

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 18 JULY 2018

Item 6 – CB/17/04108/OUT – Bury Spinney, Thorn Road, Houghton Regis, Dunstable, LU5 6JQ.

Additional Consultation/Publicity Responses

Affordable Housing

In terms of the affordable housing being delivered on this site, we need to ensure that all 10 dwellings are 100% affordable rent to maximise the impact on the waiting list and housing need in the area. In terms of a proposed affordable mix for the affordable units at Bury Spinney, the following mix has been derived;

- 2 x 1 beds flats
- 2 x 2 bed houses
- 0 x 3 bed
- 6 x 4 bed house

The above mix has been discussed with Nick Costin, Head of Housing Solutions. The mix has been derived through internal discussions and supported through internal gap analysis reporting, waiting list information etc for Houghton Regis and the neighbouring area, where larger 4 bed homes are in shortest supply. Larger families are stuck in overcrowded homes or in Temporary accommodation, waiting for a home to move on to. As the site is delivering only 10% affordable housing, the Council's most critical need (4+ beds) should be provided.

The gap analysis of social housing looks to estimate the stock required to meet the Housing Register demand in Central Bedfordshire and seeks to identify deficits of particular stock types/sizes in each housing area, through:

- a) the static view by considering supply vs demand.
- b) the dynamic view by considering lettings, turnover, potential for freeing up properties through social housing transfers.

Whilst the gap analysis illustrates a high current demand 1 and 2 bed homes in Houghton Regis in terms of the Housing Register, the provision of 4 bed homes normally results in the subsequent provision of 2 and 3 bed homes where overcrowded families are able to move on. The smallest supply of affordable homes for many years is 4 bed homes in the south of the area, where gap analysis has indicated that families wanting homes in the Dunstable area (adjoining Houghton Regis) have to wait for around 20 years for a 4 bed due to lack of supply. So, supply of 4 bed homes normally results in a supply of smaller homes as well, a "win, win." Note – the four bed homes must not be "small" 4 beds, i.e. not 1 double and three single rooms.

The mix outlined for Bury Spinney is reflective of evidenced housing needs and lack of supply over previous years and to providing the mix of affordable rented required for maximising the impact on meeting critical housing need in the Houghton Regis area of Central Bedfordshire. Whilst it is disappointing we have not achieved the full policy compliant level of affordable housing, the mix for 100% affordable rent will ultimately be providing affordable housing for those in the greatest housing needs, whilst impacting in a positive way on meeting critical housing need.

To confirm the affordable mix;

Unit Type	Number of affordable rent units
1 Bed Flat (GF accessible)	2
2 Bed House	2
3 Bed House	0
4 Bed House	6

Additional Comments

The report advises clarification on proposed S106 contributions will be provided.

The viability of the site set aside a pot of £820,000 for S106 contributions. This was done previously on the basis of education contributions sought during the first application.

Having considered the contributions it is recommended that this entire sum continue to be used for education infrastructure as it is an established need in Houghton Regis. The amounts sought would be as follows:

EY	£69,488
Primary	£324,280
Secondary	£426,232
Total	£820,000

Additional/Amended Conditions

Highway Conditions:

Development shall not begin until details of the improvements to Thorn Road fronting the site have been approved by the Local Planning Authority and no building shall be occupied until those improvements have been constructed in accordance with the approved details. Such improvements shall include a 5.5m carriageway and 2.0m footway on either side of that carriageway.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.

Development shall not begin until details of the junction between the proposed estate road and the highway have been approved by the Local Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.

Item 7 – CB/18/00192/OUT – Clifton Farm, Church Street, Clifton, Shefford, SG17 5EX.

Additional Comments

Members will be aware that paragraph 2.4 of the Officer Committee Report outlines that affordable housing will be secured through the S106 agreement. The applicant has further agreed to the trigger for affordable units to be, 'not to occupy more than four of the open market dwellings until all of the affordable housing units have been constructed and offered for sale to a registered provider of Social Housing', or any other such trigger that Members consider is reasonable.

Additional Consultation/Publicity Responses

A third party representation has been received making the following comments:-

- The development will further erode the boundary between Clifton and Langford/Henlow.
- The road infrastructure is very poor and there has been a number of accidents along Stockbridge Road; there are too many cars exceeding the 30mph speed limit, increasing the number of residents will add further pressure on the local road.
- The local school is currently oversubscribed and an increase in residents would be difficult to accommodate.
- The local GP service is oversubscribed and again difficult to support new residents.

Additional Comments

The Officer Committee Report deals with these matters.

Additional Consultation/Publicity Responses

A third party who is registered to speak in objection to the application at the Committee refers the Committee to section 4 of the National Planning Policy Framework – Promoting Sustainable Transport and an appeal decision relating to land between 103 and 27 Langford Road, Henlow (LPA reference CB/16/02721/OUT, PINS reference APP/P0240/W/16/3164961) for up to 135 dwellings.

Additional Comments

Members will be familiar with the NPPF, including section 4 and will note the commentary in the Officer Committee Report in relation to highway and related sustainability matters. The site is considered to be a sustainable location for development in transport terms; will not result in significant harm in terms of highway safety and; will not lead to a severe impact in NPPF terms. There is no objection to the development from the Councils Highway Officer.

The Inspectors comments in relation to the dismissed appeal are noted – Members will be aware that each application must be assessed on its own merits. The Planning Inspector comments that paragraph 14 and the ‘tilted-balance’ is not engaged as the Council have a 5 YHLS (Year Housing Land Supply) and given the Inspectors conclusion that moderate weight can be attached to policy DM4 (the settlement envelope policy) and that policy is not therefore ‘out of date’. This appeal decision is consistent with the Officer Committee Report – paragraphs 1.1-1.2.

The Planning Inspector applies ‘planning balance’ to the various material considerations but determines that the positive factors associated with the provision of housing, affordable housing, green infrastructure, biodiversity and other matters, is not outweighed by the harm to the character and appearance of the area.

The Officer report for this application balances into the consideration various material considerations and concludes that there is no significant material harm to the character and appearance of the area and, that the proposal represents a sustainable form of development.

Item 8 – CB/18/00735/FULL – Hadrian Academy, Hadrian Avenue, Dunstable, LU5 4SR.

Additional Consultation/Publicity Responses

One additional response has been received from a Resident of Goldstone Crescent.

Most of us have an objection to the section of the path at the boundary fence at the bottom of our gardens, it is too close.

The path is being used every day of the school week, every hour for 15 mins approximately from 9.00 till 5.25 this includes after school activities. Additional usage of one hour lunch breaks, then approximately 7.00pm once a week for running activities for a sports team of about 13 persons, and every Friday by parents and children for 15 mins approximately at 8.30am.

Objection: Our gardens are approximately 45ft long and they act as a tunnel when these little children and adults go by, so the excitement from the children and talking/shouting from adults just intensifies to a point that it becomes unbearable.

If this section of the path could be moved further in it would stop the decibels going through the gardens and causing such issues.

Additional Comments

Additional comments from the resident: I e-mailed Miss Bennett, Principal of the school regarding the best Sports Day that I have ever heard in my 44+ years of living next to the school, seconded by another 2 residents, for the number of persons on the field and the level volume of voices was acceptable. Miss Bennett replied thanking me for such a positive e-mail and stated that the ‘path was acting like a boundary’ so the people were further from the boundary fence.

I took this on board, as it is proving our defence, that if this section of path was put further into the school grounds then the volume of noise would dissipate to a more normal school volume. There has to be some form of restriction/compromise of this path so the well being suits the school and the residents.

Miss Bennett has done an exceptional job at Hadrian Academy with getting the children out and about in activities this was very much noted on Sports Day with the superb equipment for the children to use

Item 9 – CB/17/02350/OUT – Land off Kerrison Close, Lidlington, Beds.

Additional Consultation/Publicity Responses

5 further comments received from neighbours. Only new point raised is from an immediate neighbour and refers to a personal health issue, pollution from the proposed development could make this health issue significantly worse.

Additional/Amended Conditions

Revised plan number added to Condition 10, condition now reads as follows:

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 16176(B) 097 Revision C, 16176(B)099 Revision B, 16176(B)101, 16176(B)111, 16176(B)200 Revision A, 16176(B)205 Revision A, 8896M-TA06, 8896-TA11A.

Reason: To identify the approved plan/s and to avoid doubt.

Additional Informatives

No part of the development shall cause any existing level crossing road signs or traffic signals or the crossing itself to be obscured. Clear sighting of the crossing must be maintained for the construction/operational period and as a permanent arrangement. The same conditions apply to the rail approaches to the level crossing. This stipulation also includes the parking of vehicles, caravans, equipment and materials etc, which again must not cause rail and road approach sight lines of the crossing to be obstructed. At no point during construction on site or after completion of works should there be any deterioration of the ability of pedestrians and vehicles to see the level crossing and its signage. There must be no reduction in the distance that pedestrians and vehicles have sight of the warning signs and the crossing itself. Network Rail reserves the right to provide and maintain existing railway signals/signs (whistle boards etc) and level crossing equipment along any part of its railway.

The LPA and the developer (along with their chosen acoustic contractor) are recommended to engage in discussions to determine the most appropriate measures to mitigate noise and vibration from the existing operational railway to ensure that

there will be no future issues for residents once they take up occupation of the dwellings.

Network Rail is aware that residents of dwellings adjacent to or in close proximity to, or near to the existing operational railway have in the past discovered issues upon occupation of dwellings with noise and vibration. It is therefore a matter for the developer and the LPA via mitigation measures and conditions to ensure that any existing noise and vibration, and the potential for any future noise and vibration are mitigated appropriately prior to construction.

To note are:

- The current level of railway usage may be subject to change at any time without prior notification including increased frequency of trains, night time train running, heavy freight trains, trains run at weekends /bank holidays.
- Maintenance works to trains could be undertaken at night and may mean leaving the trains' motors running which can lead to increased levels of noise and vibration.
- Network Rail also often carry out works at night on the operational railway when normal rail traffic is suspended and often these works can be noisy and cause vibration.
- Network Rail may need to conduct emergency works on the existing operational railway line and equipment which may not be notified to residents in advance due to their safety critical nature, and may occur at any time of the day or night, during bank holidays and at weekends.
- Works to the existing operational railway may include the presence of plant and machinery as well as vehicles and personnel for project or emergency works.
- The proposal should not prevent Network Rail from its statutory undertaking. Network Rail is a track authority. It may authorise the use of the track by train operating companies or independent railway operators, and may be compelled to give such authorisation. Its ability to respond to any enquiries regarding intended future use is therefore limited.
- The scope and duration of any Noise and Vibration Assessments may only reflect the levels of railway usage at the time of the survey.
- Any assessments required as a part of CDM (Construction Design Management) or local planning authority planning applications validations process are between the developer and their appointed contractor.
- Network Rail cannot advise third parties on specific noise and vibration mitigation measures. Such measures will need to be agreed between the developer, their approved acoustic contractor and the local planning authority.
- Design and layout of proposals should take into consideration and mitigate against existing usage of the operational railway and any future increase in usage of the said existing operational railway.

All surface water is to be directed away from the direction of the railway. Soakaways, as a means of storm/surface water disposal must not be constructed near / within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. Once water enters a pipe it becomes a controlled source and as such no water should be discharged in the direction of the railway.

If vibro-compaction machinery / piling machinery or piling and ground treatment works are to be undertaken as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail Asset Protection Engineer for agreement.

- All works shall only be carried out in accordance with the method statement and the works will be reviewed by Network Rail. The Network Rail Asset Protection Engineer will need to review such works in order to determine the type of soil (e.g. sand, rock) that the works are being carried out upon and also to determine the level of vibration that will occur as a result of the piling.
- The impact upon the railway is dependent upon the distance from the railway boundary of the piling equipment, the type of soil the development is being constructed upon and the level of vibration. Each proposal is therefore different and thence the need for Network Rail to review the piling details / method statement.

Maximum allowable levels of vibration - CFA piling is preferred as this tends to give rise to less vibration. Excessive vibration caused by piling can damage railway structures and cause movement to the railway track as a result of the consolidation of track ballast. The developer must demonstrate that the vibration does not exceed a peak particle velocity of 5mm/s at any structure or with respect to the rail track.