show any development on their clients land as it is outside of the application site.
6. The Green Belt argument is set out in the committee report for Members to consider. Should Members be minded to approve the applications they then need to be sent to the Secretary of State for his consideration and it is clear that the impact on the Green Belt will be a significant factor in his decision-making.

###### Neighbour Representations

An email has been received from a member of the public who cannot attend the meeting but wishes to make comment. It is considered that the points raised are addressed within the report.

###### 122 Nelson Road, Leighton Buzzard

*“I do not wish to speak at the meeting at Astral Park on the 18/07/2015. But I would like to voice my opposition to both these plans. With these plans and other plans for development on the eastern side of Leighton Buzzard it is about urban sprawl. These*

*plans will totally destroy the character of our town. Leighton Buzzard will be on par with the size of the Scottish towns of Perth and Inverness without the facilities these towns have. It appears CB councillors are more interested in the needs of the government and greedy developers than the needs of the Leighton Buzzard. There is a complete lack of affordable housing within these plans. With Sandhills it took ten years before there was any infrastructure and that was after a massive fight by the town to have amenities like Astral Park. Flooding is a major issue. Can we trust the developers to provide flood prevention. The developers will make millions at the expense of the town. This is about greed not need.”*

### **Additional Comments**

It is considered that all the issues raised by additional neighbour letter received have been dealt with in the report.

### **Item 5 (Pages 105-220) – CB/11/01937/OUT – Chamberlains Barn, Quarry, Heath Road, Leighton Buzzard.**

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

##### Hogan Lovells/DTZ

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### Leighton Linslade Churches

Leighton Linslade Churches responded to consultation within the requested timescale but their response was not included in the report, it has been attached to the late sheet in full.

### **Neighbour Representations**

A number of letters or emails have been received from members of the public who cannot attend the meeting but wish to reiterate their comments, where new or additional comments have been made they are reproduced below.

#### 122 Nelson Road, Leighton Buzzard

*"I do not wish to speak at the meeting at Astral Park on the 18/07/2015. But I would like to voice my opposition to both these plans. With these plans and other plans for development on the eastern side of Leighton Buzzard it is about urban sprawl. These plans will totally destroy the character of our town. Leighton Buzzard will be on par with the size of the Scottish towns of Perth and Inverness without the facilities these towns have. It appears CB councillors are more interested in the needs of the government and greedy developers than the needs of the Leighton Buzzard. There is a complete lack of affordable housing within these plans. With Sandhills it took ten years before there was any infrastructure and that was after a massive fight by the town to have amenities like Astral Park. Flooding is a major issue. Can we trust the developers to provide flood prevention? The developers will make millions at the expense of the town. This is about greed not need."*

#### Waverley, Hillside Road, Leighton Buzzard

*"With regard to protests against Arnold White's proposal to develop Chamberlains Barn Quarry site for housing, residents have been objecting to any development plan since 1990 when I believe there was a planning application by Arnold White for 4000 houses on that site. This was of course before quarrying recommenced latterly.*

*I think the majority of us regard any proposal to put dwellings on that site as so asinine (given the lack of access/exits to the site) that an assumption of rejection by the Local Authority has been presumed. As for adding a link road between Heath Road and Van Dyke Road - so what? It doesn't address the major issue of lack of access causing an unsustainable volume of traffic being generated by the site. I calculate that 950 dwellings at minimum of 2 vehicles per dwelling will generate upwards of 2000 vehicles at peak times. And all pouring out on to two country roads. I would remind the Planning Dept that Heath Road is a Class C road, presumably Vandyke is too."*

#### 118 Heath Road, Leighton Buzzard

*"Our concerns regard the proposed planning applications for the development of Chamberlains Barn Quarry.*

#### *In General:*

*As outlined to us quite clearly by the Developers when viewing the proposed plans, the site for a lower school, a local centre, country park etc would all be subject to the completion of the entire development. Each phase of the development would be conditional upon market circumstance and sales, and therefore would be halted at any time without having to provide the facilities.*

*All community facilities within the area are already struggling to manage. This long term, severely limited, intention by the developer will only increase demand further on existing facilities.*

*Our specific concerns:*

*Our property backs on to the proposed development site and will also be very near to the proposed junction on the Heath Road for the new link road.*

*The artist impression shows three storey developments immediately by our property which will be overbearing, these together with the development at the rear of our property will overlook our property and will be an invasion of our privacy (in both our garden and home). Any screening that may be proposed by planting trees etc on the boundary will cast our property in shade. At present our property is not overlooked and is free from trees etc.*

*The land proposed for the initial development has recently been cleared and levelled but has never been quarried. With the exception of vehicles accessing the quarry, this is a very quiet area, particularly in the evenings and at weekends. The noise from construction companies and ultimately from residents will certainly be invasive and 24 hours a day seven days a week.*

*The proposed link road will be within a few metres of our property. The volume of traffic on the Heath Road is already at such a level that it is difficult to pull out onto the road at times. Add to this the contractor's vehicles (for the duration of the development), residents vehicles and the link road through traffic will be chaotic and potentially dangerous. We will experience a substantial increase in inconvenience, traffic noise and fumes from standing vehicles etc. at this junction.*

*We have two pre schools and lower schools on the Heath Road both of which will be directly affected by increased traffic for road users and pedestrians.*

*We are directly against the proposed plans for the Chamberlains Barn Quarry."*

36 Cotefield Drive

Requested that the attached photographs be made available to the Committee.

### **Additional Officer Comments**

Comments have been received from a resident of Chamberlains Gardens who raises concern that not all of the issues in his correspondence have been fully addressed. The specific concerns relate to people on foot using the public open space to the rear of the properties on Chamberlains Gardens being able to approach their back fences and the security implications of the development on their dwellings.

There is proposed to be an area of public open space and woodland to the rear of the properties and rear gardens of Chamberlains Gardens. This could have some adverse impact on privacy compared to that which the residents currently enjoy. The situation is not however very different to many other residential areas where there is access along garden boundaries. Conditions are proposed which would require the

submission of details of the overarching landscape and open space strategy which would provide more detail on the way the area is envisaged to be used. There are also conditions which require details of boundary treatment within the site and it may be that the boundary with the rear gardens of Chamberlains Gardens is one which needs to be considered.

Compared to the current situation where the rear gardens of Chamberlains Gardens back onto a secured quarry site the proposed development could be perceived to have any impact on the level of security the properties benefit from. It could however also be argued that currently there is no surveillance of the quarry site and that the open space when in use would provide a better level of natural surveillance. Appropriate fencing could be considered within the condition mentioned above and it is also open to residents to take whatever precautions they wish to.

Whilst the impact of the proposal in terms of privacy and security on the residents of Chamberlains Gardens is appreciated it is considered that subject to conditions and where appropriate clauses within the legal agreement the impacts can be minimised. It is not considered that this issue is sufficient to warrant refusal of the planning application.

All other issues raised by additional neighbour letters received have been dealt with in the report.

### **Amended Conditions**

Remove condition 24 as no development is proposed within 15m of the water infrastructure belonging to Anglian Water however it is recommended that the advice is contained in an informative instead. The “water tower” Anglian Water refers to is the structure located off Shenley Hill Road.

### **Additional informative**

Anglian Water advise that the development is within 15m of a water tower. Whilst Anglian Water takes all reasonable steps to prevent any nuisance arising from the site, there should be no development within 15m from the boundary of the water tower if the development is potentially sensitive to noise or other disturbance or which might give rise to complaint from the occupiers regarding the location of the water tower.

### ***Item 6 (Pages 221 - 262) – CB/11/01940/FULL – Chamberlains Barn, Quarry, Heath Road, Leighton Buzzard.***

### **Additional Comments - Highways Development Control**

Since writing the report revised plans have been submitted to seek to address the minor points raised by the Highways Development Control Officer. The Highways Development Control Officer has reviewed the plans and comments as follows:

#### Heath Road junction

Amendments have been made to the Heath Road junction by:

- Reducing the width of the northbound right turn lane to enabling the widening of the left turn lane;
- Widening the Heath Road lane widths and amending road markings;
- Extending the two lane approach on the link road to accommodate more outbound vehicles;
- Shortening the link road splitter island and moving it eastwards to increase road space for turning movements;
- Realigning the Heath Road southbound footway to follow highway boundary.

These amendments are acceptable to the Highways Development Control Officer.

### Eastern Link Road

Amendments have been made to the horizontal alignment to increase the curve length, bus stop locations have been amended and mini roundabout approaches modified to include deflection.

The Highways Development Control Officer is satisfied with the change to the horizontal alignment but suggests that the bus stop locations need to respond to the surrounding development and therefore considers that it would be preferable to condition the location of the bus stops. With regard to the mini roundabouts amendments have been made to include deflection however it is not considered that these works are to the required standard and may need further refinement. It is considered that the minor realignment of the roundabout or other road features by very small distances (less than 1m) would be best dealt with by conditions.

The Highways Development Control Officer is satisfied that subject to any minor technical amendments required following the stage 2 safety audit and details to be submitted in accordance with conditions that the proposed road layout is acceptable.

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### **Additional Comments**

It is considered that all the issues raised by additional neighbour letters received have been dealt with in the report.

It was hoped that a Stage 2 Safety Audit would have been completed on the proposed link road ahead of the Committee meeting, unfortunately this is not the case. It is considered that the Stage 2 Safety Audit will only raise minor technical issues which may result in the need for small amendments to the link road. It is therefore requested the Interim Assistant Director Planning be authorised to agree such minor amendments to the plans as may be necessary following the receipt of the Stage 2 Safety Audit.

### **Amended Conditions**

As a result of receiving revised plans condition 9 which lists the approved plan numbers needs to be amended to:

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 3723.001 rev D – Link Road and Infrastructure Application – Planning application boundary, 3723.002 revB – Heath Rd Junction Access Scheme Layout, 3723.003 revB – Vandyke Rd Junction Access Scheme Layout, 3723.004 revB – Road 1 (Link/Spine Rd) Layout and Profile Sheet 1, 3723.005 revB - Road 1 (Link/Spine Rd) Layout and Profile Sheet 2, 3723.006 revB - Road 1 (Link/Spine Rd) Layout and Profile Sheet 3,



3723.007 revB - Road 1 (Link/Spine Rd) Layout and Profile Sheet 4,  
3723.008 revB - Road 1 (Link/Spine Rd) Layout and Profile Sheet 5,  
3723.009 revB - Road 1 (Link/Spine Rd) Layout and Profile Sheet 6,  
3723.015revA – Road 1 (link/spine road) Typical Road Construction Details,  
3723.016revA – Diverted NGR Scheme and Drainage Layout, 3723.017revA  
– Diverted NGR vertical profile, 3723.018revA – Diverted NGR Tunnel  
Sections, 3723.019 – FW and SW Drainage Strategy, 3723.020 – Detention  
basin and SW outfall, 3723.021 – FW pumping station general arrangement,  
3723.SK16revB – Vandyke Junction Access Alternative Layout (Phase 1  
AWEL).

Reason: For the avoidance of doubt.

### **Additional conditions**

The Highways Development Control Officer has requested additional conditions be added to any planning permission granted as follows:

- 10 **Development shall not begin until details of the junction between the proposed link road and the Heath Road have been approved by the Local Planning Authority and the proposed estate road shall not be open to traffic 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 of the proposed estate road in accordance with Policies 25 and 43 of the Development Strategy for Central Bedfordshire: revised pre-submission version May 2014.**

- 11 **Development shall not begin until details of the proposed mini roundabouts on the new link road has been approved by the Local Planning Authority**

**Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road in accordance with Policies 25 and 43 of the Development Strategy for Central Bedfordshire: revised pre-submission version May 2014.**

- 12 **Development shall not begin until the detailed plans and sections of the link proposed road, including gradients and method of surface water disposal have been approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access has been constructed in accordance with the approved details.**

**Reason: To ensure that the proposed roadworks are constructed to an adequate standard in accordance with Policies 25 and 43 of the Development Strategy for Central Bedfordshire: revised pre-submission version May 2014.**

- 13 **Development shall not begin until details of the location of the proposed bus stops along the new link road have been approved by the Local**

**Planning Authority in accordance with Policies 25 and 43 of the Development Strategy for Central Bedfordshire: revised pre-submission version May 2014.**

**Reason: To promote sustainable modes of transport and maintain free flow of traffic.**

- 14 If the proposed link 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 in accordance with Policies 25 and 43 of the Development Strategy for Central Bedfordshire: revised pre-submission version May 2014.

- 15 **No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.**

**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 in accordance with Policies 25 and 43 of the Development Strategy for Central Bedfordshire: revised pre-submission version May 2014.**

- 16 **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 in accordance with Policies 25 and 43 of the Development Strategy for Central Bedfordshire: revised pre-submission version May 2014.**

**Additional informatives**

The Highways Development Control Officer requests the following informatives be added to any planning permission:

7. 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.

8. The applicant is advised that if it is the intention to request the Central Bedfordshire County 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 Highway 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.
9. The applicant is advised that in order to comply with Condition 10 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,