

Item No. 16

APPLICATION NUMBER	CB/18/00077/FULL
LOCATION	Co-Op Supermarket, High Street, Houghton Regis, Dunstable, LU5 5QT
PROPOSAL	Temporary use of land as car park with minor works, temporary stationing of 2 no. portable buildings for ancillary use as security and shelter and temporary stationing of lighting
PARISH	Houghton Regis
WARD	Houghton Hall
WARD COUNCILLORS	Cllrs Mrs Goodchild & Kane
CASE OFFICER	Peter Vosper
DATE REGISTERED	09 January 2018
EXPIRY DATE	06 March 2018
APPLICANT	Whitbread Group PLC
AGENT	Walsingham Planning
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Application on Council owned land and objection received from neighbour Full Application - Recommended for Approval

Reason for recommendation:

In principle, the temporary car park use is acceptable. The impact of the proposal on the character and appearance of the area, and the impact on neighbouring amenity would be acceptable. The proposal is also acceptable in highway terms.

Site Location:

The 0.51 hectare application site is in Houghton Regis town centre, with the most eastern section being in the Houghton Regis Conservation Area.

A Co-op supermarket and Community Centre were built in the north of the site, with associated car parking to the south, in the early 1980s but was demolished in 2005 following a large scale fire. Since then, a smaller store operated until early summer 2014, and a social club used temporary portacabins on part of the site.

The site returned back into the full ownership of Central Bedfordshire Council in 2015 and is currently enclosed by hoarding, following the demolition and removal of all remaining buildings and structures on the site.

Planning permission was granted in November 2016 for the re-development of the site and adjoining land to the east to create an Independent Living Scheme for Older Persons (details below).

Vehicular access into the site is from the High Street via a four-arm roundabout which also links into The Green and Tithe Farm Road.

The area around the site contains a variety of land uses. Immediately to the north is Bedford Square shopping centre, comprising shop units on the ground floor with flats above. To the north west is All Saints Church which is Grade I listed, originating from the 14th century.

To the west, positioned at the junction of the High Street and Whitehouse Close, is Rosalyn House, a 46 bedroom care home. Whitehouse Close and Clarkes Way, to the south, contain residential properties, varying in type.

There is an existing unofficial pedestrian route immediately to the east of the site which enters via Clarkes Way to the south and provides a connection to the High Street to the north.

The Application:

Full planning permission is sought for:

Temporary use of land as a car park for 205 cars for Whitbread employees for a six month period starting on 1 February 2018. This period is to coincide with the construction of a decked car park at Houghton Hall Business Park for Whitbread employees, granted planning permission on 2 February 2018, under reference CB/17/05857/FULL. This car park will be positioned on land currently used as a surface level car park and therefore during the build period there will be a shortfall of parking available at Houghton Hall Business Park for Whitbread employees.

Two temporary portable buildings would be used by security staff and by Whitbread staff awaiting a shuttle bus that would operate back and forth to the Houghton Hall Business Park office locations.

Seven temporary lighting columns, 5.0m in height.

The existing vehicular access into the site from the High Street would be used and enclosure hoarding retained.

The pedestrian route to the east of the site would be retained.

Relevant Policies:

National Planning Policy Framework (NPPF), March 2012

Achieving sustainable development

Section 1: Building a strong, competitive economy

Section 2: Ensuring the vitality of town centres

Section 4: Promoting sustainable transport

Section 7: Requiring good design

Section 12: Conserving and enhancing the historic environment

South Bedfordshire Local Plan Review, January 2004

Policy BE8: Design Considerations

Policy T10: Controlling Parking in New Developments

Policy TCS1: Sustaining and Enhancing the District's Town Centres

Policy TCS3: Houghton Regis Town Centre
Policy TCS5: Houghton Regis Town Centre Enhancement

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant policies in existing plans according to their degree of consistency with the Framework. It is considered that Policy BE8 is broadly consistent with the Framework and carries significant weight. Policies T10, TCS1, TCS3 and TCS5 carry less weight but are considered relevant to the proposal.

Central Bedfordshire Local Plan - Emerging

Policy R3: Town Centre Development
Policy T3: Parking
Policy HE3: Built Heritage

The Council is currently consulting on its Pre-submission Local Plan 2015-2035 (Regulation 19). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)
Houghton Regis Town Centre Masterplan Supplementary Planning Document (SPD), 2008

Relevant Planning History:

Application site:

Application Number	CB/16/03378/REG3
Description	Construction of a new Independent Living Scheme for Older Persons comprising 168 apartments with support facilities, a Restaurant & Bar, Retail Units, Cafe, 2no Reablement Suites, the conversion and Change of Use of a Grade 2 listed building and the demolition of an existing Sheltered Housing scheme with associated parking and landscaping.
Decision	Conditional planning permission
Decision Date	11 November 2016
Application Number	CB/16/03379/LB
Description	Listed Building: Phased construction of a new Independent Living Scheme for older persons comprising 168 apartments with support facilities, a restaurant & bar, retail units, cafe, 2no reablement suites, the conversion and

change of use of a Grade 2 listed building and the demolition of an existing sheltered housing scheme with associated parking and landscaping.
Decision Conditional Listed Building Consent
Decision Date 8 July 2016

Application Number CB/16/01922/SCN
Description EIA Screening Opinion: Construction of new Independent Living Scheme for Older persons comprising 167 apartments with support facilities, a restaurant & Bar, 6 no retail units, a cafe, 2 no re-ablement suites, the conversion and change of use of a grade 2 listed building and the demolition of an existing sheltered housing scheme
Decision Environmental Impact Assessment not required
Decision Date 8 July 2016

Application Number SB/08/00214/FULL
Description Siting of a temporary building for use as a library
Decision Conditional planning permission
Decision Date 14 July 2008

Application Number SB/06/01165/FULL
Description Temporary siting of single storey building for use as social club (pending replacement of building demolished following fire)
Decision Conditional planning permission
Decision Date 23 November 2006

Chiswell Court (formerly Degremont House), Houghton Hall Business Park:

Application Number CB/17/05857/FULL
Description Decked car park, alterations to existing car park layouts and alterations to access, revision to previously approved scheme under reference CB/17/02781/FULL
Decision Conditional planning permission
Decision Date 2 February 2018

Application Number CB/17/02781/FULL
Location Degremont, Houghton Hall Business Park, Porz Avenue, Houghton Regis
Description Decked car park, alterations to existing car park layouts and alterations to access.
Decision Conditional planning permission
Decision Date 8 September 2017

Consultees:

Houghton Regis Town Council
Comments: No objections, however members raised concerns regarding timescales. Whilst it was acknowledged that temporary permission would be granted for a 6-month period, members were concerned that any delay in implementing the 6-month period could

have a detrimental impact on the provision of the independent living facility, proposed for the site. It was also noted that there appeared a lack of welfare facilities onsite. The Town Council was supportive of the applicant in their commitment to the local area and the decision to make a sum of money available to support local organisations active in the community, for the longer-term benefit of the residents of Houghton Regis. It was proposed, in order to support this commitment, an invitation to the applicant from the Town Council be extended in the spirit of community engagement.

Highways
(Development
Management)

The proposal is the forming of a car park to cater for the workforce to the Houghton Hall Business Park on a temporary basis of 6 months. Having looked at the application and the proposed arrangement and mindful that most of the area is a car park in any case I do not believe that the proposal will generate a significant issue on the public highway.

Subsequently, In a highway context I confirm that the above proposal should not be restricted.

Conservation and
Design

I note the temporary nature of the proposed development, and am satisfied that there are no particular historic environment impacts which would merit objection or the application of particular design controls.

Archaeology

The proposed development site is located within the core of the historic settlement of Houghton Regis (HER 16988) and under the terms of the *National Planning Policy Framework* (NPPF) this is a heritage asset with archaeological interest. Archaeological evaluation, undertaken in connection with application CB/16/03378/REG3, has shown that buried archaeological remains dating to medieval period survive within the boundaries of the site (Albion Archaeology 2016).

However, the nature of the proposals is such that there would be no impact upon any surviving archaeological remains. Consequently, there would be no archaeological objection to this application.

Trees and Landscape

I have examined the plans and documents associated with this application. In recognition that this is a temporary car park, may I request that there in no tree felling carried out to accommodate the proposal, and that the 'B' category *Robinia pseudoacacia* indicated for removal is retained.

Public Protection

No comment.

Other Representations:

Neighbours A representation objecting to the proposal was received from No. 48 Chalton View:

This will increase traffic and Pollution on roads already overload, lorries over weight all the time, nothing encouraging traffic to use by pass.

Also it was ok for public to use when used by co op so why not now.

When they fill this car park they will use the other carparks and there will be no parking for people who need to go to doctors or shops. I have been unable to park there before.

Determining Issues:

The main considerations of the application are:

1. Principle of Development
2. Affect on the Character and Appearance of the Area
4. Neighbouring Amenity
5. Highway Considerations
6. Other Considerations

Considerations:

1. Principle of Development

- 1.1 The proposal is for temporary use of the application site as a car park for 205 cars for a six month period starting on 1 February 2018 and ending on 31 July 2018. 75 of the 205 car parking spaces were previously used as a car park in association with the Co-op supermarket, and retains lawful use as a car park.
- 1.2 A condition should be attached to any planning permission granted requiring the temporary car park use to cease on 31 July 2018, or another date to be agreed in writing by the Local Planning Authority, and for the site to be returned to its pre-development condition. This will ensure the permitted redevelopment scheme of an Independent Living Scheme is not unacceptably impacted.
- 1.3 South Bedfordshire Local Plan Review (SBLPR) policy TCS1 states that favourable consideration will be given to proposals which will sustain and enhance the vitality and viability of the town centre and in particular those which support the retail function and contribute to town centre regeneration. The policy states that the redevelopment of vacant sites for retail and/or other uses which support the vitality and viability of the town centre will be given favourable consideration. Also of note is the Houghton Regis Town Centre Masterplan Supplementary Planning Document (SPD), 2008 which refers to the application site having retail use at ground floor with residential above. A six month temporary permission would also ensure that the aspirations of policy TCS1 and the SPD are not compromised.

- 1.4 Paragraph 19 of the NPPF states, '*... significant weight should be placed on the need to support economic growth through the planning system*'. Paragraph 20 continues, '*To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support fit for the 21st century*'. In general terms, the temporary car parking proposal is compliant with the stance of the NPPF in terms of securing economic growth to create jobs and prosperity.
- 1.5 In principle, the temporary car park use is acceptable.

2. Affect on the Character and Appearance of the Area

- 2.1 The car parking use would be predominantly at ground level. The portable buildings would be plain dark blue colour to match the existing site hoarding. With a height of 2.2m, i.e 0.2m higher than the hoarding, they would have little, if no impact from outside the site. The seven lighting columns would be located as close as possible to the centre of the site so that any impact on the surrounding area is minimised.
- 2.2 As detailed above, the proposal would have no adverse impact on the historic environment - archaeological or Conservation Area, and therefore Section 12 of the NPPF is complied with.
- 2.3 Whilst the Trees and Landscape response requests the retention of the 'B' category *Robinia pseudoacacia* indicated for removal, its loss was proposed by the Independent Living Scheme proposal and is therefore acceptable.
- 2.4 Overall, the impact of the proposal on the character and appearance of the area would be acceptable.

3. Neighbouring Amenity

- 3.1 The site is entirely located in Houghton Regis town centre and as such the area has significant levels of activity. The residential properties in Whitehouse Close and Clarkes Way, which abut the site, are generally closest to the parts of the site formerly in use as a car park.
- 3.2 The car park would be closed outside of 07:00 to 20:00 hours and at weekends - and therefore any noise generated by the car park use would not occur during unsocial hours. A condition restricting use to these hours, and for the lighting columns and light fittings fixed to the inside face of the hoarding to only operate during these hours, should be attached to any planning permission granted.
- 3.3 Overall, subject to this condition, the impact of the proposal on neighbouring amenity would be acceptable.

4. Highway Considerations

- 4.1 Use will be made of the existing vehicular access and Highways (Development Management) do not raise any concerns. The proposal is acceptable in highway terms.

5. Other Considerations

5.1 Response to Town Council concerns

The concerns regarding timescales are considered above.

Whilst the lack of welfare facilities is noted, this is not a material planning consideration.

The comments in respect of sourcing suitable community projects is a matter entirely separate from the consideration, recommendation and subsequent determination of this planning application.

5.2 Response to neighbour objections

As stated in the Highways (Development Management) response, the proposal will not generate a significant issue on the public highway.

Only the proposal submitted - for a temporary car park for Whitbread employees - can be considered - not the public use of the site.

Nearby car parks have time restrictions, so are unlikely to be appropriate for Whitbread employees to use.

5.3 Human Rights issues

The proposal raises no Human Rights issues.

5.4 Equality Act 2010

The proposed car park would serve employees of Whitbread and needs to accommodate any employees with disabilities. The car park should therefore comply with the Equality Act 2010 and an Informative will be applied accordingly to the decision reminding the applicant of their responsibilities under the Act. It is however noted from the covering letter (Walsingham Planning) that *'it is not expected that disabled staff or visitors will use the facility as unallocated parking spaces are allocated at the different offices and will remain fully available during construction works for the decked car park'*.

Recommendation:

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS

- 1 The temporary car park use shall cease on 31 July 2018, or another date to be agreed in writing by the Local Planning Authority, and the site shall be returned to its pre-development condition.

Reason: To ensure the redevelopment of this town centre site is not compromised.

(Policy TCS1, SBLPR and Section 2, NPPF)

- 2 The car park gates shall be closed, and the lighting columns and light fittings fixed to the inside face of the hoarding shall not operate, outside of the hours 07:00 to 20:00 Mondays to Fridays and at weekends.

Reason: To protect the amenity of neighbouring residential occupants.
(Policy BE8, SBLPR)

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2014/2272/211 Rev B, 2014/2272/212 and PA01.

Reason: To identify the approved plans and to avoid doubt.

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The applicant and the Council engaged in discussion and negotiation at pre-application stage which led to improvements to the scheme. The applicant and the Council have therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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