

## **LATE SHEET**

### **DEVELOPMENT MANAGEMENT COMMITTEE – 25 MAY 2016**

#### ***Item 6 (Pages 15-40) – CB/16/00637/FULL – 165A Castle Hill Road, Totternhoe, Dunstable, LU6 1QQ***

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

Objection from 11 Castle Close, Totternhoe;

I am writing rather late in the day with concerns for the planned application for 20 houses at 165 Castle Hill Road. I'm not sure many local people are aware of this application and those I have spoken to recently are surprised that more letters haven't been sent to people affected by this plan.

We are lucky in Castle Close to have clear views across Eaton Bray and the Dunstable Downs, and unless drawings show otherwise this site will change/spoil this and for that reason we are surprised there hasn't been further consultation.

Currently this site has single storey buildings, the new site has up to 2.5 storey high houses planned which will be a major change to the landscape and will block many of its surrounding views. Surely single storey accommodation would suit the local area and prevent such an intrusion on the site. It seems the designers are just adding standard housing design to the site without regard to the immediate area.

There is a caravan site adjacent to it again with single storey accommodation. I assume one objection must be from the house directly in front of the proposed site.

How is access being provided for vehicles? The road is extremely busy and adding a roundabout will have to incorporate other speed measures to prevent it being a dangerous junction.

I don't know what decision will be taken and don't suppose this will make a difference but based on what information I have certainly object to its current design.

##### **Additional Comments**

In the 'Planning History' section, a pre-application enquiry was referred to. The conclusion of the response provided by the Council was as follows:

The proposed development would be inappropriate within the meaning of the NPPF. Paragraph 87 advises that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. Further advice at paragraph 88 is clear that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Policy BE8 requires all development to, amongst other things, complement and harmonise with surrounding development, to carefully consider setting and to have no adverse impact upon amenity. This criterion is echoed in Policy 43 of the emerging Development Strategy for Central Bedfordshire (D.S.C.B). The proposed dwellings, due to the number of units and position on the site would represent an encroachment into the Green Belt and as such, a revision is recommended, limiting the built form to the existing hard standing area and retaining the eastern portion of the site as open grassland.

### **Additional Information Received from the Agent**

The Agent has submitted some additional information in response to the matters raised within the Officer's committee report which is attached as an Appendix to this Late Sheet. There is no officer response required to this information except that the containers and caravans shown on the site photos were not present on the site at the time of the officer's site visit. Those containers and caravans are unlawfully sited and would require planning permission.

### ***Item 7 (Pages 41-62) – CB/15/01907/FULL – 4 Toddbury Farm, Slapton Road, Little Billington, Leighton Buzzard, LU7 9BP***

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

In response to revised block plan PP-04187533:

Trees and Landscape - Further to my previous comments dated 9<sup>th</sup> June 2015, I have examined the amended block plan and have no further comments to make.

Buckingham and River Ouzel Internal Drainage Board - I wish to reiterate the comments in our response to the previous planning for this site.

One further letter of objection received raising the following grounds:

- Already have our fair share of this nature of homes for Gypsies and Travellers.
- Quite unreasonable to grant any further permission for extensive large sites and increase in population.
- Dangerous driving along Slapton Road.

#### **Additional Comments**

The issues raised in the letter of objection were raised in previous neighbour objections and are discussed in the Considerations section of the Committee Report.

In the Considerations section - Part 6 Very Special Circumstances the following paragraph,

*'Patrick Nolan is a named occupant on the unimplemented planning permission CB/13/04368, but is not living at Toddbury Farm at present. Kathleen Nolan, Barbara Nolan and James Nolan are part of the extended family currently living on the main Toddbury Farm site, but are not named occupants on any of the planning permissions. The current application would help in regularising this situation, i.e. the main Toddbury Farm site would be occupied by Gypsy and Travellers with almost all then having named occupant status. Similarly the number of caravans at the site would be compliant. The additional regularisation of the remaining un-named occupants is currently being pursued in parallel to this application.'*

should be changed to ....

*'Patrick Nolan is a named occupant on the unimplemented planning permission CB/13/04368, but is not living at Toddbury Farm at present. Kathleen Nolan, and James Nolan are part of the extended family currently living on the main Toddbury Farm site, but are not named occupants on any of the planning permissions. Barbara Nolan is also part of the extended family, but is not currently living on the main Toddbury Farm site and is not a named occupant on any of the planning permissions. The current application would help in regularising this situation, i.e. the main Toddbury Farm site would be occupied by Gypsy and Travellers with almost all then having named occupant status. Similarly the number of caravans at the site would be compliant. The additional regularisation of the remaining un-named occupants is currently being pursued in parallel to this application.'*

### **Additional/Amended Conditions**

No residential caravan shall be positioned on the site until the northernmost workshop building has been demolished and the resulting debris removed from the site.

Reason: In order to control the development and to protect the openness of the Green Belt.

(Section 9, National Planning Policy Framework)

### **Item 8 (Pages 63-78) – CB/16/01476/FULL – The Harrow PH Car Park, Woodside Road, Woodside, Luton, LU1 4DQ**

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

The Council's Archaeologist has confirmed that he has no objections to the proposal.

A response has been received from the occupiers of No 1 Whyley Cottages in support of the application for the following reasons:

- The site is a brownfield site;
- The proposal will improve the appearance of the village and complement the surrounding properties;

- The current state of the land is an eyesore;
- The proposal is supported by neighbours, the Parish Council and the Ward Councillor.
- The proposal provides access to Whyley Cottages;
- What else could be done with the land?

### **Additional Comments**

An amended application form has been submitted and accepted, which has amended the applicant details to Mr J Rooney & Mr R Gill.

### **Additional/Amended Reasons**

None

### ***Item 9 (Pages 79-106) – CB/15/04872/OUT – Land rear of 43 to 91 Silver Birch Avenue South of Alder Green and Aspen Gardens, Aspen Gardens, Stotfold***

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

The County Archaeologist has raised no objection subject to a condition which is set out below.

Further to my original comments (30th January 2016), the applicant has now commissioned an archaeological field evaluation of the proposed development site comprising a geophysical survey and programme of trial trenching. Reports on the geophysical survey and trial trenching have now been submitted so I am now able to assess the impact of the proposed development on archaeological remains.

Archaeological features were identified across the proposed development site with the exception of the north east corner. Evidence of Roman activity was found on the western edge of the site consisting of a number of linear features, which it is suggested relate to a trackway and field systems. A small quantity of ceramic building material may indicate the existence of a contemporary building in the vicinity, though there was no evidence of structures found in either the geophysical survey or trial trenching. It should be noted that a metal detecting find of a Roman coin (HER 18447) was also made in this field.

The features identified as a medieval moated site (HER 1774) were identified in both the geophysical survey and trial trenching. The shape and extent of the features, originally recognised from aerial photography, were confirmed by geophysics. The trial trenching examined both the main ditches and the interior of the enclosures encompassed by the ditches. The ditches are substantial, between 6m and 8m wide and 2m deep. In the excavated sections in the ditches no evidence of surviving

medieval deposits were encountered. The only dateable deposits in the main ditches were post-medieval to modern.

It is suggested that the moat ditches had been re-excavated and backfilled to stabilise the ground during the 20th century. A single feature on the island of the main ditched enclosure produced medieval pottery suggesting activity of that date on the moat island. Although there was little evidence for the survival of medieval deposits within the moat ditches or on the moat island, this does not mean that the ditches themselves were not medieval origin, only that they were significantly altered by recent earthmoving. It is possible that medieval deposits belonging to or associated with original construction and use of the moated site. A range of other features were identified in the evaluation but remain undated. While some of them may represent post-medieval and modern activity some will be associated with the Roman features and the moated site. The proposed development site contains evidence of Roman agricultural landscape with the possibility of occupation nearby and the remains of a much altered moated site which is likely to relate to the adjacent settlement of Stotfold Green. The investigation and understanding of Roman agricultural landscapes and regimes have been identified as local and regional research objectives (Going and Plouviez 2007, 21; Oake 2007, 11 and Medlycott 2011, 47) as have the examination of the diversity, character and forms rural Saxon and medieval settlements with the understanding how they appear, grow, shift and disappear (Wade 2000, 24-25; Oake 2007, 14 and Medlycott 2011, 70) and part of this is understanding the relationship between medieval moated sites and the wider medieval landscape. Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (CLG 2012). The proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of the archaeological heritage assets. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development; the post-excavation analysis of any archive material generated and the publication of a report on the works. In order to secure this, please attach the following condition to any permission granted in respect of this application.

Three neighbours of the site have written directly to Members of the Committee raising objections. This correspondence does not raise issues not already considered in the report.

One resident has written to the case officer asking that Members of the Committee are made aware that historic planning permissions for extensions to gardens on Silver Birch Avenue included conditions that removed Permitted Development Rights to prevent ad hoc structures from harming the appearance of the open countryside.

### **Additional Comments**

Members should note that the report describes that a contribution of £20,000 would be made towards measures to seek to prevent drivers from using Taylor's Road as a

link to a A1. It has been agreed by the applicant that the contribution could also be used for other highways works within the vicinity of the site if the Local Planning and Highways Authority thought that such measures would be more useful.

The recommendation set out in the report should be amended to include that:

In the event that a s106 agreement securing the obligations, including a Build Rate Timetable is not completed, that officers are awarded delegated authority to refuse planning permission for that reason.

### **Additional/Amended Conditions**

Condition 2 should be amended to read:

No development shall commence at the site before a Phasing Plan for the development has been submitted to and approved in writing by the Local Planning Authority. No development shall commence at any Phase of the development before details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") relating to that Phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 2015.

Condition 8 should be amended to read:

No dwelling at the site shall be occupied until a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 6 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 6.

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

Condition 11 should be amended to read:

**No development shall commence at the site before a plan identifying areas at the site where dwellings could be affected by noise and lighting from the Riverside Recreation Ground has been submitted to and approved in writing by the Local Planning Authority. No development shall commence at those areas before a scheme for protecting the proposed dwellings in those areas from noise and lighting from the Riverside recreation ground adjacent to the proposed development has been submitted to and approved in writing by the local planning authority. None of those dwellings shall be occupied until the approved scheme has been 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 amenity of future occupiers of the proposed dwellings and to safeguard the use of the recreation ground facilities in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009.

A new condition 17 should read:

**No development shall commence at the site before a Written Scheme of Archaeological Investigation that includes post-excavation analysis and publication has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved scheme.**

**Reason:** To ensure that the development is carried out in accordance with Paragraph 41 of the National Planning Policy Framework (2012).

Condition 17 should be re-numbered as Condition 18.

***Item 10 (Pages 107-114) – CB/16/01250/FULL – Green Hythe, Standalone Warren, Hayes, Bedford, MK40 3QG***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.