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Ms S Boyd
Senior Planning Officer, East Team
Regeneration and Business Directorate
Central Bedfordshire Council
Priory House,
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BY EMAIL AND BY HAND

Our Ref: 5259

06 November 2015

Dear Ms Boyd,

Re: CB/15/03228/OUT Chalkcroft Nursery, Blunham

Further to my email dated 26oct15 and, following the issue of your report for the Planning Committee this coming Wednesday, we wish to raise a number of points, which were included in our application, and comments related to your report which committee members should be made aware for their further information.

The reasons for refusal are primarily that the proposal is located in the open countryside and in a remote location and is thus considered unsustainable development which would also result in harm to the character and appearance of the rural area by introducing a cluster of new dwellings in an area which is rural in nature.

Location:

In terms of the location of the site, the Committee report does not refer to the full evidence of good connectivity which is well documented in the Design and Access Statement and the Planning Statement. We outlined in detail a diagram of the local transport and other links, a further copy of is enclosed which should be included with the information circulated to members. I would also highlight para 5.36 of the DAS:

The revised Design Guide for Central Bedfordshire states that the average walk is 0.7 miles, 70% walk journeys are under 1 mile and 95% of journeys under 2 miles. The distance to the Village Hall, School, Church is under 0.7miles and the Pub and No. 73 bus stop is under 1 mile. There is a closer bus stop (188) but the service is once every 2 hours starting at 8.30 am in the morning. That said, on the basis of the BREAM code of sustainable development the quality of the bus service should be a greater consideration than the closeness of the bus stop. The 73 bus is a twice hourly service to Bedford in one direction and to Sandy & Biggleswade in the other. The 73 is frequently standing room only at peak times. The school bus to Alban Academy passes along the Ridgeway past the site.

The proximity and walking distances to the village and other local centres is also evidenced by the attached Fact Sheet #1 together with Fact Sheet #2 which cites both National and CBC guidelines and this site falls within those guidelines. Indeed the proposed new path will provide a direct link to the village and between footpaths FP1 and FP6 thus creating a circular walk around Moggerhanger. The path will also allow easy, sustainable access to DS Smith (formerly Abbey Corrugated) and the Ridgeway Business Park.

In the pre-application advice from Highways they said "The submission indicates a proposal to link the site with the village of Chalton (Moggerhanger) by the provision of a footpath link across agricultural land *but unless the route is properly surfaced and possibly illuminated the usefulness of the link and level of usage, particularly during the winter months and occasions of inclement weather is unlikely to be well used*, leaving no alternative but to rely on the private car as the mode of transport." The corollary of this is that a properly surfaced and possibly illuminated path as proposed will be well used. This advice would agree with the acceptable walking distances suggested by the IHT. That said, given that this is an outline application, the development of the detail can be addressed through suitable planning conditions and direct consultation.

Therefore, far from being remote this site is within accepted guidelines. Indeed in a recent approval in Studham, the location it is as far from the facilities as this site is, there is no safe walk into the village and it is in an area of outstanding natural beauty, an area of great landscape value and is in green belt.

Quality

The refusal cites only one policy (DM3), which is concerned with development 'quality', on the basis of 'harm to the character and appearance of the rural area'. In the pre-app response it was stated that *Notwithstanding the comments made above regarding the principle of the development, the proposed layout plan appears to be broadly acceptable*. As this is only an outline application, members need to make their own judgements about whether the scheme complies with the requirement for all new development to be 'appropriate in scale and design to their setting' and decide what weight should be accorded to any 'adverse impact' identified. We believe it is appropriate.

Housing Need and Land Supply:

CBC have a lack of market housing and affordable housing. Indeed CBC wrote to the Planning Inspector for a scheme Shefford to acknowledge that they have a significant shortfall in both. If approved this scheme will improve this shortfall.

The shortfall in the 5 year supply of housing land was brought to members attention at the CBC Executive meeting on 6th October 2015. The current shortfall is clearly a material consideration and in para. 9 of the accompanying report it explicitly recognises CBC's vulnerability at appeal. I quote:

Housing Supply Position

9. The Development Strategy is now afforded little, if any, weight and this has been borne out by recent appeal decisions where both the Development Strategy and the Central Bedfordshire North Core Strategy policies for the supply of housing held no weight and sites outside the settlement envelope were granted permission. This is because the National Planning Policy Framework (NPPF) requires that local planning authorities identify a supply of specific deliverable sites sufficient to provide 5 years' worth of housing against their housing requirements. Where a five year supply cannot be demonstrated, relevant policies for the supply of housing are considered 'out of date' and there is a presumption in favour of sustainable development. In practice, this means that councils who have less than 5 years supply are susceptible to planning applications being granted on appeal rather than being able to direct growth to the optimum locations for the benefit of the area as a whole.

As stated in your report paragraph 14 of the NPPF advises that where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Although you consider that the adverse impacts in this case would demonstrably and significantly outweigh the benefits we believe that we have demonstrated that this is incorrect.

In the appeal for Campton Road, Shefford CBC demonstrated that 5% of its five year housing supply was to come from windfall sites of less than 15 dwellings. The NPPF defines windfall sites as sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.

Clearly you prefer see this and similar sites lie vacant whilst accepting that there is an unmet need for housing across the district (and this shortfall will grow now that CBC accepts it must contribute to meeting Luton's unmet need). Members should be respectfully reminded that other 'material considerations' i.e. the absence of a 5 year supply, the acute shortage of affordable housing and the scope to negotiate other community benefits (subject to compliance with CIL Regs) should be accorded significant weight. The direction of travel in terms of both national and local policy would favour a more flexible approach to residential development on brownfield sites, and developers should not be penalised on account of unforeseen delays to the Local Plan review. If the scheme is refused and no beneficial use is found for the site then it's likely to become derelict in the near future, which would not accord with the NPPF objective of making efficient use of land.

Community benefits:

As well as footpath the applicant has offered to contribute a sum of money to the Village Hall as part of their planning obligations. However you state this this is not CIL compliant despite clearly of being of benefit to the village whereas at Shillington (on the same agenda) you are accepting the rebuilding of the village hall in exchange for the developer getting permission to build many more houses.

The report also states that no details of the footpath have been put forward. The applicant is more than happy to discuss the detail with officers but as advised above, given that his is an outline application, the development of the detail can be addressed through suitable planning conditions and a S106.

To summarise, we believe that the site is sustainable and therefore not contrary to policy and the dwellings will contribute to the housing shortfall.

Providing a supply of housing to meet the needs of present and future generations is one of the primary roles the planning system and that there is no simple definition of sustainable development in the NPPF; quoting from para 6:

'The policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development means in practice for the planning system.'

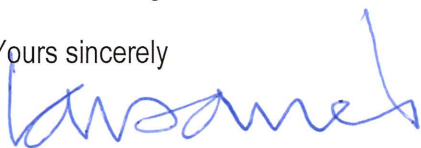
The site is a brownfield/previously developed site. A major point of the NPPF is to preserve the green belt and best quality farm land. Once farm land is built on it will never be farmland again and its supply is precious and finite. Paragraph 17 of the National Planning Policy Framework encourages the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. By effectively allowing the land to become derelict, this is not an effective use of land and is contrary to the core principles of the National Planning Policy Framework.

In every case the judgement made will need to take of account of all the circumstances, and where there is a housing supply shortfall, all windfall contributions are significant. As we are sure that members are aware, a number of recent appeal decisions have reinforced that message.

However, it would be worth reminding members that this is an outline application and if they are minded to approve the scheme there is no necessity to defer a decision as they will have opportunity to deal with detailed design under reserved matters, and to secure delivery through a S106 agreement.

We would be grateful if this could be circulated to members, preferably before the site visit.

Yours sincerely

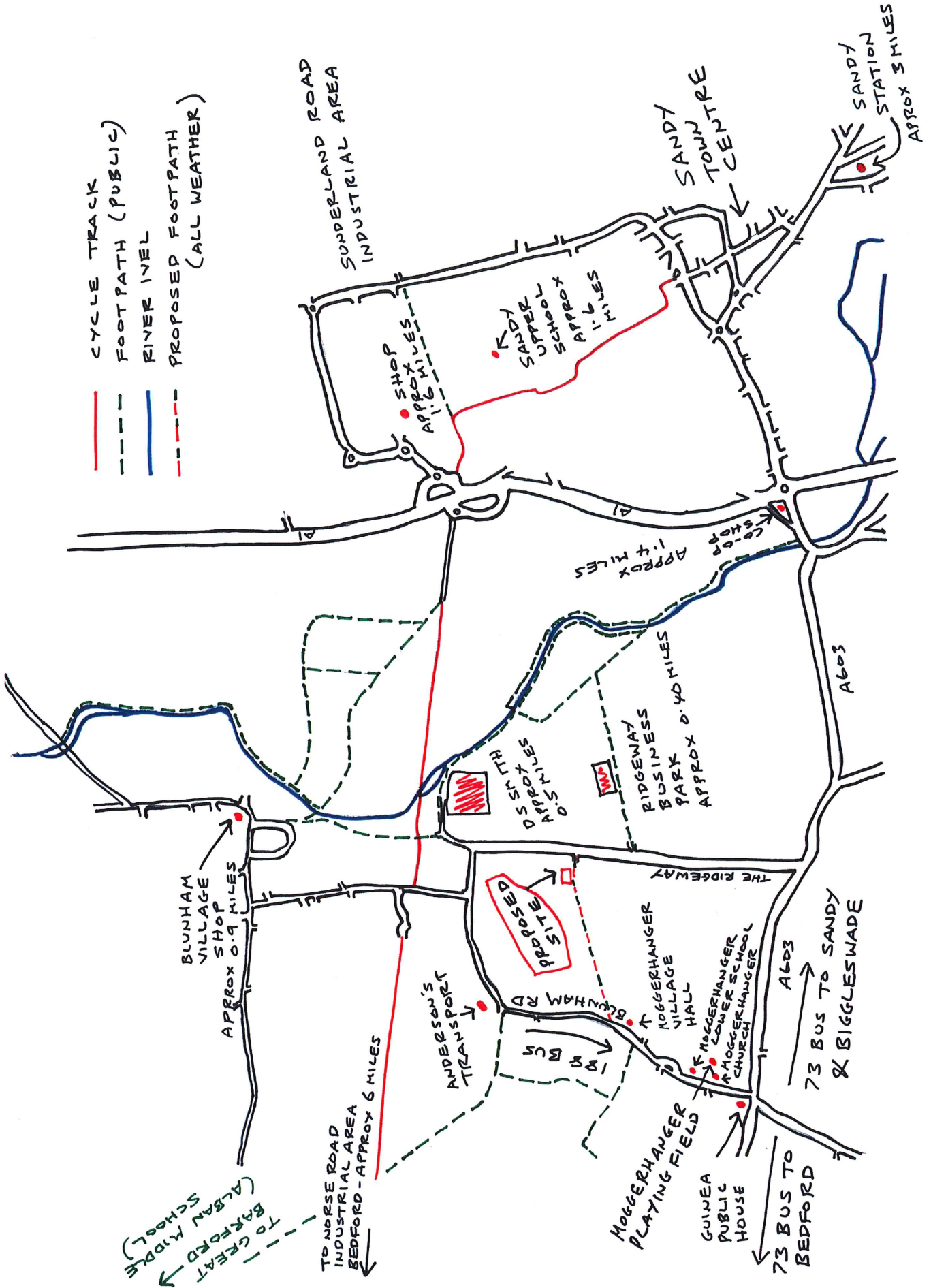


IAN DAVIES MA(Arch.Man) DipArch RIBA MFPWS

For CLARKE + WHALEN ARCHITECTS LTD

Encl. Fact Sheet #1, Fact Sheet #2, Local links

- CYCLE TRACK
- - - FOOTPATH (PUBLIC)
- RIVER INEL
- - - PROPOSED FOOTPATH (ALL WEATHER)



Facility	Distance miles	Distance m	Travelling Time	
			Walking mins	Cycling mins
MOGGERHANGER				
Village Hall	0.37	600	7	2
Lower School	0.58	935	12	3
Church	0.65	1,050	13	3
Playing Field	0.67	1,080	13	3
Pub	0.74	1,185	15	4
188 Bus stop	0.56	900	11	3
73 Bus stop - east bound	0.77	1,245	15	4
73 Bus stop - west bound	0.80	1,285	16	4
Ridgeway Business Park	0.30	490	6	2
DS Smith (formerly Abbey Corrugated)	0.40	650	8	2
Cycle track	0.39	625	8	2
SANDY				
Sandy town centre	2.38	3,825	48	12
Sandy station	2.77	4,450	55	14
Tesco, Sandy	2.92	4,700	58	15
Sandy Upper School	1.59	2,550	32	8
Co-op at Fallowfield	1.55	2,500	31	8
Maple Leaf Lower School	1.55	2,500	31	8
Sunderland Road Industrial Estate, Sandy	1.78	2,865	36	9
WILLINGTON				
Danish Camp	3.02	4,850	60	15
BEDFORD				
Bedford town centre	7.31	11,750	146	37
Bedford cinema	6.28	10,090	126	31
Norse Road Industrial Estate, Bedford	5.42	8,715	108	27
Priory Business Park, Bedford	6.64	10,670	133	33
Tesco, Cardington Road, Bedford	6.75	10,860	135	34
Tesco, Goldington Road, Bedford	5.88	9,450	118	29
Waitrose, Goldington Road, Bedford	5.63	9,050	113	28

No. 73 Bus between Bedford and Biggleswade

This is operated by Stagecoach and runs from early in the morning until late in the evening. It runs at half hourly intervals for the majority of the day and for 7 days a week.

NOTE

The proposed development is closer to the school and village hall than the development at Shillington (items 7 & 8 on the DMC agenda). The distance to the playing field is the same.

Central Bedfordshire Home to School Transport Policy 2014/15

A child of statutory school age who meets one of the following criteria will be provided with free travel arrangements to school as follows.

i. A child aged under 8 years who attends either the catchment area school designated by Central Bedfordshire Council or the nearest qualifying school but lives more than 2 miles from the school, by the shortest available walking route, unless parents voluntarily make suitable alternative arrangements.

**Department for Transport
National Travel Survey: England 2014**

76% of all trips under one mile are walks. (page 12)

**Chartered Institution of Highways & Transportation
(formerly the Institution of Highways and Transportation)
Guidelines for Providing Journeys on Foot**

Table 3.2: Suggested Acceptable Walking Distance.

	Town centres (m)	Commuting/School Sight-seeing (m)	Elsewhere (m)
Desirable	200	500	400
Acceptable	400	1000	800
Preferred maximum	800	2000	1200

Central Bedfordshire design Guide

Walking
1.10.03

Nationally, pedestrian journeys make up around 27% of all journeys. In Bedfordshire, 50% of children walk to school. Pedestrian convenience should therefore have the highest priority.

- To encourage walking, facilities need to be nearby. The average walk journey is 0.7 miles long, whilst around 70% of walk journeys are under a mile and 95% under 2 miles.
- Routes should be as direct as possible, safe and attractive.

#2

Central Bedfordshire My Journey Journey to Work Evidence Base

3.2 Length of Trips

☐ The average length of journey to work in 2001 in Central Bedfordshire was 10 miles (16km). This compares to a national figure of 8.5 miles in 2002, highlighting longer than average commutes for local residents

☐ There is a wide divergence in the distances people travel to work with no one distance banding dominating. This reflects the rural nature of the authority and the lack of any one dominant urban area.

☐ A large proportion of respondents work within 2 miles of where they live, a distance easily walkable by most able bodied adults.

☐ A large proportion of the population also work within a relatively manageable cycling distance of their home, generally perceived to be anything under 5 miles.