

Item No. 13

APPLICATION NUMBER	CB/15/00210/OAC
LOCATION	Land at Valley Farm, Leighton Road, Soulbury, Bucks
PROPOSAL	Other Authority Consultation: Outline planning permission with means of access to be determined and all other matters reserved for mixed used development including residential uses (C3) - some 300 dwellings, Employment use (B1), Commercial (A1-A5 inclusive), Leisure and Community (D2) and Ambulance Waiting Facility (Sui Generis) Land uses and associated roads, drainage, car parking, servicing, footpaths, cycleways and public open space/informal open space and landscaping
PARISH	Leighton-Linslade
WARD	Linslade
WARD COUNCILLORS	Cllrs Hopkin, Janes & Warren
CASE OFFICER	Vicki Davies
DATE REGISTERED	21 January 2015
EXPIRY DATE	11 February 2015 (extension agreed with AVDC)
APPLICANT	Paul Newman Homes
CONSULTED BY	Aylesbury Vale District Council Planning Department
REASON FOR COMMITTEE TO DETERMINE	Brought to the Committee at the discretion of the Development Infrastructure Group Manager having regard to the significant public interest and interest from adjoining Ward Members.
RECOMMENDED DECISION	Other Authority Consultation - Objection

Site Location:

The site comprises two dwellings and approximately 42.4ha of agricultural land, it is located within the parish of Soulbury immediately adjacent to the western built up edge of Leighton Linslade between the existing town and the Stoke Hammond-Leighton Linslade bypass.

The B4032 Soulbury Road/Leighton Road runs through the northern part of the site. The site extends southwards alongside, and as far as, the extent of the existing residential development in the Derwent Road/Bideford Green area of Leighton Linslade.

The site is wholly within the Aylesbury Vale District. The site is located some 2km from the village of Soulbury and some 2.4km from the centre of Leighton Buzzard.

The Application:

Central Bedfordshire Council has been consulted by Aylesbury Vale District Council on a planning application for:

Outline planning permission with means of access to be determined and all other matters reserved for mixed used development including residential use (C3) - some 300 dwellings, Employment use (B1), Commercial (A1 - A5 inclusive), Leisure and Community (D2) and Ambulance Waiting Facility (Sui Generis) Land uses and associated roads, drainage, car parking, servicing, footpaths, cycleways and public open space/ informal open space and landscaping on land At Valley Farm, Leighton Road, Soulbury Buckinghamshire.

The application plans also show a “potential phase 2 development” which comprises 75 dwellings, 309m² single storey multi-use building (use to be determined), pedestrian and vehicular access (main point of access to Derwent Road), internal roads, car parking, cycleways, footpaths, footbridges, ponds for nature conservation purposes, balancing ponds, associated drainage systems, lighting and sewers and laying out of strategic landscaping.

The phase 2 development is not part of this current application and would require further planning applications to be made, one to AVDC for the development and one to CBC for the access, off Derwent Road.

This application proposes on 42.2ha of land:

- Not more than 300 dwellings – mix of 1 and 2 storey (this includes the loss of 2 dwellings)
- 1,116m² of buildings for employment use – mix of 1 and 2 storey
- Community building with a footprint of 145m² – 2 storey
- Ambulance waiting facility of 50m² – 2 storey
- Commercial floorspace (A1 – A5) – area not specified
- Playing fields and open space
- Roads, cycleway, footpaths, drainage, lighting, parking etc.

The Planning Statement set out that the whole site is not constrained by any statutory environmental or landscape designations within the saved policies of the Adopted Aylesbury Vale Local Plan (AVLP). It is:

- Not located within the designated Green Belt;
- Not located within a significant Flood Plain;
- Not located in the designated Area of Outstanding Natural Beauty;
- Not located in any designated Area of Attractive Landscape;
- Not located in any designated Local Landscape Area; and
- Not included within any other landscape / environmental protection designation save for a small part of the site which is Local Wildlife Site which will be retained and enhanced.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

4 - Promoting sustainable transport

6 - Delivering a wide choice of high quality homes

- 7 - Requiring good design
- 8 - Promoting healthy communities
- 10 - Meeting the challenge of climate change, flooding and coastal change
- 11 - Conserving and enhancing the natural environment
- 12 - Conserving and enhancing the historic environment

Central Bedfordshire Council planning policies are not relevant to the determination of the application but guidance may be used to assess the impacts of the proposal and consider appropriate levels of s106 contributions.

Supplementary Planning Guidance

Planning Obligations Strategy 2009

Planning History

Aylesbury Vale District Council

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|-----------------------------------|---|
| 10/00500/AOP
(CB/10/04616/OAC) | Outline application for mixed use development including Residential (C3) - 900 dwellings, Employment (B1), Commercial (A1,A2,A3,A4,A5) Primary School, Health Centre (D1), Leisure and Community (D2), Land Use and associated Roads, Drainage, Car Parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and landscaping. Refused 4/8/10. Appeal dismissed 30/1/12. |
| 11/00426/APP
(CB/11/00842/OAC) | Application for full planning permission for a Primary access off Leighton Road/Soulbury Road. This application relates solely to an access arrangement revision to the application 10/00500/AOP for mixed use development including Residential (C3) - 900 dwellings, Employment (B1), Commercial (A1,A2,A3,A4,A5) Primary School, Health Centre (D1), Leisure and Community (D2), Land Use and associated Roads, Drainage, Car Parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and landscaping. Refused 1/6/11. Appeal dismissed 30/1/12. |

Central Bedfordshire Council

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|------------------|---|
| SB/09/00176/FULL | Construction of vehicular access off Derwent Road in conjunction with proposed development within Aylesbury Vale District for outline planning application for a mixed use development (900 residential dwellings, Commercial A1, A2, A3, A4, A5, Primary school, Health centre (D1), Leisure and community(D2) land uses and associated roads, drainage, car parking, servicing, cycleways, public open space/informal open space and landscaping. Withdrawn 3/6/09. |
| CB/10/00859/FULL | Formation of a secondary vehicular access on land off Derwent Road to serve development proposed within |

Aylesbury Vale District under an outline planning application for Mixed Use Development including Residential (C3), some 900 dwellings, Employment (B1) Commercial (A1, A2, A3, A4, A5), Primary school, Health centre (D1), Leisure and Community (D2) Land uses and associated roads, Drainage, Car parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and Landscaping (revised application SB/09/00176/TP). Refused 24/6/10. Appeal withdrawn.

CB/11/00750/FULL Revised scheme for the formation of a secondary vehicular access on land off Derwent Road to serve development proposed within Aylesbury Vale District under an outline planning application for Mixed Use Development including Residential (C3), some 900 dwellings, Employment (B1) Commercial (A1, A2, A3, A4, A5), Primary school, Health centre (D1), Leisure and Community (D2) Land uses and associated roads, Drainage, Car parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and Landscaping (revised application CB/10/00859/FULL). Refused 26/5/11. Appeal dismissed 30/1/12.

**Representations:
(Parish & Neighbours)**

Although CBC has not consulted the Town Council or neighbouring residents, a number of comments have been received regarding the application. AVDC do not send letters to residents alerting them to planning applications however in this case they have erected a number of site notices within their District and along relevant points on the border to ensure residents of both AVDC and CBC are notified.

Leighton Linlade Town Council The Town Council has objected and the content of their response sent to AVDC is provided below.

"At its meeting held 26th January 2015, my Council resolved to object to the above planning application. Before considering the reasons, my Council wishes to question why it has not been formally consulted on the proposal which will by virtue of its size and juxtaposition have a material impact upon this Parish to the detriment of its existing residents. The lack of meaningful engagement (by either the determining planning authority or the applicant) with this Council is remarkable given the dependency on this parish; a point founded within the supporting statement which accompanies the planning application. This makes clear that in order for the proposal to demonstrate it is sustainable, it will be forced to look toward this parish to meet its schooling, leisure, open space, employment, transportation and retail provision. Yet no meaningful engagement has to date taken place which is clearly at odds with the principles of front loading consultation to which national planning policy espouses.

The Proposal:-

- The amended scheme follows the refusal of a previous scheme which was duly refused on appeal and subsequent to this, by the Secretary of State. Despite the fact that the proposal is reduced in scale, it is clear that the applicant intends to develop the site in planned phases. In its decision to uphold the appeal refusal, the Secretary of State makes clear at paragraph 82 that once permission had been granted, it would be hard to contain the spread of the urban area further to the north-west. Mindful of this, my Council remains of the opinion that once the principle of development has been established, it will indeed prove difficult to contain the further spread of development.
- The proposed development would be located in open countryside, causing substantial harm to landscape character. The proposal therefore lies at odds with local, regional and national planning policy which seeks to safeguard land from inappropriate development. Whilst reduced in scale and despite amendments, the proposal would intrude into a sensitive, open landscape area. No amount of soft landscaping would overcome the visual as well as physical impact the proposal would have on the landscape hereabouts. Moreover, for the parish, the Town Council maintains its objection on the grounds that the site represents a valuable green buffer, a green lung to counteract the development taking place both to the east and south of the parish.
- The unplanned development to the west of the parish is unsustainable given my Council and Central Bedfordshire's commitment to mixed use growth to the east and south of the parish. The proposed unplanned development would place further unreasonable demands on an already overburdened infrastructure which is struggling to meet its own locally derived demands let alone those derived from a hostile planning application. As the determining authority is minded, the site was considered as part of the call for sites exercise (to inform the Joint Core Strategy) but was rejected on appropriateness grounds.
- The planning application fails to demonstrate how it intends to meet the burden it will inevitably place on scarce service resources. Moreover, even if the application were deemed acceptable in planning terms, it appears that neither this parish or indeed the principal authority will benefit from New Homes Bonus, Council Tax or S106 monies despite the burden the application

will inflict on those scarce resources be it education or traffic for example. This is neither fair nor reasonable and therefore, my Council seeks reassurance that this will not be the case."

Neighbours

3 Alwins Field

381 Bideford Green

92 Himley Green

Himley Green (no
number provided)

3 Milebush

23 Milebush

One letter with no
address provided

CBC has received 7 letters of objection to the application, which have also been sent to AVDC. The reasons for the objections are:

- the development would give rise to serious traffic congestion resulting in danger to both motorists and pedestrians;
- installation of traffic lights in a significant dip on a bend would create dangerous congestion;
- pedestrians choosing to walk into Linslade would require a footpath either side of the AVDC and CBC boundary leading to Derwent Road where a pedestrian crossing would be required;
- the development would impact on Central Bedfordshire not on AVDC or Bucks CC;
- the proposed cut through from the land through Linslade Wood without discussion with CBC would be illegal;
- environmental sensitivity of the area, both in terms of flora and fauna;
- visual impact of the development;
- Valley Farm helps to reduce the negative impact of the bypass, both in noise and pollution;
- the developers have not updated their EIA;
- overstretched sewage system;
- lack of housing need, there is no shortage of housing;
- groundwater vulnerability with ground stability hazards;
- adverse impact on Leighton Buzzard town centre;
- contrary to policy;
- unsustainable development;
- precedent;
- taxes, income and s106 would go to AVDC or Bucks CC;
- insufficient spaces in local schools.

Some objectors incorrectly state that the site is in the Green Belt, AGLV or AONB.

Consultations/Publicity responses

Details of consultation responses from CBC consultees are included and considered in the report below.

Determining Issues

The main considerations of the application are;

1. Background & Planning History
2. Planning Policy
3. Education
4. Ecological Impact
5. Landscape Impact
6. Highways, Public Transport and Sustainable Transport
7. Consultation responses which do not raise concerns
8. Other Issues
9. Proposed Response to AVDC

Considerations

1. Background and Planning History

The site has been subject to previous planning applications in 2009, 2010 and 2011.

The development proposals were submitted in outline and included 900 dwellings (C3), Employment (B1) Commercial (A1, A2, A3, A4, A5), Primary school, Health centre (D1), Leisure and Community (D2) Land uses and associated roads, Drainage, Car parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and Landscaping.

In addition, due to the configuration of the development, an application was submitted to Central Bedfordshire Council for a secondary vehicular access and associated works on land off Derwent Road to serve proposed development.

Early applications were subsequently withdrawn by the applicant.

A decision on the resubmitted applications was taken by Central Bedfordshire Council (24th June 2010) and related primarily to highways matters. The second decision was taken by Aylesbury Vale District Council, dated 4th August 2010, and dealt with the more substantive planning policy, housing land supply, infrastructure and environmental matters. Appeals against these decisions were subsequently lodged in December 2010 (Case References APP/P0240/A/10/2143323 (subsequently withdrawn) and APP/J0405/A/10/2143343).

In order to deal with the technical reasons for refusals relating to highways matters in both applications, revised applications were submitted to both Aylesbury Vale and Central Bedfordshire. These were both subsequently refused and appeals submitted and conjoined with the above appeals (Case References APP/J0405/A/11/2154252 and APP/P0240/A/11/2154254).

The Inspector in his report to the Secretary of State recommended that all three appeals be dismissed and the Secretary of State agreed with the conclusions for reasons set out in the decision letter dated 30 January 2012, including those matters set out in paragraphs 14-24. The overall conclusions were set out in paragraph 24 as follows:

“The Secretary of State concludes that Appeal A is not in accordance with the development plan or with national policy with regard to environmental and economic sustainability. He therefore concludes that, although the Appeal A

scheme gains some limited support from other matters, those material considerations are not of sufficient weight to determine the appeal other than in accordance with the development plan. He also concludes that, as the proposals forming Appeals B and D are inextricably linked with Appeal A, they should follow the outcome of that appeal.”

The Secretary of State's decision gave weight to the fact that the land was not allocated for residential development; the proposal would have a harmful effect on the character and appearance of the open countryside and is therefore not environmentally sustainable and the imbalance of on-site employment opportunities.

In terms of the impact on the Council's approach to the east of Leighton Linlade allocation, the Secretary of State considered that no weight should be given to the Inspectors conclusion that the proposal would prejudice the delivery of the comprehensive and locally supported package to the east of Leighton Linlade.

The application is accompanied by an Environmental Impact Assessment, the EIA is however the same one as was submitted with the 2010 application which brings into question the appropriateness of the information contained within it. It is considered that concerns should be raised with AVDC regarding this point.

2. Planning Policy

The Local Development Framework Team comment as follows.

This site was assessed by the Council's planning policy team following a 'call for sites' in 2012. This assessment was originally included within the Sustainability Appraisal for the emerging Development Strategy but was removed as the site is outside of Central Bedfordshire. The assessment however, is still considered to be a fair indication of the suitability of this site for development.

Of most notable concern is that the landscape sensitivity is rated as moderate to high. It was concluded that even a development of 250-500 dwellings would still result in a significant loss of landscape quality, harm the rural setting of Linlade and potentially damage mature landscape features. Proposals at the time stated that less than 50% of the site would be developed but sufficient landscape mitigation was still not proven. The assessment gave the site an amber rating which means that some concerns and/or constraints were identified.

It is noted that Aylesbury Vale do not have a five year housing land supply and therefore the presumption in favour of development applies. This is however outweighed by the need to protect this valued landscape west of Linlade. It is also unclear as to what extent this development would contribute towards housing need in Aylesbury Vale. The site's location abutting the existing settlement of Linlade would more realistically mean that it would contribute towards the local needs in Leighton Linlade.

3. Education

The School Places Team has responded as follows, with detailed information on current capacity at schools in Central Bedfordshire and how these schools would be affected by the proposal.

The location of the site, and local education provision

The proposed 300 dwelling development at Soulbury is within Aylesbury Vale but the population of the development would likely look to closer schools in Leighton Buzzard. Greenleas Lower School, for example, is closer to the development site than the catchment primary school within Buckinghamshire which is Cottesloe Primary in Wing, around 3 miles from the centre of the development site.

School places in Leighton and Impact of Development

On the basis of Central Bedfordshire's forecasts of pupil yield assumptions a development of this size would be expected to create around 12 pupils per year group. Greenleas Lower School is the closest school to the development and pupils attending that school would be expected to feed into Leighton Middle School and then Cedars Upper School, all within Leighton Buzzard. Pressure for school places is already forecast in Leighton Linslade as a result of approved housing development on allocated sites in the local area.

Full financial contributions for all levels of educational provision would ordinarily be required from this development, an area of land may also be requested to be provided within the development site to enable the future expansion of a school. The exact form of the contributions would be subject to further discussion with Aylesbury Vale District Council and Buckinghamshire County Council which should be informed by feedback from local schools and feasibility studies on their ability to accommodate expansion.

Difficulties for Central Bedfordshire Council

300 homes in this location would create challenges for schools in Central Bedfordshire. Although this development is outside of Central Bedfordshire the proximity to Leighton Linslade would mean that the residents of the development would likely apply to CBC schools and be allocated places under the distance admission criteria, which would affect the ability of the schools to provide for CBC residents. Housing development elsewhere in Leighton Linslade has created a pressure for places across all phases of education and plans are in place to manage this, but an additional 12 pupils per year group would require further action. It is impossible to plan for piecemeal development on unallocated sites such as this in a strategic way, meaning that the authority is forced to take reactive action which is not ideal, as well as being disruptive for the schools involved.

For example, Greenleas is a popular and successful good school which managed an expansion onto a second site within the Sandhills estate for September 2013. An option for providing for the population of a development at Soulbury may be to increase Greenleas, Derwent Road to 2.5 or 3 forms of entry, with a detached playing field within the proposed housing development. While this would provide the pupil places it is far from ideal for the school which has recently faced a great deal of disruption due to the previous expansion. In addition, at this point in time there is no certainty around the actual deliverability or cost of a project at this school as a feasibility study has not been undertaken to understand the ability of the school building to expand, nor have the school been involved in any discussions with the authority regarding the possibility of expansion.

Political background- the policy principles

In addition to the practical difficulties in expanding Greenleas Lower School and the organisational problems associated with a 2.5fe school, to do so would go against CBC policy principles which set out that a lower school should only be expanded to or above 3 forms of entry in exceptional circumstances. (CBC policy principles which were delivered to Executive in February 2013):

"30. Ideally lower schools should have 2 forms of entry (i.e. two classes per year group), leading to a school size of 300. For Primary Schools this leads to a school size of 420. This gives headteachers a balance of some teaching, as well as time to manage and monitor, with the ability to employ appropriate non-teaching support in the school.

31. Above 3 forms of entry (450 pupils for lowers, 630 pupils for Primary Schools) it becomes increasingly difficult to maintain consistency, coherence and a 'whole school' ethos appropriate to pupils of this school age. The Council acting as the Local Authority consider it preferable to promote the expansion and creation of new lower/primary school provision at or above 3 forms of entry only in exceptional circumstances.

32. The larger the school, the more likely it is that the Headteacher and senior staff will spend most of their time managing resources rather than on education. If this time is spent on key issues known to promote school improvement in driving the ethos of the school towards raising attainment by a focus on pupil level data management, engagement with the teaching and learning process etc. their offer outside that of classroom input can accelerate school improvement and outcomes."

It is clear from the comments provided that the proposed development would have a significant impact on Central Bedfordshire schools and that if AVDC are minded to approve the application that the full level of financial contributions must be secured and paid to CBC along with the provision of a suitable area of land to enable the expansion of Greenleas Lower School, Derwent Road.

4. Ecological Impacts

The Council's Ecologist comments as follows:

I would only offer one observation in relation to the ecological receptors the Ecological Survey identifies in 3.76. In 3.5 it states that 'With the exception of Valley Farm Fen LWS, the statutorily and non-statutorily designated sites are not considered as Valued Ecological Receptors (VERs) and therefore need no further consideration within the EclA. This is due to the spatial arrangement of the Sites and their separation from the proposed development, leading to the consideration that they will not be significantly impacted by the proposals.'

The sites may be separated and not immediately adjacent to the development area as the LWS is but the impact will be felt once the development is complete in the form of increased recreational pressure. Sites such as Linslade Wood, an area of ancient woodland, and Rock Lane, an old green lane, will suffer from an increase in footfall which is inevitable when 300 new homes are built on a site within 500m of the CWSs. Hence I would seek to ensure any future development of this area addresses potential impacts, demonstrates adequate

on site provision of open space and buffering and enhancement of edge habitats.

It is therefore considered that in the event that planning permission is granted that a scheme of mitigation for Linslade Wood and Rock Lane is secured along with appropriate levels of financial contribution to enable the mitigation to be undertaken and managed for a period of 10 years.

5. Landscape Impacts

The Landscape Officer has provided the following comments.

Having studied the application documents and visited the site and surrounds I have serious concerns regarding negative impact of proposals on landscape character and visual amenity and object to the proposals:

- The proposed development will result in the encroachment of built form in to open, elevated, distinctive rural countryside which is contiguous with adjoining rural designated high quality landscapes.
- The proposed development cannot be adequately or appropriately mitigated due to the elevated open character of the application site and location in relation to the wider landscape character and setting.

Application Site and Surrounds

The application site is located adjacent to the Central Bedfordshire Council / Buckinghamshire County Boundary which is demarcated by a historic hedgerow running along the elevated ridgeline. The existing urban area of Leighton Linslade is generally contained by topography set back further to the east of the ridgeline and generally screened by hedgerows/ hedgerow trees. Existing residential edge rear of Malvern Drive on the ridge is partially visible with reduced landscape screening to back gardens.

The application site is entirely within greenfield agricultural land extending from the elevated ridgeline west of the existing urban area of Leighton Linslade and extending down slope to the Stoke Hammond Bypass (A4146) constructed in 2007. Beyond the application site and bypass the landscape then rises up to form the western valley-side to the rural Soulbury plateau with reciprocal views across the valley back to the ridgeline east of the application site. *This view is described in Viewpoint 7.*

Leighton Road (B4032) runs through the northern portion of the application site comprising open pastures rising to the north and Linslade New Wood (publicly accessible land owned by CBC and managed by the Greensand Trust) with the Ouzel Valley and Greensand Ridge beyond further to the north east.

The application site as a whole presents a pastoral scene of fields enclosed by hedgerows and hedgerow trees and forms a rural approach to Leighton Linslade. The Stoke Hammond bypass follows the valley floor in part with landscape mitigation associated with the bypass maturing and the visual impact of the road thus reducing.

Landscape designations

The application site is located between the northern and southern areas of

South Bedfordshire Green Belt but is not designated as Green Belt. On site the landscape flows with no distinguishing or distinctive change in the high quality rural landscape to that in areas designated as Green Belt. The application site performs a vital role in linking the two areas of Green Belt, reinforcing the pastoral character and openness of the local Green Belt landscape.

The Design & Access Statement *Fig 3.7 Landscape Data Plan* describes landscape designations surrounding the application site and relationship of the application site with the surrounds. The reasons for the application site not being included in any spatial or landscape designation appears an anomaly associated to local authority boundaries on plan, the distinctive rural qualities of the site and surrounds are continuous on site in reality.

Environmental Sensitivity Assessment

The application site and surrounding landscape has been assessed previously to consider the environmental sensitivity and capacity for growth including land west of Leighton Linlade part of which includes the application site:

'Environmental Sensitivity Assessment (ESA) South Bedfordshire Growth Area; Supplementary Report Relating to portions of Land Adjoining Council Areas potentially Affected by the Delivery of Growth'; Land Use Consultants (LUC) 2008.

The ESA considers landscape immediately west of Leighton Linlade described as 'Area A' and including the application site and wider landscape further to the west, described as 'Area A1'

The ESA comments on:

- The distinctive, rural character of the landscape within Area A including the application site and described as highly representative of the district landscape character area.
- Views to Area A and importance of high sensitivity of the elevated areas along the ridge in providing a rural backdrop to the bypass and wider Ouzel valley.
- Evaluation of views and visual amenity concluded that new development to the west facing slopes would be highly visible and prominent within the rural landscape setting.
- The overall sensitivity of Area A is assessed as Grade 1 ('significant constraints such that it is not considered appropriate for development to take place'. *Table 2 Sensitivity Grading*) due to containment of the existing settlement edge and providing a rural edge and approach to western Linlade.
- Given the high sensitivity of the landscape development cannot be mitigated and is not recommended.

The ESA also specifically comments on the sensitivity of the wider landscape area to any future expansion of Linlade and is assessed as Grade 1 overall – development is not recommended.

Proposed development and landscape mitigation

The proposed development describes built form extending downslope, down a valley side westwards and up to the northern ridge adjoining Linlade Wood.

Development is shown on the steeper westerly facing slopes (*D&AS Fig 3.8 Topography Plan*) where landscape mitigation is shown primarily reliant on street trees along tree lined boulevard (*ES Fig 6.6 Design strategy; Landscape Strategy Plan.*) There appears no other evidence describing effectiveness of proposed mitigation in the form of updated sections, photomontages, etc. The capacity of the proposed landscape mitigation to effectively integrate development is of considerable concern especially given the topographic character of the site and surrounding landscapes and assessed as having a high sensitivity to change

Conclusion

I conclude; due to the site landscape character and visual relationship with adjoining landscapes, that the site cannot accommodate development without resulting in significant visual impact and change in landscape character associated with the application site and wider surrounding landscapes both in Central Bedfordshire and Aylesbury Vale DC.

Independent landscape sensitivity assessments confer the high sensitivity of landscape to change and need to resist development of this site. Effective landscape mitigation is not demonstrated or assured. Therefore I confirm my objection to this application.

If the application were to be approved I request that a developer contribution be agreed towards Green Infrastructure in response to the impact of future users on GI and GI facilities within Central Bedfordshire.

6. Highways & Sustainable Transport

Highways Development Control

It is proposed that in the future a secondary access serving the southern portion of this site is to be provided. This secondary access would be taken directly to/from Derwent Road which falls within the jurisdiction of this highway authority.

The principle vehicular access to this site falls outside of the Central Bedfordshire area and as such, this office's comments will be limited to the potential vehicular impact upon CBC's highway network.

The first point to note is that the application suggests a development of some 300 residential dwellings, whereas the submitted Transport Assessment is basing its assessment upon a proposed development of some 900 dwellings. This discrepancy is not understood.

In terms of traffic generation and trip distribution, this is a matter for Buckinghamshire County Council to comment on in their capacity as local highway authority.

Therefore, taking the submitted traffic generation estimates on face value, the Soulbury Road/Derwent Road roundabout, the junction would appear to operate within its theoretical capacity limits during the 2020 "Do Something" Scenario.

With regards to the Bunkers Lane/Wing Road T-junction. Operational assessment illustrates that there are currently capacity issues being experienced at this junction, and these will continue into the 2018 "Do Minimum"

AM Peak. The PM peak hour operates at a sufficient level during all scenarios and operates below its theoretical capacity limit during the 2020 “Do Something” scenario.

In terms of the AM peak the results of the modelling equate to an operational assessment that gives this office cause for concern with regards to excess queuing and delay. Although this office agrees with the Transport Assessment to the limitations of PICADY once a junction becomes over saturated. On this basis, the local highway authority would require a Transport Assessment Addendum to focus on this specific junction in order to assess the operational benefits of the proposed modifications further.

With regards to the Soulbury Road/Station Road junction, the submitted operational assessment confirms that the junction will continue to operate well within theoretical capacity limits throughout the assessment period.

With regards to the junction of Stoke Road/Old Road LINSIG modelling confirms its operation within optimum efficiency and delay levels throughout the assessment scenario periods.

With regards to the junction of West Street/Wing Road, operational assessment confirms it will operate within theoretical capacity limits during all of the assessment period scenarios.

With regards to the junction of West Street/Vimy Road ARCADY modelling confirms it will operate within theoretical capacity limits during all of the assessment period scenarios.

With regards to the junction of West Street/Bridge Street, ARCADY modelling suggests that the West Street arm of the junction will operate at near to its theoretical capacity limit during the 2020 “Do Minimum” scenario. The introduction of development traffic further exacerbates this issue.

The TA puts forward some design modifications for the junction where operational assessment illustrates the junction will operate below an RFC of 0.750 during the 2020 “Do Something” Scenario. In order for this office to be satisfied with this proposal, a TA addendum focusing on this issue would be required for further review.

With regards to the junction of West Street/Friday Street/Bassett Road, modelling confirms it will operate within theoretical capacity limits during all of the assessment period scenarios.

With regards to the junction of West Street/Waterborne Walk, modelling confirms it will operate within theoretical capacity limits during all of the assessment period scenarios.

With regards to the junctions of West Street/North Street and West Street/Hockliffe Street/Leston Road some moderate performance issues are being reported with associated mitigation works. Again, this office would request a TA addendum be submitted that deals with these issues more closely for further review.

In light of the above, this office raises concerns with regards to the number of junctions within the capacity study area that are predicted to operate close to or above their theoretical capacity limits without mitigation schemes being put into place.

As an adjoining highway authority consultation, this office makes no comment or decision upon the correctness or validity of the traffic data, trip generation data or trip assignment data used to inform the operational modelling. This is for the determining highway authority to pass comment upon; however on face value this office raises an objection to this proposal subject to the determining highway authority passing comment upon the TA data. At that point, this highway authority may lift its objection or alternatively request a TA addendum to be submitted that deals with the above concerns for further review.

Sustainable Transport

Whilst this application is within Aylesbury Vale, it essentially represents an urban extension to Leighton Linlade. Consequently whilst Aylesbury Vale District Council and Buckinghamshire County Council will be responsible for 'servicing' the development the direct impact will be upon a Central Bedfordshire town.

Central Bedfordshire will therefore need to ensure that the development is sustainable in transport terms and maximises the opportunities provided locally in terms of the retail offer, access to London or Milton Keynes, access to further education for instance. To this end therefore connectivity is crucial to the local area for those without access to the private car whilst also seeking to reduce the impact of potential increase in traffic flow on local infrastructure in Leighton Linlade.

Unfortunately the TA that is presented is dated March 2010 and requires updating to reflect recent changes. For instance, the submission refers to a previously proposed scheme whereby buses accessed the site via Derwent Road, which does not feature as a proposal in this particular application.

In order to be considered sustainable in transport terms the following commitments need to be made:

- A bespoke public transport service linking the development to the town via the railway station. This would need to provide a service between 07:00 and 19:00 (Mondays to Fridays); 0900 and 17:00 (Saturdays). The frequency of the service would be one per hour approximately, with one two hour gap on Saturdays to meet drivers' regulations. The officer has assumed a daily price of £480 per day, Mondays to Fridays; £360 per day Saturdays. Final prices will depend on tender results prevalent at the time. For budgeting purposes I estimate £139,800 per year. Prices are based on an hourly cost of £40 per hour (current rates vary between £35 and £50 per hour), with fares revenue going to the bus operator. It is suggested that the support for the bus service should be a minimum of 3 years, with the service starting once 25% of the dwellings are occupied. The financial contributions required would therefore total £419,400 at £139,800 per year for 3 years plus the installation of bus stops.

- Highway design within the development to allow for public transport, minimum 6.5metres.
- Bus stops on site such that no dwelling is more than 400m from a bus stop. New bus stops should have a raised kerb, pole with bus stop flag and timetable case. At least one stop should have a bus shelter with real time screen.
- A contribution to improvements to the railway station forecourt to reflect the requirement for increased capacity due to increases in service from the new developments.
- Shared use path along Soulbury Road as indicated on the TA.
- Footway from the proposed pedestrian/cycling access off Derwent Road to Greenleas School.
- Raised crossing point linking to the school and CBC ROW 59 adjacent to Greenleas School and linking to the pedestrian route to the station.
- Raised crossing point to be incorporated into a school safety zone with a 20mph speed limit.
- Improvements to CBC ROW BW52, Rock Lane, providing links from the south of the site to the railway station and the town. In conjunction with an upgrade to the PROW to BW to which this connects within Aylesbury Vale in order to provide continuity of provision. Improvements to surfacing and lighting in order to maximise the opportunity that this route provides with regard to access to the station, local schools, leisure facilities and the town centre.
- Travel planning measures including contributions to CBC that directly benefit Leighton Linlade and in line with those proposed for other urban extensions in the South Central Bedfordshire growth area.
- Cycle parking in each property (residential and non residential) according to CBC policy.
- Enhanced crossing linking the proposed north - south footpath across Leighton Road onto existing cycle paths to connect to Sustrans National Route 6 on the canal towpath.
- High quality foot and cycle paths within the development.
- Road design to ensure cycle use is not hampered by parked cars.

Travel plan commentary

As part of this application, Aylesbury Vale District Council should take into account the following points regarding their community framework travel plan document for the site:

The plan is clearly based on information available at the time of writing of the transport assessment. Updates should be requested to the plan both in terms of statistics (census data, traffic counts etc.) but also references to funding and planned works. It is important to base the travel plan on the situation as it is currently.

AVDC should be requesting interim modal share targets at this stage, to be revised upon actual travel data becoming available. As many of the facilities residents will use are in the CBC area we will have an interest in what the interim targets are for reducing single occupancy car trips.

The travel plan steering group/working group should seek to include local groups such as Buzzcycles in Leighton Buzzard to co-promote initiatives throughout the area.

More details should be requested as to how the measures are to be financed, managed and secured - understandably detailed measures will be brought forward in time but it should be made clear what the mechanism for delivery of measures will be and how this ties in to CBC schemes and promotions in the area.

The travel plan will need to re-think using the Leighton Buzzard station travel plan steering group as a mechanism for discussion/ action as this was a funded group which is currently inactive. Members of the group are still actively promoting issues but the group itself is on hold at present.

It is clearly unacceptable for the applicant to submit a TA which does not address the current application proposal rather a previous larger scheme. It is also not clear whether the TA takes into account the impact of the East of Leighton Linslade proposals which were submitted in 2011 after the 2010 TA was produced. The validity and accuracy of the TA are therefore brought into question.

7. Consultation Responses which do not raise concerns

The Climate Change Officer commented that the proposed sustainability and energy standards for residential and non-residential buildings are similar to standards required by the CBC's policies.

The Archaeologist comments that "the development lies wholly within Buckinghamshire. The Environmental Statement deals with the impact of the proposed development on archaeology (Chapter 15). It is clear from this that the Buckinghamshire County Archaeology Office has been involved in discussions about this application and are in a position to comment on this application.

The proposal will not directly impact on any archaeological remains in Central Bedfordshire and would be unlikely to have a major impact on the setting of any designated heritage assets in the Authority area. Therefore, I have no objection to this application on archaeological grounds nor do I have any additional comments to make on it."

8. Section 106 and Other Issues

In the event that AVDC are minded to grant planning permission for the proposal CBC should be party to the Section 106 agreement to ensure that appropriate contributions are secured.

It is not considered that the consideration of this application raises any Human Rights issues.

It is not considered that this application raises any issues for CBC under the Equality Act 2010.

9. Proposed Response to AVDC

It is proposed that a copy of this report would be provided to AVDC and the wording below would be included in the covering letter from Andrew Davie, Development Infrastructure Group Manager.

I refer to your letter of 21 January 2015 regarding the planning application as shown above and would confirm that Central Bedfordshire Council wishes to object to the proposed development on the following grounds.

1) Planning application documents

Central Bedfordshire Council raises significant concerns that the Environmental Impact Assessment is from 2010 and relates to a different proposal. The Transport Assessment is also from 2010 and it is not clear whether it adequately takes into account recent and future development. Overall the submitted documents do not reflect the current application proposals and this is a matter of concern.

2) Principle

A planning application for a larger, but similar residential development in this area was refused by AVDC and dismissed at appeal in 2012. The Secretary of State in his conclusions set out that "*The Secretary of State concludes that Appeal A is not in accordance with the development plan or with national policy with regard to environmental and economic sustainability*". It is our opinion that nothing has changed to warrant moving away from this point of principle.

Central Bedfordshire Council object on the basis that the proposal is not in accordance with national policy in relation to environmental or economic sustainability.

3) Housing need

The proposal would clearly have numerous impacts on Leighton Linlade, which would effectively receive a western urban extension. The Council gave consideration to extending Leighton Linlade to the west or to the east and took the view that the most sustainable and appropriate location for the extension of the town would be to the east and planning applications have been made to deliver this development. The LDF Team commented that an assessment of the site has been made previously but the landscape sensitivity is rated as moderate to high and the proposals at the time stated that less than 50% of the site would be developed but sufficient landscape mitigation was still not proven. The LDF Team also highlight that the proximity of the site to Central

Bedfordshire brings into question which authority's housing need would actually be met by the development proposal.

Central Bedfordshire Council object as the site is unacceptable in principle having previously been considered during a call for sites and discounted due to the landscape sensitivity. Central Bedfordshire Council can demonstrate a 5 year housing land supply and as the proposed development relates better to Leighton Linlade it would contribute to housing need in Central Bedfordshire rather than in Aylesbury Vale, limited weight should therefore be given to the argument that the proposal would contribute to AVDC need for housing.

4) Infrastructure Impacts

There would be significant impacts on the town of Leighton Linlade in terms of additional pressures on all types infrastructure with the application acknowledging that the town would meet the needs of the residents of the proposed new houses in terms of the town centre with wide variety of shops, Tiddenfoot Leisure Centre, Leighton Buzzard Library Theatre, schools, railway station, bus services to the station and other destinations and employment opportunities.

Central Bedfordshire Council object to the proposal due to the adverse impacts it would have on the town of Leighton Linlade by placing significant additional pressures on all infrastructure and services.

5) Impact on Leighton Buzzard town centre

The new residents of the proposed development would use Leighton Buzzard Town Centre for their day to day needs as the next nearest settlement of a similar size would be Bletchley some 11km away. Leighton Linlade town centre is already under pressure and CBC has two development briefs in place to expand town centre retail, commercial and residential provision.

Central Bedfordshire Council objects to the application on the basis that it would have an adverse impact on the infrastructure and services of Leighton Linlade town centre and no mitigation is proposed.

6) Tiddenfoot Leisure Centre

Tiddenfoot Leisure Centre is already under severe pressure by meeting the needs of the existing population of Leighton Linlade and cannot accommodate the additional pressures that the proposal would bring.

Central Bedfordshire Council objects to the application as it would place unacceptable pressure on Tiddenfoot Leisure Centre which is already under severe pressure and there are no proposals to mitigate this impact.

7) Education

The children generated by the development would be most likely to attend schools within Central Bedfordshire rather than AVDC as the nearest schools would be in Leighton Linlade. 300 dwellings would generate 12 pupils per year group which cannot be accommodated within existing schools within Leighton Linlade without extensions. Financial contributions would be able to mitigate the impacts and provide funding to extend schools as required. In the specific case of Greenleas Lower School, Derwent Road which would be under the

greatest pressure, there is no room on the site for any further extensions. This would therefore need to be mitigated by the applicant providing a suitable area of land. The land would be within the application site and would therefore have to be used as a detached playing field, this would not be ideal but if necessary would be acceptable. If this were to be the case, a safe crossing or bridge would also be needed, also paid for by the applicant.

If AVDC are minded to approve the application, Central Bedfordshire Council objects due to the impact on education provision, unless full contributions are secured and passed to CBC, a suitable area of land for a detached playing field is provided along with a safe crossing point or bridge at the applicants cost.

8) Highways

The Transport Assessment submitted is from 2010 and deals with the previous application proposals for 900 dwellings, it is therefore not directly relevant to the current application. A TA addendum is required to address the junctions which are close to or above their theoretical capacity limits.

Central Bedfordshire Council objects to the proposals on highway grounds until a TA addendum to ensure that the information is relevant to the proposal under consideration is submitted to address the junctions identified as near capacity.

9) Sustainable Transport

The development would need to provide and incorporate significant measures to enable it to be considered sustainable in transport terms.

Central Bedfordshire Council therefore objects to the application unless funding for a bespoke bus service for at least 3 years is secured, along with an appropriate highway design to allow easy access for public transport; shared use paths, footways and crossing points; improvements to public rights of way; cycle parking provision; travel planning measures and contributions to the station forecourt to allow the extra capacity to be accommodated.

10) Landscape Impacts & Green Infrastructure

Serious concerns regarding negative impact of proposals on landscape character and visual amenity have been raised and Central Bedfordshire Council therefore objects to the proposals.

The proposed development would result in the encroachment of built form in to open, elevated, distinctive rural countryside which is contiguous with adjoining rural designated high quality landscapes and cannot be adequately or appropriately mitigated due to the elevated open character of the application site and location in relation to the wider landscape character and setting.

Due to the site landscape character and visual relationship with adjoining landscapes, the site cannot accommodate development without resulting in significant visual impact and change in landscape character associated with the application site and wider surrounding landscapes both in Central Bedfordshire and Aylesbury Vale DC and there would thereby be an unacceptable impact.

Independent landscape sensitivity assessments confer the high sensitivity of landscape to change and the need to resist development of this site. Effective

landscape mitigation has not been demonstrated or assured.

The pressure on green infrastructure assets beyond the site boundary would be largely felt by sites in Central Bedfordshire, namely Linslade Wood as a very local site, and Rushmere Country Park as a more strategic scale destination. Given that the impact on green infrastructure sites would be concentrated in Central Bedfordshire, if the development were to be approved, Central Bedfordshire Council would be seeking significant contributions to these sites.

Whilst Central Bedfordshire Council objects to the proposed development and would recommend that the application is refused, if consent is granted then appropriate Section 106 contributions would need to be secured to mitigate the impacts on Central Bedfordshire services and infrastructure and Central Bedfordshire Council would need to be party to the agreement. In light of this it is imperative that a meeting is arranged, as previously requested, between the Councils to discuss the approach to be taken to this matter.

Notwithstanding the urgent need to meet to discuss this application below is an indication of the level of financial contributions and other matters which would need to be addressed through a s106 agreement.

Recommendation

That the response in section 9 above is sent to AVDC along with a copy of this report as Central Bedfordshire Council's objection response to the consultation on the planning application.

DECISION

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