

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 1st MARCH 2017

Item 6 (Pages 15 - 44) – CB/16/03943/OUT – 64 Biggleswade Road, Potton, Sandy, SG19 2LX

Additional Consultation/Publicity Responses

Three further representations have been received from local residents in objection to the application: the submissions do not raise any new issues that have not been included in the written report.

Additional Comments

The section 106 contribution towards sport and leisure facilities to be provided in Potton (paragraph 5.11) has been confirmed at:

Provision for enhancement and improvement of play equipment within Potton Town Park £35,000 plus allowance for 20 year maintenance £1000 per year = £20,000.

TOTAL: £50,000

Contribution towards Skate park £20,000 plus £5,000 allowance for maintenance.

TOTAL: £25,000

Playing Pitch contribution at £617 per plot

TOTAL: £52,445.

Additional Informatives

The applicant is advised that in order to comply with Condition 12 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.

There is a correction to paragraph 5.11 of the report the reference to “Arlesey Town Council” should read “Potton Town Council”.

Item 7 (Pages 45 - 64) – CB/16/05251/RM – Retail Park at Grovebury Road, LU7 4UX

Additional Consultation/Publicity Responses

Three additional representations have been received commenting in relation to Committee Items 7 and 8 which can be summarised as follows.

- The proposals would negatively impact the Town Centre in terms of trade diversion causing increased vacancies within the existing Town Centre.
- The proposals would generate jobs but would also result in the loss of existing jobs due to their impacts upon the Town Centre.
- The proposals would result in fewer stalls within the town market on Tuesdays and Saturdays which may result in social and economic impacts.
- The proposals would increase traffic movements. This goes against Government guidance to reduce car journeys.
- The following summary comments are made in relation to ‘the Claymore scheme’ (Item 7).
 1. The scheme has not been progressed for three years because the original premise of a DIY anchor store was incorrect and the DIY sector is changing.
 2. The scheme is within the permitted limits but now includes two larger stores which reflect the type of store B&M and Home Bargains operate from. One will fail.
 3. The original retail impact assessment was undertaken on the basis of an older retail study from 2005, updated in 2008 and published in 2009 which does not reflect the 2012 retail study which was available when the original application was considered.
 4. The retail assessment was based on a DIY anchor store selling comparison goods. The discount stores will sell a range of other goods.
 5. The proposed drive thru unit differs from the pub / restaurant previously proposed and will divert trade from takeaways within the Town Centre.
 6. The level of ‘clawback’ trade achievable from other retail centres outside of Leighton Buzzard as anticipated in the retail assessment was not correct.
 7. The discount stores generate higher revenues than a DIY anchor store and thus would divert more trade from the Town Centre than the retail assessment indicates.
 8. The scheme should be reconsidered against up to date retail studies dated from 2016/2017 as the scheme has taken three years to come forward and the layout of the site has changed.
- The following summary comments are made in relation to ‘the Camden site scheme’ (Item 8).

1. The scheme is proposing A1 retail with other retail including tyre fitters and car mechanics. There is no indication of the retailers interested in the site.
 2. The sales densities anticipated within the retail assessment indicate clothes retail. The scheme is seeking to recreate the MK1 retail park in terms of layout and retailer tenants.
 3. The retail assessment copies the Claymore assessment in relation to the retail 'clawback' figures.
 4. The retail assessment does not account for comparison and convenience sales within existing supermarket stores within the town.
 5. There is an existing permission for a convenience store on part of the site. This will not be built without the retail park to support it.
 6. It is unclear when the scheme would be delivered as retailers have not been identified. The impacts may be different if it is delivered in several years.
- The retail impacts of the two schemes should be considered together.
 - The following are provided. Details of retail estimates; details of retail 'clawback' opportunities; list of competing retailers; merchandise listings; local retail park tenants; commentary on retail catchments and study areas; correspondence relating to retail proposals in Droitwich Spa and Dovercourt/Harwich; and practice guidance on retail impacts.
 - A summarised version of one of these representations has been circulated with Committee Members.
 - The site of 'the Claymore scheme' should be offered for a hotel use due to its relationship with the surrounding roads.
 - The proposed KFC is unwanted and will result in additional litter.

Additional Comments

Revised plans have been received in relation to the following changes to the scheme.

- Further revised landscaping proposals in order to provide additional tree planting within the car parking bays (x9) and on the site frontage (x2) by utilising diamond grates and tree guards; and
- Increased provision for cycle parking in order to provide 4 sets of additional Sheffield cycles stands (accommodating 6 cycles each) in locations convenient for access to the retail/restaurant units. Cycle parking stands would now be provided in five locations within the site for up to 60 bicycles.

Correction at report Page 51. The Officer Note included with the fifth bullet point on this page should read as follows. *Officer Note: Further to CBC Highways comments the proposal has been amended to include parking spaces at 2.5m by 5.0m.*

Additional/Amended Conditions

Condition 2 is amended as below to reflect the requirement for the energy and water efficiency scheme to accord with the reserved matters details.

2. No development shall take place until an energy and water efficiency scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail achievable energy and water efficiency measures, based on the appearance, landscaping, layout and scale of the development hereby approved. The scheme shall seek to minimise energy and water demand and reduce carbon emissions from the development including opportunities to meet higher efficiency standards. The scheme shall then be carried out in full in accordance with the approved scheme.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF. Details shall be approved prior to commencement of development as energy and water efficiency proposals may be integral to the building specification and construction.
(Policy BE8 SBLPR & Section 10, NPPF)

Condition 3 is amended as below to incorporate the revised plans.

3. The development hereby approved shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 12217/SK3; 16569_OGL 0; 2100-PL001 E; 5195-033; 5195-118; 5195-147; 5195-155; 5195-174; 5195-175; 5195-176; 5195-178; 5195-179; 5195-185; 5195-186; and Drainage Statement PT/12217.

Reason: For the avoidance of doubt.

Item 8 (Pages 65 - 92) – CB/16/00814/OUT – Land at Camden Site, Grovebury Road, Leighton Buzzard

Additional Consultation/Publicity Responses

Highways Consultation

The applicant's highway consultants have provided additional information in a technical note dated 22 December 2016 and then a proposed highway improvement to the junction of Billington Road and Stanbridge Road. The proposed works is to widen the carriageway at the Stanbridge road approach to produce two 2.75m wide lanes tapering away to 2.5m wide 12m back which represents 2 car lengths. There are two issues to address in relation to this proposal:-

The technical note dated 22 December 2016 compared the junction in the following scenario

The predicted performance if the improvement was not put in place in the year 2020 without the development and then with the development, and the predicted performance if the improvement was put in place in the year 2020 with the development and then without the development.

With the proposed development in place there is a significant deterioration in the performance of the Stanbridge road approach; with the improvement this will represent a significant improvement to the performance over and above that if the development were not in place.

It should be noted that neither a stage 1 safety audit is available or notice of how the proposed improvements deviate from standard. Without this additional information I cannot confirm that the improvements can be delivered or that the resultant junction not represent a hazard to any particular group of road users. These are fundamental issues which will determine if the proposal can be delivered and I can only advice that the improvement of this development is subject to either a Grampian condition or a restricted covenant within a Section 106 agreement.

Third Party Representations

A further representation has been received from a previous objector raising the following points in relation to Committee Items 7 and 8 which can be summarised as follows.

- The proposals would negatively impact the Town Centre in terms of trade diversion causing increased vacancies within the existing Town Centre.
- The proposals would generate jobs but would also result in the loss of existing jobs due to their impacts upon the Town Centre.
- The proposals would result in fewer stalls within the town market on Tuesdays and Saturdays which may result in social and economic impacts.
- The proposals would increase traffic movements. This goes against Government guidance to reduce car journeys.
- The following summary comments are made in relation to 'the Claymore scheme' (Item 7).
 1. The scheme has not been progressed for three years because the original premise of a DIY anchor store was incorrect and the DIY sector is changing.
 2. The scheme is within the permitted limits but now includes two larger stores which reflect the type of store B&M and Home Bargains operate from. One will fail.
 3. The original retail impact assessment was undertaken on the basis of an older retail study from 2005, updated in 2008 and published in 2009 which does not reflect the 2012 retail study which was available when the original application was considered.
 4. The retail assessment was based on a DIY anchor store selling comparison goods. The discount stores will sell a range of other goods.
 5. The proposed drive thru unit differs from the pub / restaurant previously proposed and will divert trade from takeaways within the Town Centre.
 6. The level of 'clawback' trade achievable from other retail centres outside of Leighton Buzzard as anticipated in the retail assessment was not correct.
 7. The discount stores generate higher revenues than a DIY anchor store and thus would divert more trade from the Town Centre than the retail assessment indicates.
 8. The scheme should be reconsidered against up to date retail studies dated from 2016/2017 as the scheme has taken three years to come forward and the layout of the site has changed.
- The following summary comments are made in relation to 'the Camden site scheme' (Item 8).

1. The scheme is proposing A1 retail with other retail including tyre fitters and car mechanics. There is no indication of the retailers interested in the site.
2. The sales densities anticipated within the retail assessment indicate clothes retail. The scheme is seeking to recreate the MK1 retail park in terms of layout and retailer tenants.
3. The retail assessment copies the Claymore assessment in relation to the retail 'clawback' figures.
4. The retail assessment does not account for comparison and convenience sales within existing supermarket stores within the town.
5. There is an existing permission for a convenience store on part of the site. This will not be built without the retail park to support it.
6. It is unclear when the scheme would be delivered as retailers have not been identified. The impacts may be different if it is delivered in several years.
 - The retail impacts of the two schemes should be considered together.
 - The following are provided. Details of retail estimates; details of retail 'clawback' opportunities; list of competing retailers; merchandise listings; local retail park tenants; commentary on retail catchments and study areas; correspondence relating to retail proposals in Droitwich Spa and Dovercourt/Harwich; and practice guidance on retail impacts.

An additional objection has been received from a local resident raising objection on the grounds that the proposal would be detrimental to having a lively and vibrant town centre.

An objection has been received from South Bedfordshire Friends of the Earth which raises the following issues:

- Employment land would be lost
- The impact on the town centre could be extremely detrimental and the health of the town centre is at present precarious
- Although vacancies rates are low at present in Leighton Buzzard the town is in a state of hanging on: loss of one or two key retailers could be fatal
- GVA report commissioned by CBC highlights the threat to the town centre from the retail parks
- CBC turned down a similar (slightly larger) retail development (Barwoods) in Grovebury road in 2013 due to the impact on the town centre and loss of employment land.
- It is suggested that the retail park will not harm the aspirations for town centre retail development through land south of the High street yet CBC's most recent commissioned retail study states that the retail parks will harm the aspirations for this land
- The condition suggested to protect the town is to limit the sale of goods to comparison goods yet the report goes on to explain that that the Land South of the high street is for fashion retailers and specialist niche operators which are essentially comparison goods.

- Leighton Buzzard needs more clothes shops in the town centre as this will attract greater footfall. Out of town clothes shops will encourage people to leave the town centre.
- Town centre trade is very dependent on bulky goods which range from digital cameras and cushion covers to domestic appliances and large sofas and DIY; an out of town retail park restricted to bulky goods is in direct competition to Leighton Buzzards Town centre
- The report gives the impression that the combined retail of this application and the consented Grovebury road scheme will only slightly exceed the retail capacity recommended by the CBC retail report. However, the CBC retail study is talking about town centre retail capacity not out of town retail
- The CBC study and the practical guidance advice for the NPPF do not make a distinction between bulky goods and town centre goods
- The second highest category of trade that is retained by Leighton Buzzard at present is DIY
- The highest diversion from LB in DIY and furniture/ soft furnishings etc is to the MK town centre not to the retail parks in MK. If the main competitor for LB retail trade is another town centre, out of town retail parks will not necessarily claw back that trade but there is a chance that LB town centre could claw back that trade.
- There is considerable confusion over the state of the development of the land to the south of High Street.
- The latest plans for the land south of High Street have not yet been through public consultation or passed by the council so cannot be a material consideration. The 2012 development brief must stand and be a material consideration until public consultation has taken place and the council has formally adopted a new development brief.
- There has been interest from retail developers as regards retail in the area despite the assumptions of the report and there are questions being raised and legal advice being sought by South Beds Friends of the earth over how that interest has been handled by CBC.

Additional Comments

Correction

There is a correction to the report: in the planning history it is indicated that application CB/15/00817/OUT relates to the whole site: this is incorrect as the overlap relates only to a small area at the southern end of the site.

Section 106

In addition to the mitigation measures outlined in section 4.0 of the circulated report the applicant has confirmed willingness to make financial contributions to reflect those previously agreed for the Grovebury Road scheme. The applicant has requested that the detailed discussion of heads of terms be carried out once the application has been considered by the committee. The contributions will reflect the nature and character of the development and its viability and will focus on priority projects to be delivered in the short to medium term

In addition to the contributions outlined above the full section 106 package will include:

Restrictions on goods to be sold
Minimum retail unit size of 850m²
Contribution towards bus signals
Upgrading of bus stops
Off site works to improve the capacity of the Stanbridge Road/Billington Road
Travel Plan

Comments

It is considered that, with one exception, the further representations do not raise any substantive new issues which were not raised in the earlier submissions although they do provide more detailed consideration of some of the points.

There is one new issue in the Friends of the earth comments in respect of prejudice to the evidence base for the emerging local plan. Whilst the granting of permission may impact on the evidence gathering for the forthcoming local plan this is not grounds to refuse planning permission or defer determination of the current application. The application should be determined on the evidence available at this time including current planning policies and other relevant material considerations.

Item 9 (Pages 93 - 112) – CB/16/04918/OUT – The Paddock New Road, Clifton, Shefford

Additional Consultation/Publicity Responses

Highways

The applicant has submitted a revised red line plan showing a means of access from the public highway but has not included the land required for a 2.0m service margin to continue from plot 23 and 24 at the adjacent development? I can not find the red line plan from the application no. CB/ 13/01208 to ascertain if the 2 sites abut with no ransom strip between them? I am assuming that they do, but if this is not the case a revised red line plan will be required to indicate the sites abut with no ransom strip.

A revised indicative internal layout has also been resubmitted but has not addressed the previous issues, which the applicant should be mindful of when submitting a reserved matters application:

- The service margin should be 2.0m wide along either side of the carriageway and around the turning head.

- The refuse vehicle (11.5m length) and service vehicle (6.25m length) should not have to reverse more than 12.0m. Therefore a turning head should be provided for a service size vehicle between plots 16/17, 6/7 and a refuse size vehicle at plots 3/10. Tracking diagrams should be provided to show a refuse/service vehicle being able to turn and leave in forward gear
- Visitor parking should be provided at 1 space per 4 dwellings, and dispersed throughout the site
- Parking provision should be NO MORE than 2 tandem spaces, (this includes a vehicle in the garage)
- Tracking diagrams should show the refuse vehicle manoeuvring at any bends within the site

Internal Drainage Board

Raised no objections.

One third party letter

Raising issues of difficulty to get appointments at doctors and developments will make this worse.

Additional Comments

None

Additional/Amended Conditions/Reasons

No development shall take place until the access and junction and visibility splay for 'Herberts Meadow' shall be constructed in accordance with the approved plans for the permission CB/13/01208/FULL.

Reason: To provide adequate access from the public highway to the development

2. Any subsequent reserved matters application shall include the following;

- The road designed and constructed to a standard appropriate for adoption as public highway
- Vehicle parking and garaging in accordance with the councils standards applicable at the time of submission
- Cycle parking and storage in accordance with the councils standards applicable at the time of submission
- Vehicle turning area(s) where applicable and in accordance with the councils standards for reversing vehicle distance applicable at the time of submission
- Driver/driver intervisibility and pedestrian visibility from the residential access within the site, and forward visibility at any bends in the road layout
- Replacement parking provision, if lost, for planning permission CB/13/01208/FULL where the proposal joins with the existing carriageway
- Pedestrian linkages to existing routes
- Materials storage area
- Wheel cleaning arrangements
- Construction worker on site parking and loading/unloading areas

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times

3. Details of a refuse collection point located at the property frontages and outside of the public highway and any visibility splays, and a collection point as close to the public highway for non adoptable highway area shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The scheme shall be fully implemented prior to occupation of any dwelling and shall be retained thereafter.

Reason: In the interest of amenity and in order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

4. Prior to the occupation of any dwelling on the site, a scheme for the provision of waste receptacles for each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The receptacles shall be provided before occupation takes place.

Reason: In the interest of residential amenity and to reduce waste generation in accordance with the Council's Minerals and Waste Local Plan 2014, Policy WSP5 and the adopted SPD "Managing Waste in New Developments" (2006).

Item 10 (Pages 113-130) – CB/16/05738/VOC – 11 Albany Road, Leighton Buzzard

Additional Consultation/Publicity Responses

An additional letter from an occupier of No. 13 Albany Road was circulated to Members with links to three videos. The majority of the issues raised are addressed in the report; however, the letter also raises concerns about the enforceability of the proposed noise management plan condition and the proposed Travel Plan Condition.

An email from the applicant was also circulated to members including links to an internet petition of support on Change.org and an article in the Leighton Buzzard Observer.

A letter signed from 13 residents of Albany Road has also been circulated to Members in support of the presentation which will be made by the public speaker representing the objectors to the Development Management Committee Meeting.

An additional letter of support has been received from the occupiers of 24 Dudley Street, who are parents of two children who attend the nursery. The letter is very positive about the nursery and states that parking problems in Dudley Street and Albany Road are predominantly caused by workers in the Town Centre parking on the streets.

An email has been received from Andrew Selous MP requesting that Members take into account the concerns of the occupiers of No. 5 Albany Road, in particular regarding the impact that any extra attendees and longer opening hours will have on the residents of Albany Road, who are already experiencing parking problems outside their homes.

Additional Comments

For clarity, 59 signatories of the petition in favour of the application gave their address as being within Leighton Buzzard, 54 of which are parents of children who attend the nursery.

Within the planning history section of the report, there is an error in the reference number of the 1967 permission, which should read LLUDC/67/85.

Additional/Amended Conditions/Reasons

None

Item 11 (Pages 131-140) – CB/17/00298/FULL – Commercial Yard, Watling Street, Caddington

Additional Consultation/Publicity Responses

Highways England – No objections

CBC Highways Officer – No objections

Additional Comments

None

Additional/Amended Conditions/Reasons

None

Item 12 (Pages 141- 152) – CB/16/05823/OUT – 9A Silsoe Road, Maulden, Bedford, MK45 2AX

Additional Consultation/Publicity Responses

None

Additional Comments

None

Additional/Amended Conditions/Reasons

None

Item 13 (Pages 153 - 162) – CB/17/0053/FULL – Wren House, Station Road, Ampthill, Bedford, MK45 2RE

Additional Consultation/Publicity Responses

None

Additional Comments

The applicant has submitted amended plans in order to address the design concerns. It is necessary to re-consult over the amendments and therefore it is recommended that the Committee **defer** consideration in order to allow sufficient consultation over the scheme.

Additional/Amended Conditions/Reasons

None