

Item No. 11

APPLICATION NUMBER	CB/15/02652/FULL
LOCATION	Land Off Bedford Road, Marston Moretaine, Bedford, MK43 0LE
PROPOSAL	Re-plan of plot numbers 73 to 85, 201 to 219 and 189 to 192 to replace 36 dwellings with 39 and associated works granted consent under ref CB/12/03205/RM
PARISH	Marston Moretaine
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER	Annabel Robinson
DATE REGISTERED	17 July 2015
EXPIRY DATE	16 October 2015
APPLICANT	Barratt Homes Ltd, Northampton
AGENT	KRT Associates Ltd
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	This is a major planning application with an objection from the Parish Council. Full Application - Approval

Summary of Recommendation:

The planning application is recommended for approval, the design of the housing scheme would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1, CS2, CS5, DM4, DM13, CS15. It would not have a significant impact upon the residential amenity of any adjacent properties, and would result in a new sustainable form of development suitable for the location. It is considered that the design is in accordance with the Central Bedfordshire Design Guide, the Marston Park Design Code and the submitted Development Strategy and National Planning Policy Framework.

Site Location:

The site is currently part of the wider site known as "Marston Park", originally referred to as "Land off Bedford Road, Marston Moretaine". The site is currently accessed from Bedford Road, however a secondary access from Station Road is also being constructed.

This part of the site is to the south of the site adjacent to the access on Station Road, adjacent to the existing access for the Forest of Marston Vale. The redline includes an area of land where 36 dwelling houses have been consented. The wider site is under construction, however these dwellings have not yet been constructed. The additional access from Station Road is under construction.

The Application:

A full planning application for:

The re-plan of plot numbers 73 to 85, 201 to 219 and 189 to 192 to replace 36 dwellings with 39 and associated works granted consent under ref CB/12/03205/RAM

RELEVANT POLICIES:

National Policy

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies - North 2009

DM3 High Quality Development

CS14 High Quality Development

CS1 Development Strategy

Submitted Development Strategy for Central Bedfordshire 2014 (Submitted October 2014)

The draft Development Strategy was submitted to the Secretary of State on the 24th October 2014. After initial hearing sessions in 2015 the Inspector concluded that the Council had not complied with the Duty to Cooperate. The Council has launched a Judicial Review against the Inspectors findings and has not withdrawn the Development Strategy. The first phase of the legal challenge took place at a hearing on 16th June 2015. This was to consider whether the court would grant the Council leave to have a Judicial Review application heard in the High Court. The Judge did not support the Council's case. On the 22nd June 2015 the Council lodged an appeal against this Judgement. The status of the Development Strategy currently remains as a submitted plan that has not been withdrawn. Its policies are consistent with the NPPF. Its preparation is based on substantial evidence gathered over a number of years. It is therefore regarded by the Council as a sustainable strategy which was fit for submission to the Secretary of State. Accordingly it is considered that the emerging policies carry weight in this assessment.

Policy 1 Sustainable Development

Policy 43 High Quality Development

Supplementary Planning Guidance

Design in Central Bedfordshire: A guide for development

Planning History

Application:	Planning	Number	CB/15/00884/FULL
		:	
Validated:	24/03/2015	Type:	Full Application
Status:	Decided	Date:	19/05/2015

Summary: **Decision** Full Application - Granted

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Description Seeks planning permission for 9 dwelling houses. Re-plan
: of plots 122-127 & 151-153 of planning application
CB/10/04231/RAM
(phase 1 Marston Park)

Application: Planning **Number:** CB/14/02084/OUT
Validated: 30/05/2014 **Type:** Outline Application
Status: Decided **Date:** 01/04/2015
Summary: **Decision:** Outline Application - Granted
Description:

Outline Planning Permission with all matters reserved :
Development of up to 50 dwellings (falling within use class C3) circa 1.23 hectares of employment related development for uses falling in use classes B1, D1 and D2; a local centre of circa 0.13 hectares to include a range of retail and commercial uses falling within use classes A1/A2/A3/A4/A5, 0.3 hectares of school playing field land; associated infrastructure including the principle of access from gold furlong (the primary street serving the existing Marston Park development), and its approved access road spur; internal access roads, pedestrian footpaths and cycle routes including improvements to the pedestrian connection linking through to Stewartby Lake, car and cycle parking, utilities and drainage, landscape works and ground remodelling.

Application: Planning **Number:** CB/12/00263/RAM
Validated: 23/01/2012 **Type:** Reserved Matters
Status: Decided **Date:** 20/03/2012

Summary:
Description: Reserved Matters: Application MB/06/00593/OUT dated 07/10/08. Mixed use Development comprising approximately 480 dwellings, 3 hectares of B1 Employment Use, Primary School, Local Centre, Community Sports Hall and other Engineering Operations. House type substitutions to Plots 117, 118, 150-154.

Application: Planning **Number:** CB/12/00108/NMA
Validated: 11/01/2012 **Type:** Non-material Change to
Permission
Status: Decided **Date:** 03/02/2012

Summary:
Description: Non-material amendment: to planning permission CB/10/04231/RAM alteration to Aylsham house type from one bedroom house to two bedroom house.

Application: Planning **Number:** CB/12/00061/NMA
Validated: 10/01/2012 **Type:** Non-material Change to
Permission
Status: Decided **Date:** 13/01/2012

Summary:
Description: Non Material Amendment: Amendment to layout of Plots 96, 98 and 100, elevation changes to Plots 81, 83, 91, 92 & 114 following outline application 06/00593/OUT for the

erection of 191 dwellings in sub area 1 (details of layout, scale, appearance and landscaping)

Application: Planning **Number:** CB/11/02716/ADV
Validated: 08/08/2011 **Type:** Advertisement
Status: Decided **Date:** 26/09/2011
Summary:
Description: Erection of advertisement flag poles and board signs for sales office

Application: Planning **Number:** CB/11/02758/NMA
Validated: 03/08/2011 **Type:** Non-material Change to Permission
Status: Decided **Date:** 31/10/2011
Summary:
Description: No-material amendment: to plots 96, 98, 100, 101-104 alterations to parking arrangements and garages. Gardens reduced to plots 105 and 106 for parking amendments. Elevation amendments to plots 81, 83, 91, 92 and 114

Application: Planning **Number:** CB/11/02713/FULL
Validated: 20/07/2011 **Type:** Full Application
Status: Decided **Date:** 14/09/2011
Summary:
Description: Erection of triple garage to be used as a sales centre with associated car parking and landscaping

Application: Planning **Number:** CB/11/02280/NMA
Validated: 27/06/2011 **Type:** Non-material Change to Permission
Status: Decided **Date:** 21/07/2011
Summary:
Description: Non-material amendment: to planning permission CB/10/04231/RAM plot substitution of plots 59 to 63 (5 units) to replace market sale units with shared ownership and rented properties.

Application: Planning **Number:** CB/11/01708/REN
Validated: 16/05/2011 **Type:** Full Application
Status: Decided **Date:** 11/10/2011
Summary:
Description: Renewal of Planning Permission: Application MB/06/00593/OUT dated 07/10/2008. Mixed use development comprising approximately 480 dwelling, 3 hectares of B1 employment use, primary school, local centre, community sports hall and other engineering operations.

Application: Planning **Number:** CB/10/04231/RAM
Validated: 19/11/2010 **Type:** Reserved Matters
Status: Decided **Date:** 24/02/2011
Summary:
Description: Reserved Matters following outline application 06/00593/OUT for the erection of 191 dwellings in sub area

1 (details of layout, scale, appearance and landscaping)

Application: Planning
Validated: 27/04/2010
Status: Decided
Summary:
Description: Full: Erection of a 120.5 metre high wind turbine and ancillary infrastructure.

Number: CB/10/01359/FULL
Type: Pre-Application - Charging Fee
Date: 12/11/2010

Application: Planning
Validated: 06/04/2006
Status: Decided
Summary:
Description: Outline: Mixed use development comprising approximately 480 dwellings, 3 hectares of B1 employment use, primary school, local centre, community sports hall and other engineering operations (all matters reserved except means of access)

Number: MB/06/00593/OUT
Type: Outline Application
Date: 07/10/2008

Representations:

(Consultations/Publicity/Neighbour responses)

Marston Parish Council
Having considered the matter, Marston Moreteyne Parish Council objects to the above application on grounds of insufficient parking. There are existing parking issues within the Marston Park development and it is strongly felt that adequate on plot/site parking must be provided to avoid compounding the situation.

Should the Planning Officer be minded to approve this application, the Parish Council would expect to see an increase in Section 106 payments as a result of the provision of additional housing.

Public Protection No comments received

Tree and Landscape Officer No comment to make

Sport England No comment to make

Ecology No objections

IDB No comment to make

Sustainable Transport No comment received

Highways Development Management
This application for a re-plan of part of the site raises no significant highway issues. There may be a need to adjust the vehicle access points onto the estate road and the location of street furniture including lighting units but this can be part of the on-going Section 38 Adoption process with the appropriate

agreements officer in the Highway Development Management team.

Nevertheless must point that the parking arrangements are no longer compliant with the latest design guidance which suggests that tandem parking is not permitted and that garages should be of a size to accommodate storage and working areas. However I am conscious that the entire site has been designed in accordance with guidance that allowed such parking arrangements and smaller garages and as such I assume you may find it unreasonable to insist on full compliance with current standards.

If that is the case I have no further comment or conditions as I have already intimated the highway issues will be addressed as part of the S38 process.

SuD's Officer Objected as there was no SuD's plan.

Neighbouring/
Local properties No comments received

etermining Issues

The main considerations of the application are:

- 1. Principle of Development**
- 2. Impact on the character and appearance of the surrounding area**
- 3. Impact on amenities of neighbouring properties**
- 4. Access and Parking**
- 5. Any Other Considerations**
- 6. Conclusions**

Considerations

- 1. Principle of Development**
 - 1.1** The principle of development on this site has been established though the Marston Park Design Code, Outline and Reserved Matters consent. The area has previously has consent for 36 residential dwellings, this is a re-plan of that area to provide 39 dwellings. It is considered that the principle for residential development in this location is acceptable.
 - 1.2** The outline consent granted consent for 480 dwellings, this would increase this figure, which is why a full planning permission has been sought. Although it is acknowledged that the development would be more than the 480 envisioned for the site, it is considered that an additional three dwellings would not represent such a significant

departure to the original plans that it would be fundamentally unacceptable.

2. Impact upon the character and appearance of the surrounding area

2.1 The layout would appear very similar to that previously approved; the house types proposed are used elsewhere within Marston Park. Where there are changes to the previously approved scheme, the houses have been made smaller to allow for the additional plots to be included within the same space. Many of the previously approved double garages have been amended to single garages to also provide additional space. It is considered that the proposed amendments would have no significant impact upon the character and appearance of the surrounding area.

2.2 It is considered that there is still a mix of style and design in the street scene, the over all character and design is in accordance with the adopted Design Code for this part of the site. There would be a greater number of slightly smaller houses, however the design detail is very similar to that previously approved.

2.3 The density of the development at 36 dwellings for this part of the site was 21 dwellings per hectares, the density of the proposed development of 39 dwellings would be a density of 23 dwellings per hectares. This calculation is worked out of the site area given in the application form of 1.72 hectares of land. The density is low due to the largely detached nature of the dwelling houses, on plot parking and garden sizes.

3. Impact upon amenities of neighbouring properties

3.1 The development has been designed to have no significant impact upon those existing dwellings outside of the site. There is a large landscaped area between the properties on Station Road and this development. The proposed alterations do not affect this relationship significantly.

3.2 The future residential amenity of the future residents has been considered, all back to back distances are Design Guide compliant, and very similar to the previously approved relationships.

3.3 No comments have been received from neighbouring properties regarding this application.

4. Access and Parking

4.1 Access

4.1.1 The access remains as previously approved, the infrastructure is currently under construction. These works are subject to numerous Section 38 Agreements, and are not significantly changed by this

application.

4.2 Parking

4.2.1 The Parish Council have objected to the application on the basis of the parking layout. Since the time of the objection the applicant has provided a revised layout which provides for an additional 26 on plot spaces.

4.2.2 The parking arrangements are similar to that previously approved, which is tandem on plot parking. Although it is acknowledged that tandem parking is not supported within the new Central Bedfordshire Design Guide, the site is covered by a separate Design Code, which is silent on the issue of tandem parking, and encouraging of parking courts. It is considered that tandem on plot parking is preferable to parking courts. It is judged that the level of parking is satisfactory and an enhancement on the previously approved scheme. The majority of 4 bedrooms dwelling houses have three spaces (not including garages, which are undersized for the current Design Guide).

5. Any Other Considerations

5.1 Sustainable Urban Drainage

5.1.1 The application was submitted without a SuDs plan, during the application, a plan has been submitted, which shows use of porous materials and attenuation into existing green areas and water courses.

5.2 Planning Obligations

5.2.1 At the time the application was submitted to the Local Authority, the best practice advice for tariff style planning obligations and affordable housing was that it would not be sought for development of under 10 dwellings. This application being for an additional 3 dwelling houses fell into this category. Since the time the application has been submitted, this piece of legislation was challenged and has been removed. It is considered that as the application was submitted at a time when these contributions were not sought that it would not be appropriate to seek the contributions at the end of the application process. Any additional contributions sought would be subject to CIL regulations and would need to be pooled into specific projects relating to those additional 3 dwelling houses.

5.2.2 The Section 106 Agreement for the development of Marston Park was agreed for 480 dwelling houses, although it is accepted that this would bring the total number of dwelling houses above this figure (483), the over all package of the agreement was relatively favourable, and it is considered that attempting to renegotiate it to reflect this change would have very little impact upon the total amount of funding that would be secured. A large proportion of the triggers for securing works and funding have already been reached and secured though the original

consent.

5.2.3 A deed of variation has been sought, to link this application to the existing Section 106 this matter will be updated on the late sheet.

5.3 Human Rights issues:

5.3.1 It is the officers understanding that the proposal would raise no Human Rights issues.

5.4 Equalities Act 2010:

It is the officers understanding that the proposal would raise no issues under the Equality Act 2010.

6. Conclusions

6.1 It is considered that an additional 3 dwelling houses, on the wider site of 480 dwelling houses would have very little impact upon development as a whole. Full planning permission has been sought for these alterations based on the sales of the existing site and the type of housing that has been popular, it is considered that the additional housing would be in accordance with Local and National Planning Policy and is therefore acceptable.

Recommendation

That Planning Permission is approved subject to the following and a Deed of Variation of the Section 106 Agreement being signed:

- 1 The development hereby permitted 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 All external works hereby permitted shall be carried out in materials as shown on plan number 1098-152 D, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality. (Policy 43, DSCB)

- 3 The boundary treatment as shown on plan number 1098-151 R shall be completed in accordance with the approved scheme before the buildings are occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality. (Policy 43, DSCB)

4 The development shall not be occupied or brought into use until the parking scheme shown on Drawing No. 1098-151 R has been completed. The scheme shall thereafter be retained for this purpose.

Reason: To ensure provision for car parking clear of the highway.
(Policy 27, DSCB)

5 No dwelling shall be occupied until a landscaping scheme to include all hard and soft landscaping, has been submitted and approved by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March).

Reason: To ensure an acceptable standard of landscaping. (Policies 43 and 58, DSCB)

6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1098-126 C, 1098-151 R, 1098-152 D, 1098-134, 1098-168, 1098-167, 1098-175, 1098-171, 1098-172, 1098-173, 1098-47 A, 1098-50 B, 1098-51 B, 1098-53 A, 1098-55 A, 1098-59 B, 1098-61 B, 1098-68 B, 1098-99, 1098-99, 1098-165, 1098-166, 1098-174 A.

Reason: To identify the approved plan/s and to avoid doubt.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant 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) Order 2015.

DECISION

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