

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 6 JANUARY 2016

Item 7 (Pages 17-56) – CB/15/03078/REG3 – Stratton Business Park

Additional Consultation/Publicity Responses

Biggleswade Town Council

Please be advised this Planning Application went to Council on the 15th December 2015 and no objection was raised. Therefore there will be no requirement for us to address the Committee on 6th January 2016.

Landscape Officer

Thank you for the opportunity to comment regarding landscape; I have no objection to revised Dunton access - the proposed native woodland belt along the site boundary with Dunton Lane is a real positive landscape feature and will assist in mitigating future development and enhance biodiversity connectivity, the inclusion of similar treed and landscape structures across the wider development site would also be welcomed.

Sustainable Urban Drainage Officer

Raised no objections

Internal Drainage Board

Initial

A drainage Strategy for this development has already been agreed as referenced in the Flood Risk assessment submitted with this application. Provided the developer adheres to the requirements of the strategy, the Board have no further comments.

As an observation, it is stated in the FRA that the site is Flood Zone 21 according to the Environment agency flood maps. This is incorrect as the site lies beyond the upstream extent of the modelled flood outline for this watercourse.

Please also note that the watercourse on the boundary of, or passing through this site is under the statutory control of the Board. In accordance with the Board's byelaws, no development should take place within 9 metres of bank top, without the Board's prior consent, this includes any planting fencing or other landscaping.

Additional comments

The revised FRA explains how the drainage strategy will work and states that improvements will be made to the existing attenuation pond so that it will be able to store water surface water from the whole development. However there is still no reference to modelling of the watercourse upstream from where the EA modelling ends or on the impacts of the proposed ground raising to the rear of Phases 5 and 6. Until these matters have been resolved I will have to object to the application.

Green Infrastructure

In relation to the revised access, the proposed woodland belt is welcome, providing

landscape benefits and ecological connectivity.

However, in respect of previously raised concerns over the culverting of a ditch, the covering email with these amendments notes that 'the ditch is not of significant ecological value, and there would be no harm to biodiversity from its loss as a result.', and that flood modelling has indicated that retaining the ditch would increase flood risk.

My ecologist colleague has noted that the ditch represents a wildlife habitat and a multifunctional drainage resource. Central Bedfordshire Council seeks a net green infrastructure gain through policy CS17 of the Central Bedfordshire (north) Core Strategy, and the NPPF requires a demonstrated net gain for biodiversity.

Therefore the removal of existing ecological and green infrastructure corridors makes this net gain more difficult to achieve. Design modifications, enabling the retention of the existing ditch as part of the drainage scheme should be considered and demonstrated.

If it is demonstrated that it is not possible to use the existing ditch without increasing flood risk, this does not mean that it has to be culverted; the existing ditch should be retained and utilised to the maximum possible extent for managing surface water alongside an alternative drainage network, with the existing ditch enhanced for biodiversity.

The ditch should therefore be retained and enhanced in any case. Its use as part of the drainage network (with design modifications) should be considered, and even if it is not appropriate to use it as the sole conveyance feature, it should be retained and integrated into the drainage infrastructure, and enhanced alongside any other necessary features for conveying surface water, and in line with CBC's adopted Sustainable Drainage SPD.

Ecologist

Commenting on the revised Dunton Lane access only I have no objection and welcome the inclusion of the native woodland landscape belt which provides an enhanced ecological corridor on this side of the development.

Sustainable Growth Officer

It is disappointing that the current submission does not acknowledge comments made at the outline planning application stage and does not provide any information how the requirement of the policy DM1 to deliver 10% energy demand from renewable sources will be met.

To ensure that the requirement of policy DM1 is met, I request the following planning condition to be attached:

- 10% energy demand of the development to be delivered from renewable or low carbon sources.

Rights Of Way Officer

No further comments. An Illustrated plan will be included in the slide presentation to show proposed/required changes to the Right of Way network.

Neighbour letter (*comments made are done so in a position that is neither for nor against the application*)

My interest in the proposed development is purely personal. I am an Ecologist by profession; now retired and I was instrumental in getting Stratton Park Balancing Pond designated as a county Wildlife Site. The site supports important habitats and species – biodiversity.

I neither support nor object to the proposed development. My principle points and concerns are as follows:

1. Stratton Park Balancing Pond is designated as a county Wildlife Site because it supports important habitats and species – biodiversity. It is situated adjacent to the proposed extension to the Business Park.
2. The Local Authority has a statutory Biodiversity Duty; this must be met.
3. The proposed development threatens the habitats and species in the WS because it will result in increased levels of run-off water entering the WS.
4. Therefore, the threats to the WS must be addressed and mitigated for.
5. The WS must be managed in the future and funding needs to be found to do this vital work.
6. The WS must be monitored (surveyed) in the future and a strategy must be set up for surveys to be conducted.

Additional Comments

None

Additional/Amended Conditions/Reasons

Additional schedule

1. No development pursuant to this outlined permission shall commence on any part of the site until the approval of the details of the appearance, landscaping, layout and scale of the buildings (hereinafter called the “Reserved Matters”) on that part of the site has been obtained in writing from the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

Reason: To comply with Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015.

2. Applications for approval of reserved matters shall be made to the Local Planning Authority before the expiration of 10 years from the date of this permission. The development shall begin no later than 5 years from the approval of the final reserved matters.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. No development pursuant to this outline permission shall commence on any part of the site until a Construction Environmental Management Plan (CEMP) for that part of the site has been submitted to and approved in writing by the

Local Planning Authority. The works shall then be implemented in accordance with the details approved.

Reason: To ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period and in accordance with the NPPF. Details must be approved prior to the commencement of development to mitigate nuisance and potential damage which could occur in connection with the development.

4. No development shall take place within each phase of the development until a written scheme of archaeological resource management has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved scheme of archaeological resource management.

This written scheme of investigation will include the following components, completion of each of which will trigger the phased discharging of the condition:

1. A method statement for the investigation in stages as development extends across each phase and recording of archaeological remains present in that phase;
2. A method statement for preservation in situ and management of archaeological sites and features that have been identified for protection;
3. A post-excavation assessment and updated project design (to be submitted within six months of the completion of fieldwork at (1), unless otherwise agreed in writing by the Local Planning Authority);
4. Completion of post-excavation analysis, preparation of site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive, and submission of a publication report (to be completed within two years of completion of fieldwork at (1), unless otherwise agreed in advance in writing by the Local Planning Authority);
5. A Programme of interpretation, public outreach and community engagement.

Reason: To record and advance understanding of the archaeological resource which will be unavoidably destroyed as a consequence of the development in accordance with Chapter 12 of the *National Planning Policy Framework*.

5. Any reserved matters application submitted pursuant to this outline permission shall include a detailed surface water drainage strategy for the reserved matters development for which approval is sought. The strategy shall demonstrate how the management of water within the reserved matters application site for which approval is sought accords with the approved Flood Risk Assessment (FRA) and Drainage Strategy for this planning permission

and shall maximise the use of sustainable drainage measures to control water at source as far as practicable to limit the rate and quantity of run-off, incorporating the principles and techniques contained within the CBC Sustainable Drainage Guidance, to improve the quality of any run-off before it leaves the site or joins any water body.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policy DM2 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies DPD (2009) and the NPPF.

6. Prior to the commencement of development upon Phase 5 a method statement, including timetable for the culverting including the outfall pipe to the existing attenuation basin of the existing open water course crossing Phase 5 shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and timetable.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policy DM2 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies DPD (2009) and the NPPF.

7. The development pursuant to this outline planning permission shall be carried out in accordance with the Arboricultural Impact Assessment and Arboricultural Method Statement dated July 2015 and drawing nos. 602.1, 602.2, 602.3 and 602.4 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the successful protection the existing trees indicated for retention on these plans.

8. No development on a phase of the scheme pursuant to this outline planning permission shall commence until a Landscape & Biodiversity Mitigation Strategy & Management Plan in respect of that phase has been submitted to and approved in writing by the Local Planning Authority. Any development hereby permitted for a phase shall be carried out only in accordance with the approved Mitigation Strategy & Management Strategy for that phase unless otherwise agreed in writing by the Local Planning Authority.

The scheme shall include details of ecological surveys and suitable habitat mitigation and monitoring including details, extent and type of new planting and new habitat created on site.

Reason: To protect wildlife and supporting habitat and in accordance with the NPPF. Details must be approved prior to the commencement of development to protect wildlife and supporting habitat from potential impact which could occur in connection with development.

9. No development on Phase 5 of the scheme pursuant to this outline permission shall commence until details of the timetable for planting and maintenance thereafter of the landscaping indicated on 'Planting Plan' B15003.401 and of that to be planted along the north eastern boundary of the Phase 5 land, for

which a planting plan including a schedule of species, their sizes and positions shall also be provided, have been submitted to and approved in writing by the local authority. The planting shall be carried out as approved and in accordance with the timetable.

Reason: To ensure that the appearance of the development would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009'

10. No development pursuant to this outline permission shall commence on that part of the site until a scheme has been submitted to and approved in writing by the Local Planning Authority detailing measures to control noise from all plant machinery and equipment (including fans, ducting and external openings) to be used by virtue of the development permitted for that part of the site and shall be so enclosed, installed maintained and operated as to prevent transmission of noise and vibration into any premises either attached to or in the vicinity of the premises that the application relates.

Before the use commences, the above scheme shall be implemented in accordance with the approved details and shown to be effective, and it shall be retained in accordance with those details thereafter.

Reason: To protect the future neighbouring occupiers from noise associated with the use of the development.

11. No external lighting shall be erected or installed on any part of the site until details of a suitable lighting design scheme and impact assessment devised to eliminate any detrimental effect caused by obtrusive light from the development on neighbouring land use for that part of the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be prepared by a suitably qualified lighting engineer in accordance with relevant publications and standards. Only the details thereby approved for that part of the site shall be implemented.

If within a period of 12 months following the first use of the lighting columns the planning authority required the alignment of the light to be adjusted and or hoods or shields to be fitted, this shall be carried out in accordance with the agreed scheme within 7 days of official notification. The means of illumination shall thereafter be implemented only in accordance with the agreed scheme.

Reason: To protect the future neighbouring occupiers from light pollution associated with the use of the business park

12. In relation to any part of the site where food processing or manufacturing is proposed to be carried out no development pursuant to this outline planning permission shall commence on any part of the site until a scheme for that part of the site has been submitted to and approved in writing by the Local Planning Authority detailing how odours produced by cooking and food preparation are to be controlled. The approved equipment by reason of the granting of this permission shall be so enclosed installed, maintained and

operated as to prevent transmission of odours into any premises either attached to or in the vicinity of the premises that the application relates.

Before the use commences, the above scheme shall be implemented in accordance with the approved details and shown to be effective, and it shall be retained in accordance with those details thereafter

Reason: To protect the future neighbouring occupiers from odour associated with the uses of the business park

13. No development pursuant to this outline planning permission on any part of the site shall be brought into use until a detailed waste audit scheme for the development of that part of the site has been submitted to and approved in writing by the Local Planning Authority. The waste audit scheme shall include details of refuse storage and recycling facilities. The scheme shall be carried out in accordance with the approved details.

Reason: To ensure that development is adequately provided with waste and recycling facilities in accordance with the NPPF.

14. No development pursuant to this outline planning permission on any part of the site shall be brought into use until a Travel Plan relating to the development of that part of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.

Reason: In the interests of promoting sustainable transport and reducing the number of trips by private car, in accordance with the NPPF.

15. Any reserved matters application submitted pursuant to this outline permission shall include details of the finished ground levels and finished floor levels for the reserved matters development sought. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009'

Additional informative also proposed advising of the need to ensure reserved matters applications include provision for structural landscaping within the site.

Item 8 (Pages 57-72) – CB/15/04250/FULL – Land adjacent to 28 Ivel Road, Sandy, SG19 1AX

Additional Consultation/Publicity Responses

Additional neighbour letter.

Ivel Road is in Sandy's Conservation area, but has been rather spoilt in recent years, ie there has been the demolition of two listed properties at the eastern end of the road and these have been replaced with non-descript housing.

Recently the western end of the road has been completely changed by the destruction of the unique wooded area (described in a publication by Mid Bedfordshire District Council –‘Sandy Conservation Area December 2003.’) as ‘the street gives way to a greener environment, in particular down by the river which is a quiet area, offering contrast to the High Street’. By the destruction of this woodland and the building of a large residence on the woodland site this ‘greener environment’ has been lost.

Also in this area the distinctive rural area has been lost by the removal of the quaint Victorian bridge over the river which has been replaced with a heavy metal ‘motorway’ type bridge.

But – what has been maintained in this area is the site of this particular planning application, being an area of the former landscaped grounds of Sandye Place, with its fine views over the park with belts of woodland, a lime tree avenue and views of the Georgian mansion and listed ironstone dovecote.

The proposed erection of a large dwelling on this particular site will lose this important scene and openness. In the above publication this particular view is described as ‘ Looking from Ivel Road northwest towards the landscaped grounds of Sandye Place’ in the section of ‘Important views into the Conservation Area’.. This of course is the area in question

Sometime ago I contacted Sandy Town Council with a suggestion that this land should be taken over by them as a recreational piece of land for the benefit of Sandy residents and its many visitors with new tree planting and seating close to the banks of the Ivel.

I believe that the erection of such a large dwelling on this site would not be a great asset to the Conservation Area and certainly not aid the ‘greener environment’ as described. It would destroy this important scene as the proposed building would greatly reduce the important view to just a few feet rather than the present expanse.

In recent years the Sandcast has been changed from a public footpath to a public bridleway, thus creating a much wider area for the many pedestrians and cyclists going to and from Ivel Road across the river bridge. Any development on this site would mean that cars would travel to the new house across the public bridleway, thus creating great danger to both pedestrians and cyclists. This crossing would also be blind.

I realise that this site belongs to the Council, but I hope that if this site is developed priority is given to :-

A The unique scene over Sandye Place

B The safety of pedestrians and cyclists using the bridge and path

C A more suitable dwelling erected on this site in this Conservation Road, with its unique mixture of former farmhouses, cottages and cottage style houses.

Additional Comments

None

Additional/Amended Conditions/Reasons

None

Item 9 (Pages 73-86) – CB/15/04612/VOC – Plot 2, Woodside Caravan Park, Thorncote Road, Northill

Additional Consultation/Publicity Responses

Northill Parish Council has resolved tonight to OBJECT to CB15/04612/VOC at Plot 2, Woodside, Hatch for the following reasons:

1. There is a lack of compliance with the conditions set out by the Inspector at the 2011 appeal, with regard to the number of caravans presently on this plot (4 caravans were seen on Plot 2 on 29.12.15, contravening the permission for 3), and also with regard to landscaping required. NPC felt very strongly that current conditions should be being adhered to, before any variations are requested.
2. The number of additional caravans requested is a very significant increase, out of proportion to the rest of the site, and could potentially dominate the local settlement area, disregarding advice in the Planning Policy for Traveller Sites (PPTS) referred to in the supporting statement .
3. Current visual amenity - lack of landscaping on the site, with fences and brick walls separating plots, addition of large brick built gates to Plot 3, all detrimental to maintaining the rural character of the area, "urbanisation" in a rural setting
4. Layout and density of buildings- plans have no accurate placements of caravans, or scale to enable assessment of distances between caravans. NPC concerned whether necessary environmental regulations for public health and fire safety have been addressed.

NPC would like to point out that it did not object to a recent planning application for Plot 1, as it felt that the additional small number of caravans then proposed on Plot 1 did not affect the sustainability of a currently stable traveller site. The 2011 Appeal Inspector's report gave permission only for a small Gypsy site for 3 families.

NPC also notes that the Planning Officer has recommended approval of this application. If DMC is in agreement with the Planning Officer's recommendation, NPC suggests conditions that it would like to see attached to consent, namely that there is no further development on the whole of the Woodside site (not just on this plot) and that there is again named occupancy.

Archaeologist – Has no observations regarding the application.

IDB – Providing there is to be no change to the existing storm water drainage arrangements and no increase in the impervious area of the site the Board will offer

no objections to this development. The additional hardstanding area should be constructed with gravel or other permeable paving materials. Please include a suitably worded condition in any planning permission that may be granted.

Eight letters of objection received making the following points:

- The application runs against condition 3 of the previous 2011 planning appeal
- Represents a significant intensification, being more visible and an intrusion into the open countryside which is contrary to policy
- Recent unauthorised development at the site regarding the site access
- No justification for the expansion of the site
- Site too large for Hatch
- Increase in 80% in the number of caravans at the site
- Addition of street lighting resulting in an urbanising effect in the countryside
- Extra traffic will impact on the highway with poor visibility
- Hatch is a modest rural area, by pushing the boundaries of what is legal and illegal the travellers have established a community, willing to accept the present development but no more
- Site more visible to passers-by, trees felled and not replaced
- Lighting dominates the local area
- All breaches of conditions ignored by the Council
- 40% increase in the numbers of families since 2011 permission
- Can caravans safely fit on the plot

Additional Comments

The 2011 appeal decision which granted permanent planning approval for the site is appended to the late sheet.

Additional Condition

All new areas of hard surfacing shall be constructed with gravel or other permeable paving materials unless otherwise agreed in writing with the local planning authority

Reason: In order to prevent flooding and to accord with policy DM3 of the Core Strategy and Development Management Policies 2009.

Item 10 (Pages 87-96) – CB/15/04370/FULL – 150 Biggleswade Road, Upper Caldecote

Additional Consultation/Publicity Responses

Ecologist - I have read the report and I am satisfied that sufficient information has been submitted. An advisory note should be provided to the applicant requiring the demolition to be undertaken with care with all roof slates to be removed by hand. If any bats or evidence of them is discovered, work should cease and Natural England be contacted for advice, and if necessary, a licence will be obtained before work proceeds. All people working on the site will be made aware of the potential presence

of bats, the protection afforded them and the methods of working required to avoid harm to bats.

Additional Comments

There is a correction to the planning history as set out in the report. Application ref: CB/15/03409/Full was refused and not approved as stated.

A Protected Species Survey has recently been submitted by the applicant, and this has allowed the Council's Ecologist to respond as above.

Additional/Amended Conditions/Reasons

Item 11 (Pages 97-114) – CB/14/04463/VOC – Double Arches Quarry, Eastern Way, Heath And Reach, Leighton Buzzard, LU7 9LF

Additional Consultation/Publicity Responses

Additional Information submitted by the applicant

Background information on Double Arches Turbine

Turbine choice

Our original candidate turbine was an Enercon E80 2.3MW but we built a Vensys 87 1.5MW which has the same hub height of 100m but slightly shorter blades making the height to tip 143.5m rather than 149m. The Vensys Turbine at 1.5MW is a highly efficient machine and more than 10,000 of them had been built worldwide. Vensys guarantee a higher level of 'availability' and guarantee 98% of the power curve for 15 years. Furthermore the Vensys machine was significantly less expensive than the Enercon and qualified for a higher Feed in Tariff than a 2.3MW turbine so there were many very good reasons for choosing the Vensys turbine.

Background noise

The Vensys turbine is slightly noisier than the Enercon but we had measured the background noise at the properties nearby and given their close proximity to the A5 and the quarry plant, the actual measured background noise is significantly higher than the original consent had limited us to. Looking at the measured noise data that was collected prior to the turbine being installed, it is apparent that this area is not a low noise environment. During the quiet daytime period, the prevailing noise levels are between 39 and 45 dB at lower wind speeds, increasing with wind speed greater than 4 m/s.

For completeness, the background noise was assessed by three independent specialist companies being SKM Enviro for the original application, Hayes McKenzie and Ion Acoustics. All three reached the same conclusion.

Additional Comments

None

Additional/Amended Conditions/Reasons

None

Item 12 (Pages 115-134) – CB/15/04252/FULL – Mentmore, 4 Greenfield Road, Pulloxhill

This item has been withdrawn from the agenda due to an invalid certificate

Item 13 (Pages 135-150) – CB/15/04547/FULL – Fourwinds Farm, Leighton Road, Stanbridge, Leighton Buzzard, LU7 9HW

Additional Consultation/Publicity Responses

None

Additional Comments

Paragraph 6.7 of the Committee Report states that the Council's Agricultural Consultant flagged that the supplied agricultural holding number is not a valid agricultural Holding number. Based on the length of the supplied number, it was considered possible that one number had been mistakenly omitted. The report states that this has been queried with the agent and the results would be reported on the Late Sheet.

Officers have been in touch with the agent a number of times since the report was written, however, the applicant has not supplied the agent with a valid agricultural holding number.

The acceptability of the proposed new building in terms of Green Belt policy is dependent on the building being used for agricultural purposes for an agricultural business connected with the site. It is therefore considered to be incumbent on the applicant to demonstrate that there either is an agricultural enterprise being run from the site or an intention to run an agricultural enterprise from the site. However, the lack of a valid agricultural holding number and the fact that the site is being marketed for sale does cast doubts on whether or not there is an agricultural enterprise being run from the site or if there is any intention by the landowner to run an agricultural enterprise from the site.

However, it is understood that the applicant has been abroad and may not have received the emails from the agent or had an opportunity to look up the correct Holding number or provide further information regarding the sale of the property or to clarify the intentions with regard to the carrying out of an agricultural business. It is therefore **recommended that the application be deferred by one committee**

cycle to give the applicant time to provide officers with further clarification on these matters, including the correct agricultural Holding number.

Additional/Amended Conditions/Reasons

None

Item 14 (Pages 151-178) – CB/15/02419/FULL – Land North of Flexmore Way, Station Road, Langford

Additional Consultation/Publicity Responses

Additional Comments

None

Additional/Amended Conditions/Reasons

None

Item 15 (Pages 179-216) – CB/15/02258/FULL – Land off Marston Road, Lidlington

Additional Consultation/Publicity Responses

East-West Rail/ Network Rail

Network Rail have sent in a further two plans which will be shown during the presentation. One shows a new road set 30m off the boundary with the application site and cuts across the planted area, the other shows the road adjacent to the site avoiding the planted area. The latter option has been developed due to comments from Lidlington Parish Council.

Network Rail have not objected to the application and have stated the following:

“The plan sent under cover of Jill Stephenson’s email of 7th December is the one that we had planned to proceed with although following receipt of comments from Lidlington Parish Council as a result of the consultation events we agreed that the plan could be changed – we just hadn’t got around to doing it. We have now updated the plan so that it accords with these comments.

We at Network Rail would be content with either scheme in that they both cross the railway and take account of the three points I noted in my email this morning. The one area that the 7th December plan does not address is the protection of the wooded/green area which was stated as being particularly important to the residents of Lidlington. It was because of this that we issued the revised plan today.”

Policy Comments

At the time of writing the Council believes there is a 5 year supply of housing sites with marginal headroom. However there is a very small margin and the number can be volatile. Indeed it is important to stress that the housing land supply is not static, since permissions can lapse, or sites can fall out of the 5 year supply period due to slippages in delivery rates etc. Therefore whilst the Council maintains that it has a 5 year supply, and defended this position at a recent s.78 appeal, the inspector has yet to publish her findings and may come to a different conclusion. Therefore permission should be granted for sustainable and deliverable sites unless significant and demonstrable harm can be demonstrated when assessed against the relevant policies of the Core Strategy for North Central Bedfordshire (2009), the Site Allocations DPD for North Central Bedfordshire (2011) and the NPPF.

Objection from the occupiers of No. 10 Kerrison Close, Lidlington

- The new access road would result in a loss of parking spaces for the existing estate which will exacerbate the current evening and weekend parking situation.
- The current estate was built under the old parking regulations; while the current scheme have addressed the parking issue on the new estates, the repositioning of the new access road will further reduce parking on the existing estate.
- The proposed repositioning of the LEAP will cause noise pollution to occupiers of No. 10 Kerrison Close. It should be retained in its current location;
- The proposed LEAP looks squashed compared to the existing LEAP. With more houses being built there will be less play area per child and so it should be retained in its current location;
- 10 Kerrison Close is located next to the proposed Public Open Space separated by a garden wall. A border of bushes and soft planting should be planted next to the wall to stop balls hitting the wall and dogs enjoying the wall.

Additional Comments

Paragraph 49 of the NPPF states the following '*Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant planning policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.*'

The NPPF makes it clear that the presumption should be in favour of development unless material considerations indicate otherwise. The proposed development is considered to be a sustainable form of development and given the planning balance within the report it is considered to be an acceptable form of development.

Amended Conditions

Condition 16

No development shall commence until full details of ground levels, earthworks and excavations to be carried out near to the railway boundary have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the adjacent railway from de-stabilisation and subsidence.

Condition 17

No development shall commence until details of the disposal of both surface water and foul water drainage directed away from the railway have been submitted to, and approved in writing by the Local Planning Authority.

Reason: To protect the adjacent railway from the risk of flooding and pollution.

Item 16 (Pages 217-232) – CB/15/03665/FULL – 6 Periwinkle Lane, Dunstable

Additional Consultation/Publicity Responses

An additional objection letter has been received from the occupiers of No. 13 Garden Road in response to the revised plans. The occupiers object for the following reasons:

- The proposed properties would not be in keeping with other properties in the road; they would be too big and there are no other link-detached properties in the streetscene;
- The proposal would result in the loss of a bungalow;
- The noise from construction activities would disturb occupiers of No. 13 Garden Road, including one who works night shifts;
- The view from No. 13 Garden Road would be restricted and there would be a loss of privacy to No. 13 Garden Road;
- There would be an increase in traffic and pollution.

A letter from the applicant has been received, which has been summarised below:

- From the start of the process the applicant has engaged with the Council including taking formal pre-application advice. The scheme has been reduced and modified several times in accordance with advice from Council Officers and to limit the impact on the neighbouring properties.
- The proposal would increase off-street parking thus easing pressure on parking in Periwinkle Lane.
- The bungalow is in a poor state of repair; it has no central heating, mains gas supply or insulation in the walls, roof or floor voids and it has serious woodworm and damp problems. The EPC rating is F, which is very poor. The best option is to demolish it to provide more efficient homes;
- The application site is made up of three separate plots of land, which suggests that it was intended for three terraced dwellings;

Additional Comments

None

Amended Conditions

2. Work shall not take place on the construction of the walls and roof of the dwellings hereby approved until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted, including the contrasting brick panel to the front elevation, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To control the appearance of the buildings in the interests of the visual amenities of the locality.

(Policies BE8 & H2, SBLPR and Section 7, NPPF)