

## **LATE SHEET**

### **DEVELOPMENT MANAGEMENT COMMITTEE – 6<sup>th</sup> February 2019**

#### ***Item 5 – CB/18/02458/OUT – Land to the East of Baden Powell Way, Biggleswade.***

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

None.

##### **Additional Comments**

None.

##### **Additional/Amended Conditions**

None.

#### ***Item 6 – CB/18/02251/OUT – The Lagoon, 197 Hitchin Road, Arlesey, SG15 6SE.***

**Application Withdrawn.**

#### ***Item 7 – CB/18/02373/OUT – Loft Farm and West of Church Street, Langford, Biggleswade, SG18 9QA.***

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

Following on from the previous Committee meeting, three additional objections have been received. These have been summarised below:

- Unconvinced that the developer will be able to access the site through Tithe Farm Close with the size of machinery necessary to economically build the proposed estate.
- Fear that the builders will disregard the Construction Management Plan and as a consequence cause damage to the road, the pavements and even the houses in Tithe Farm Close.
- Large vehicles could block access to the western end of Tithe Farm Close.
- Question where deliveries will come from (for example would they be from Henlow or Biggleswade?).

- The Plan does not account for car parking within Tithe Farm Close.
- The tracking diagrams are tight.
- Does not comply with the Langford Neighbourhood Plan
- Concern regarding delivery vehicles waiting in Tithe Farm Close
- Police have objected to the proposed development
- The crossing should be upgrading prior to the commencement of development.
- Concern regarding tradesmen parking in Tithe Farm Close
- Businesses within Tithe Farm Close could be negatively affected.
- Consider that the proposal is not sustainable.
- Concern that the footpath dimensions do not meet the 2.0 metre standard
- Question whether the development would result in a net gain in terms of biodiversity.

### **Additional Comments**

The conclusion shall be amended to read

#### *“Conclusion*

*Based upon the further information, it is considered by officers that the development would **not** present an unacceptable adverse impact in terms of residential amenity or highways safety. As such, the original recommendation is reiterated within this report. **The recommendation is subject to a s106 agreement”***

### **Additional/Amended Conditions**

None.

## **Item 8 – CB/18/03694/OUT – Land at Ivel Road, Shefford.**

An editing error has occurred, therefore, the below section has been repeated for the avoidance of doubt

5.3 The development will impact on local infrastructure and as a result, development of a scale as proposed here, is required to offset these impacts, by entering into a S106 agreement to provide financial contributions to mitigate these impacts. At the time of writing, the contributions sought and agreed by the Applicant are as follows:

**Indoor Sport: £79,701** towards the provision of the planned extension works for additional studio space at Saxon Leisure Centre.

**Outdoor Sport: £32,045** towards pitch improvements for Shefford Sports Club.

To mitigate the demand generated by the development a contribution of **£79,701** is sought towards the creation of additional studio space at Saxon Pool LC.

**£18,900** Contribution will be spent on refurbishment works for Shefford Library

**£80,784** A contribution to Phase 2 of the STMA (Shefford Town Memorial Association) land refurbishment requires initial ground works and 3 pitched roofs.

Affordable Housing: **35%**

**£95,355** NHS contribution

Education Contributions:

EY	£109,874.23
Lower	£366,247.44
Middle	£313,035.84
Upper	£383,864.83
Total	£1,173,022.34

### **NHS request for Contributions Additional Information**

Consideration of the potential consequences of this development and the health infrastructure implications has been undertaken on behalf of NHS England and Bedfordshire Clinical Commissioning Group.

This development, should the application be successful will affect Shefford Medical Centre. The current premises were designed for a total patient list size of 22,000 to deliver core General Medical Services. There are already 18,000 patients registered

with the practice and with residential developments already under construction in and around Shefford it is expected to reach full capacity very shortly, especially with the requirement to offer a wider range of patient services from GP Practices, including mental health and community services and some outreach specialist services from local hospitals, delivering care locally and reducing referrals into secondary care.

This application will result in circa 286 additional patient registrations and create a constraint that will require premises reconfiguration and extension to create additional clinical capacity. For this reason, in order to make this development acceptable to NHS commissioners, it is requested that a contribution is made towards the infrastructure supporting the delivery of the 5 Year Forward View and Primary Care at Home models.

In order to mitigate the impact of this development on local healthcare services, it is requested on behalf of BCCG and NHS England that a contribution is made for £1,059.50 per dwelling towards local healthcare infrastructure.

This figure is based on the following breakdown:

GP Core services	£815.00	Per dwelling	1/3 of the total health requirement according to a study carried out by Guildhouse UK Ltd.
Community	£114.10	Per dwelling	7% of the remaining 2/3 of the requirement
Mental Health	£130.40	Per dwelling	8% of the remaining 2/3 of the requirement
<b>Total</b>	<b>£1,059.50</b>	<b>Per dwelling</b>	

The calculations above are based on the impact of this development only, on the number of dwellings proposed and do not take into account any existing constraints.

### **Request for contributions for Woodland Maintenance**

As stated in the Committee Report, the woodland within the 'blue line' will come forward to CBC. The Countryside Access Officer has requested a maintenance contribution of £121,200. The contributions would fund the following:

- Two parking spaces
- Drop Kerb access
- Fencing post and two rail with stock netting to base, out side of woodland area on estate side and other land scaping with 3.6 meter field gate / service entrance. For maintenance. Approximately 300m
- Establish three pedestrian entrances, radar key all access metal kissing gates, and two litter bin points combine litter and dog waste one at each entrance, must be accessible by vehicle.

- 1km of All ability surfaced access path circle route around woodland 2.5 meters wide
- 1 km Clear two rows of tree to establish route and grind out stumps.
- Clear centre ride, re-establish grass through regular mowing to established sward to encourage tilling of grass plants, other route clearance works.
- Road side establish hedge coppice occasional existing shrubs and trees.
- Increase establish hedgerow species double row of native species 5 per meter cane and spiral guard and internal fence protection post and two strand top plain wire and sheep netting below, doubling as safety fencing to prevent dogs / children running out on A507 road. Approximately 350m
- Thinning of existing woodland, woodland is predominantly Ash which is likely to be lost due to ash die back which is effecting most woodlands in the area. Suggest all areas 30% thinning carried out over five year period of 50 % of area of woodland standard forestry practise for woodland s of this age.
- Due to large ash content thin up to 75% trees for 50% of area and introduction of Hornbeam to replace Ash content with ride side establishment of native shrubs.
- Introduction of native ground flora species e.g. Bluebell bulbs, primroses plugs and others through seed mix distribution.
- Four benches heavy oak benches with backs.
- Establish central open glade and create several scallops to internal edge to outer rides
- Two interpretation / site map boards
- Wardening two visits per month
- Staff Time Management of Project to deliver woodland improvements for Public open space.

As this request was received late, the developer has not yet formally agreed to the request. Any update will be reported to Members during Committee.

## **Additional Consultation Responses**

### Highways

Thank you for the consultation on the application for the above proposal, on behalf of the highway authority the following comments are offered based on drg 19308-02 Rev G.

The turning land for the ghost right turn has now been provided at 3.5m and as such accords with the Design Manual for Roads and Bridges (DMRB) the through lanes are at 3m in width and this was supported by a road safety audit (RSA).

As previously mentioned, the Transport assessment is considered acceptable, the breakdown of the level of traffic along Ivel Road is projected as being 12.7% going north with the remaining 87.3% going south to the A507 roundabout based on census information. This would be circa 33 outward movements in the am peak with 27 inward movements in the pm peak. Based on the projected movements this would be 4 vehicles heading north on Ivel Road and 29 vehicles heading south on Ivel Road.

There will be a requirement for Traffic Regulation Order's to lower the speed limit to 40mph on the approach arms to the A507 along with a 30mph speed limit will along Ivel Road which will act as a buffer zone to the 20mph speed limit. Parking restrictions are required per the RSA on Ivel Road to prevent on road parking which currently exists and in to the development junction itself.

Inclusion of the raised table on drg 19308-02 Rev E (Site Access with Right Turn Lane) shall now be provided to provide a speed reduction measure between the two roundabouts either side of the new development access.

It is advised that a financial contribution be sought for £4,000.00 for additional measures should the Traffic Regulation Order for double yellow lines not be approved or additional measures should the TRO need further enforcing by bollards (8 number bollards) to protect vehicles from mounting the footway. This should be made available for five years after the development had been adopted with any monies returned should no further problems arise.

A construction management plan for the residential element would be added at the reserved stage.

### **Conditions**

1/No building shall be occupied until the junction of the proposed vehicular access (drg no.19308-02 Rev G) with the highway has been constructed in accordance with the approved details. The raised table as shown on drg 19308-02 Rev E shall also be provided as a speed reduction measure.

Reason: In order to minimise danger, reduce vehicular speeds, obstruction and inconvenience to users of the highway and the premises.

2/ Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 59m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).

3/ The development shall be served by means of roads and footpaths which shall be laid out and drained in accordance with the Central Bedfordshire Design Guide September 2014 or other such documents that replace them, and no building shall be occupied until the roads and footpaths which provide access to it from the existing highway have been laid out and constructed in accordance with the above-mentioned Guidance.

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

4/ Visibility splays shall be provided at all internal road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junction in the interest of road safety.

5/ The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate independent vehicular turning head area(s) for an 11.5m refuse collection vehicle.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

6/ The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include car and cycle parking in accordance with Central Bedfordshire Design Guide September 2014 or other such documents that replace them has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.

Reason: To ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014.

7/ No building shall be occupied until Traffic Regulation Orders on both sides of Ivel Road and the development junction for the provision of No Parking restrictions have been implemented. Furthermore, speed limit reductions on the A507/Ivel Road/Shefford Road roundabout approach roads restrictions to 40mph and a 30mph speed limit on Ivel Road from the existing 20mph speed limit to the A507/Ivel Road/Shefford Road roundabout have been implemented.

Reason: In the interests of road safety and pedestrian movement.

***Item 9 – CB/18/03781/FULL – 32 Shefford Road, Meppershall, Shefford, SG17 5LN***

A printing error has caused some text to be omitted, please see below section for clarity.

6.3 At the time of writing; the Agent acting for the developer has yet to confirm formal agreement to all of the requests from Spending Officers – Members will be updated at

the Committee meeting of any comments received. Spending Officers have so far required and suggested the following:

**Education Contributions**

Early Years	£58,589.37
Lower	£195,297.90
Middle	£196,516.94
Upper	£240,981.81
Total	£691,386.03

**Libraries:** Refurbishment Works at Shefford Library £12,600

1. **Outdoor Sport:** £27,187 is required for the Parish Council’s project for the provision of new outdoor gym equipment at Meppershall Rec Gnd. A suggested contribution by the developer is welcomed.
2. **Children’s Play:** £75k towards a new play area and equipment behind the village hall.
3. **Allotments:** £11,500 is required to improve security fencing, irrigation system and eco toilet at Meppershall Allotments. A suggested contribution by the developer is welcomed.

Update

The developer has agreed to pay the contributions as set out above and has made the following statement with regard to Affordable Housing:

Affordable Housing

*Please accept this as confirmation of our increased affordable housing offer of 21 units (35%). We are also offering a tenure split in accordance with policy of 15 Affordable Rent units (71.4%) and 6 Shared Ownership units (28.6%). This was the split requested by your Housing Officer. To meet this request, plots 23 and 24 have been transferred to affordable housing (Shared Ownership and Affordable Rent respectively). We have also switched plots 25-28 from Shared Ownership to Affordable Rent.*

NHS Contribution Request Further Information

Consideration of the potential consequences of this development and the health infrastructure implications has been undertaken on behalf of NHS England and Bedfordshire Clinical Commissioning Group.

This application will generate circa 156 additional patient registrations and is expected to impact Lower Stondon Surgery. The current premises are deemed severely constrained. A severe premises constraint affects a surgery’s ability to take on new patients and even new GP’s and allied clinical staff, especially with the requirement to offer a wider range of patient services from GP Practices, including mental health and community services and some outreach specialist services from local hospitals, delivering care locally and reducing referrals into secondary care.

The requested contribution is calculated only on the number of additional new registrations and patient activity requirements this development will generate and therefore will contribute in proportion towards the costs of reconfiguration or extending the premises.



The s106 request for this development has been calculated as follows:

Primary Care is currently commissioned by NHS England which has a co-commissioning relationship with Bedfordshire CCG. The primary care calculation is based on a formula adopted across the NHS England Midlands and East (Central Midlands) team to provide consistency for all the 25 local authorities it works with and as part of the single operating model of best practice it has developed.

$w \times 2.6 = x$ Multiply the numbers of dwellings in any given development (w) by 2.6 to give x new patients
$x/2000 = y$ Divide the number of patients by 2000 to give the numbers of GPs needed (y) (based on the ratio of 2,000 patients per 1 GP (as set out in the NHS England " <i>Premises Principles of Best Practice, Part 1 Procurement &amp; Development</i> ")
$y \times 199 = z \text{ m}^2 \text{ of additional GMS space}$ Multiply the number of GPs required by 199 to convert to new GMS space (199 m <sup>2</sup> ) being the amount of floor space required by each GP (again as set out in the NHS England " <i>Premises Principles of Best Practice, Part 1 Procurement &amp; Development</i> ")
$z \times \text{£}3,150^* = \text{£}$ Multiply the floor space by £3,150 which represents build cost per m <sup>2</sup> including fit out and fees to give a total cost (£)
$\text{£}/\text{number of dwellings} = \text{£}815.90 \text{ (rounded to } \text{£}816 \text{ per dwelling)}$ Dividing the total build cost by the number of dwellings provides a standard contribution required from each new dwelling towards the cost of providing GMS services for that development

Acute, community and mental health services are commissioned by Bedfordshire CCG. Accepting that for an application of this size the acute calculations are not being requested, the methodology of calculation, based on known data, is however similar for acute, community and mental health services.

These contributions are calculated by activity type and recorded attendance data. These secondary care activity type attendance numbers reflect a lower proportion of the population than the 90% first accessing healthcare via GP provided primary care services.

This approach then determines the proportionate growth of specific development sites from which space requirements are determined by infrastructure type – e.g. for acute services: Wards; Theatres; A & E space; Outpatients Suite/consulting rooms; MRI CT Ultrasound and X Ray etc. The acute services build costs per infrastructure type are considerably more expensive than for primary, community and Mental Health care, due to their complexity and highly sophisticated technical requirements.

For Community Health Centres: treatment rooms; consulting rooms; diagnostic rooms etc., a similar calculation using the same attendance methodology for community health services establishes an infrastructure cost per dwelling of **£114.10**

A final secondary healthcare consideration relates to mental health services and here the attendance methodology establishes an infrastructure cost per dwelling of **£130.40**. The mental health costs per dwelling reflect differing infrastructure types such as in-patient wards as well as a range of community based mental health provision. The calculations above for a contribution of £1,060.50 per dwelling totalling £63,630.00 are based on the impact of this development only.

## **Additional Consultation Responses**

### **Tree and Landscape Officer**

23/01/19

Four detailed landscape plans have been supplied. Previous comments both from myself and the Landscape Officer relating to this application expressed the importance of a suitable landscape buffer to the north west boundary of the site. The plans indicate some limited proposals along this boundary comprising of a native hedge and a number of trees all planted in a narrow strip of land much of which is separated from adjoining plots by a 1.8 metre closeboard fence. Previous comments suggested that this should be retained and maintained within the public realm ensuring a natural buffered edge with open countryside. Close board fence will leave much of this planting in the shade being to the north east of the fence which is going to reduce any likelihood of establishment. There is no access to maintain this strip and it is highly likely that this area behind the fence will become an unmaintained area ideal for the disposal of garden refuse, grass cuttings etc. I do not believe that this is acceptable. With some rethinking and redesign of the site this boundary could incorporate a decent strip of buffer with space for quality planting and boundary treatment all maintained under an agreed management proposal.

### **Agent's Response to comments**

The north-east boundary of the site is currently shown to comprise a native hedge with trees in a narrow strip of land beyond the 1.8m close board fence which forms the boundary of the adjacent properties.

Our original design intention was to create a buffer zone designed to soften this edge in views from the north and to be accessed for maintenance only.

The submitted layout omits the intended private gated access to allow maintenance only adjacent to Plot 7. To resolve this maintenance issue, the drawings could be amended to include this private gate as a non-material amendment to a planning permission.

Additionally, given the comments by the officer that the plants would be disadvantaged in establishment, the 1.8m close board fence along the north-eastern boundaries of the plots could also be changed to a 1.5m post and rail fence to reduce the shading effect and increase the likelihood of successful establishment of the plants. This may also serve as a deterrent to 'garden waste' dumping as the strip would be visible to the occupants of the properties and it would be in their own interest to keep it clear of waste. Some additional flowering shrub planting within the strip could add to the attractiveness of this area to residents.

These amendments would be consistent with the desire to ensure a 'soft' north-eastern boundary to the site and would further improve the view described and illustrated as Photoviewpoint EDP 4 within edp's Landscape and Visual Addendum (edp4735\_r003).

#### Planning Officer Comments

Currently, there are several very large glass houses to the north eastern boundary of the site, the clearance of these dilapidated buildings will no doubt be a benefit to the character of the location. In terms of landscaping, a 3m strip has now been provided, outside of private ownership, in line with advice from the Council's Landscape Officer. A condition is suggested to ensure that the strip lies outside of public ownership and could be continued to be accessed for maintenance purposes.

#### Suggested condition

Prior to the construction phase, details of the proposed landscaping buffer to the north eastern boundary of the site shall be submitted and approved by the Local Planning Authority. Details shall include boundary treatment, a maintenance access point and maintenance plan.

Reason: In order to maintain a soft boundary edge in the interest of the visual amenity of the countryside.

#### Additional Neighbour Responses

- The noise report adds no value as it was carried out during an inappropriate time and should have taken place on a weekend or holiday period. Also it is paramount that the site is securely fenced off from surrounding homes to ensure peoples privacy. My home will have a road running the full length of my boundary and gardens at the rear. A 6-8 ft fence needs to be put up to protect and secure my boundary and neighbours boundaries
- I object because these houses will be so close to our business. If as it states a noise report has been done then this has been done at our quiet time and does not reflect a true report a noise report needs to be done at peak time eg July/ August. Has a report been done on the noise generated From 60 houses and the effect this will have on the animals we board under the new animal welfare regulation they have a right to be protected from excess noise and to be kept safe and happy. Noise from these houses will be 24 hours, our animals are shut up early evening and we have taken measures to keep noise to a minimum. The area is full of wildlife Bats, foxes, birds of prey. The roads in meppershall cannot cope with the extra traffic, Hoo road was never intended to cope with extra cars. Our business has been here over 40 years and built away from the main village now the village is coming closer. I ask that this be refused as no guarantee can be given the noise from these houses will not cause stress to our boarders

#### Planning Officer Comments

The Pollution Officer has scrutinised the Noise Report and raises no objection:

*An updated noise assessment has been submitted. The updated Entran noise assessment dated December 2018 has now included monitoring of 36b Shefford Road and concludes that standard double glazing with windows partially open will achieve noise standards in all plots and amenity areas with respect to road traffic noise and commercial noise from the kennels and 36b Shefford road. Therefore noise conditions are not necessary for this development.*

## **Highways**

Thank you for the consultation on the application for the above proposal. On behalf of the highway authority the following comments based upon drg 1783/P/01 Rev A Proposed Site Layout.

The proposed layout has changes since the initial layout with each pocket of housing having visitor parking provided. The numbers of dwelling from a private drive has been reduced but the full provision of 2m wide service margins around the turning heads have not been provided but whilst this does not meet the Design Guide requirements service vehicles are able to access and egress in a forward gear. The road adoptions team have been consulted and as the full 2m wide service margins have not been provided it will result in all the roads within the development staying private as the road surfaces are also a mish mash of materials.

Two roads that serve plots 53 to 57 and 44 to 47 will require bill collection points close to the main spine road as will the collection point serving plots 29 to 31. A

The raised table along Shefford Road (but shown on drg 03378-TR-0003-P2 Site Access Drawing within the Transport Statement) has not been shown but a condition is provided in this instance for details to be submitted.

## **Conditions**

In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

2/ The access road shall not be brought in to use until the junction of the proposed vehicular access with the highway has been constructed in accordance with the approved details.

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

3/ No other part of the development shall take place until the visibility splay at the junction of the access with the public highway shown on the approved drawing has been provided. All parts of the splays shall thereafter be kept free of all obstructions above the adjacent carriageway level.

Reason: To provide adequate visibility between the existing highway and the proposed access(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).

4/ No building shall be occupied until cycle storage has been provided and the vehicle parking spaces have been properly surfaced and marked out/provided in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

Reason: To minimise the potential for on-street parking and thereby safeguard the interest of the safety and convenience of road users.

5/ Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

6/ No development shall take place, including any works of demolition, until a Construction Traffic Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:

- (A) The parking of vehicles
- (B) Loading and unloading of plant and materials used in the development
- (C) Storage of plant and materials used in the development
- (D) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.
- (E) Wheel washing facilities
- (F) Measures on site to control the deposition of dirt / mud on surrounding roads during the development.
- (G) Footpath/footway/cycleway or road closures needed during the development period
- (H) Traffic management needed during the development period.
- (I) Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.

The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.

REASON: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety.

**Furthermore, I should be grateful if you would arrange for the following Notes to the applicant to be appended to any Consent issued by the council.**

1/ The applicant is advised that in order to comply with Condition 2 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. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. E-mail [highwaysagreements@centralbedfordshire.gov.uk](mailto:highwaysagreements@centralbedfordshire.gov.uk)

2/ 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 Highways Help Desk tel: 0300 300 8049

3/ The applicant is advised that Central Bedfordshire Council as highway authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.

***Item 10 – CB/17/04959/OUT – Park Farm, Park Road, Westoning, Bedford, MK45 5LA.***

**\*Additional Consultation/Publicity Responses**

Highways (Development Management)

The third paragraph in the consultation response (page 124) should read:

*It should be noted that the AADT figures in this area are provided by the Department for Transport. Should a survey be provided (which had been previously requested) at the location of the proposed site and proves that the flow is less than 15,000 AADT we would be prepared to look again at the proposed T junction access to serve this development.*

Highways (Development Management) - Further Response

Thank you for the re-consultation relating to this application for outline planning permission.

The additional information relates to the principles of whether the site should be considered with regards to the Design Manual for Roads and Bridges (DMRB) or Manual for Streets (MfS).

Given that the site access would be within a 30mph speed limit it is considered that the appropriate guidance is that contained within MfS and that a simple T junction access point is appropriate in this instance. A slight alteration to the highway alignment was previously agreed to on the previous application (even though this was withdrawn) and as such the same approach is accepted. It would appear from the Councils GIS system that the Council does appear to own a 2.5m of highway land north and south of the site access so it may be the case that the alignment is not required but a condition is provided for the access (although considered acceptable) to be re-looked at to see if the visibility splays can be provided within the highway boundary.

There is no fundamental highway safety or capacity reason to justify and sustain a highways objection to the principle of residential development on this site. The proposal was supported by a Transport Assessment that demonstrates that the traffic generation can be accommodated on the surrounding highway network.

A construction management plan would be provided should the application be approved at the reserved matters stage.

## *Conditions*

1/ Notwithstanding the submitted details, development shall not begin until details of the junction between the proposed estate road and the highway (along with Manor Close) have been submitted and 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.

2/ No other part of the development shall take place until the visibility splay dimensions at the junction of the access with the public highway shown on the approved drawing has been provided. All parts of the splays shall thereafter be kept free of all obstructions above the adjacent carriageway level.

### **Reason**

To provide adequate visibility between the existing highway and the proposed access(es) and to make the access(es) safe and convenient for the traffic which is likely to use it (them).

3/ The development shall be served by means of roads and footpaths which shall be laid out and drained in accordance with the Central Bedfordshire Design Guide September 2014 or other such documents that replace them, and no building shall be occupied until the roads and footpaths which provide access to it from the existing highway have been laid out and constructed in accordance with the above-mentioned Guidance.

### **Reason**

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

4/ The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate vehicular turning areas for all service vehicles including a 11.5m long Refuse collection vehicle.

### **Reason**

To enable vehicles to draw off and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

5/ The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include car and cycle parking in accordance with Central Bedfordshire Design Guide September 2014 or other such documents that replace them has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.

## Reason

To ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014.

*Furthermore, I should be grateful if you would arrange for the following Notes to the applicant to be appended to any Consent issued by the council.*

1/ The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 278 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

2/ The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

## Planning Officer Comments

The response confirms that there is no fundamental highway safety or capacity reason to justify a highways objection, and that subject to conditions, the proposed access is acceptable.

## \*Additional Consultation/Publicity Responses

### Education

Financial contributions as follows are requested:

Early Years	£75,699.54
Lower	£252,331.80
Middle	£253,906.85
Upper	£311,357.03
Total	£893,295.22

*The full Education response is in an Appendix to the Late Sheet.*

## Planning Officer Comments

Formal agreement from the Agent acting for the applicant has been sought for the above requests. Members will be updated at the Committee meeting of any comments received.



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

### Westoning Parish Council

Please accept this letter as the formal response from Westoning Parish Council (WPC) detailing the community projects that require financial support should the appeal for the above application be allowed.

For the avoidance of doubt, WPC must make it clear that it is opposed to the development proposed by this application. While Westoning is a large village of some 2500 residents, it already faces the prospect of 2 large development sites being promoted through the Local Plan process. As the Local Plan is the appropriate way, and possibly the only way, in which Green Belt land should be released, the Park Farm site should have been promoted through the Local Plan process so that its merits could have been considered alongside other sites in the village and not through a speculative application. This application negates the strategic approach to planning that the Local Plan is supposed to ensure.

In January 2017 WPC held a public meeting attended by over 150 residents, to consider the response by the village to the prospect of development through the Local Plan. That meeting, while not inviting significant development in the village, accepted that some development may be imposed on the village. The unanimous view of that meeting was that any development in the village should not exceed 70 to 80 units which was considered to be the maximum that the village could assimilate successfully.

That meeting also identified a number of community benefits that should be conditional on any development being approved. These were:

- I) a new burial ground
- II) Two junior football pitches
- III) A new village hall
- IV) Associated access and parking for the above facilities

Although the applicant of the Park Farm site has sought to offer these facilities, WPC and the residents of Westoning, do not consider this site to be a suitable location for any of these facilities for a number of reasons including:

- e) the site is prone to flooding
- f) the site is adjacent to a water course
- g) the site is remote from the centre of the village
- h) development on this site would have a harmful effect on the openness of the Green Belt

In the unlikely event that the appeal for this application is allowed, financial contributions towards the costs of the following community facilities should be required:

- Refurbishment and expansion of Westoning Village Hall - £300,000
- Development of new burial ground - £150,000
- Drainage works and resurfacing of Westoning Recreation Ground to provide two junior football pitches - £150,000

Westoning Parish Council hopes to have an opportunity to expand on the above points at any hearing in public that may be held on this application.

### **Planning Officer Comments**

The points raised in respect of the principle of development and the Green Belt are considered in Section 1 (Principle of Development and Impact on Green Belt and Countryside) of the Committee Report.

Formal agreement from the Agent acting for the applicant has been sought in respect of the requests for financial contributions. Members will be updated at the Committee meeting of any comments received.

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

#### Trustees of Westoning Village Hall

The Trustees of Westoning Village Hall acknowledge that the current hall has its limitations and is in need of modernisation but they cannot support a new hall in such an inaccessible position and with insufficient funding to make it deliverable. They therefore feel it is not appropriate to use the village hall to create 'special circumstances' for the benefit of this development in the Green Belt for the following reasons:

- Location not acceptable
- Parking inadequate
- Too remote from centre of village
- Pedestrian access unsuitable
- Vehicle access dangerous
- Proposed contribution inadequate

These points are elaborated upon below.

Poor pedestrian access - Pedestrian access from the centre of the village is along a long unlit alley making it unusable at night. Alternative pedestrian access is alongside the busy A5120 and the footpath becomes much narrower for the last 75m. It is likely that most people attending the proposed new village hall, even residents of the village, would use cars and all such journeys would add to the traffic on the busy A5120. This therefore clearly points to the location being inappropriate for a community building.

Insufficient parking spaces - The offer of 16 parking spaces shared with the burial ground is insufficient and there appears to be little opportunity for overspill parking within the new development. As well as obvious safety concerns, regular overspill parking on the new residential streets could lead to conflict with new residents and village halls rely on the support of their community. Central Bedfordshire Council recommends 1 car park space for every 5 sq m of floor space in village halls. The Design & Access Statement proposes that the new village hall will be 570 sq m which would require 114 parking spaces meaning the offer of 16 spaces is clearly woefully inadequate. The current village hall is in use practically every day and often by several different groups in a single day. Please look at our website to see the number of regular activities which take place, all of which are well attended. At weekends there are often

private parties, drama productions, etc. <http://www.westoningvillagehall.co.uk/regular-users>

Dangerous access onto the A5120 - Most activities in the village hall start after the morning peak time but afternoon sessions would mean cars joining the A5120 traffic during late afternoon peak time. Joining the A5120 from the proposed development will be very difficult unless the hedge is removed which doesn't seem to be in the proposal. Residents of Manor Close have told me that they always use the northern (village) end of their private road for access to the A5120 because the other end is too dangerous. I assume residents and visitors to the new development will not be able to use this safer option. Currently village hall users have two options to access the A5120, one via a roundabout and one (Church Road) where the nearby pedestrian crossing often helps provide a gap in the traffic.

Deliverability - It is understood that the appeal site is in the Green Belt, and that the offer of a plot for a village hall is key to the 'very special circumstances' argument, where residential development would otherwise be inappropriate. Notwithstanding comments above highlighting that this is considered to be an inappropriate place, there are concerns about the deliverability of the facility. Whilst the developer is offering a contribution towards construction, this is clearly not sufficient to build the hall. With no other mechanism or known funding streams available, genuine concerns can be raised about ultimate deliverability. This, in turn, undermines the very special circumstance argument.

In summary, as a result of clear issues relating to both practicality and principle, we would request that the Inspector notes our objection to the provision of a site for a village hall within the current appeal scheme. Representatives of the Westoning Village Hall Committee hope to be able to attend the hearing.

### **Planning Officer Comments**

The points raised in respect of a new village hall in the application site and whether this is a 'special circumstance' are considered in Section 1 (Principle of Development and Impact on Green Belt and Countryside) of the Committee Report.

### **\*Additional Comments**

- Text is missing from paragraph 1.14 (page 153). It should start with the words:

*As stated, the site is ....*

- Text is missing from paragraph 1.16 (page 153). It should read:

*Overall, in view of the above, the proposed development would be inappropriate in, and therefore harmful to, the Green Belt and countryside, detrimental to openness and visual amenity. It would also be contrary to the Green Belt purpose of safeguarding the countryside from encroachment. Therefore in the absence of any factors which could amount to very special circumstances, the principle of development is unacceptable. The proposal is therefore contrary to Section 13 (Protecting Green Belt land) of the NPPF and Policy DM4 of the CSDMP.*

- The first recommended reason for refusal (page 158) is amended to read:

*The proposed development represents inappropriate development within the Green Belt, which is, by definition, harmful to the Green Belt. The proposal would be detrimental to the openness and visual amenity of the Green Belt, and comprises an encroachment into the countryside. No factors or combination of factors clearly outweigh the harm to the Green Belt, and other harm, to comprise very special circumstances. The proposal is therefore contrary to Section 13 (Protecting Green Belt land) of the National Planning Policy Framework (NPPF), July 2018.*

- The NPPF references in the third and fourth recommended reasons for refusal should be July 2018, not March 2018.

### ***Item 11 – CB/18/04183/OUT – Land East of No. 13 Clophill Road, Maulden, Bedford, MK45 2AQ.***

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

No Further comments to report

#### **Additional Comments**

During the production of the Committee agenda, the planning appeal decision letter relating to this case was omitted from the report. This is now attached as an Appendix A. In addition a recent appeal decision which is located to the east of the application site has been upheld and approval granted for residential development a plan and a copy of the appeal decision letter is attached as Appendix B.

#### **Additional/Amended Conditions**

None.

### ***Item 12 – CB/18/01651/RM – Harlington Station Yard, Station Road, Harlington.***

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

Two additional neighbour consultation responses have been received and the following points are raised:

- Balconies and 3 storey scale would result in excess overlooking to neighbouring properties;
- Trees would not provide adequate screening;
- Previous planning applications for taller buildings have been rejected;
- Access is insufficient and would result in safety issues;

- Construction work would lead to noise and safety issues;
- Insufficient consultation;
- Elevated position of development would result in a towering effect;
- Insufficient level of affordable housing provided;
- Documents do not address concerns raised by Network Rail or the Fire and Rescue Service;
- Street Scene and Site Sections are misleading;
- Residential location of Committee Members has been considered and Members are asked to consider how they would feel if a flatted development was provided adjacent to their properties;
- The development should be reconsidered so that it provides greater benefit to local residents.

### **Additional Comments**

A revised layout plan (18-3456-10B) has been provided that annotates the potential location for a pedestrian link to the station. No other changes are shown on the location plan.

### **Additional/Amended Conditions**

Condition 1 to be altered as follows:

*Delete 18-03456-10A and replace with 18-3456-10B.*

Condition 3 - A trigger point for submitting the details to the local planning authority is missing. It should start with the words:

*Prior to occupation ....*

The following informative should be added:

*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.*

### **Item 13 – CB/18/03698/RM – 9 Silsoe Road, Maulden, Bedford, MK45 2AX.**

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

Maulden Parish Council raised issues on the width of the access road to the proposal 4.45 metres opposed to 4.5 metres shown on the plans and through condition. The Parish Council has also questioned where the location of the bin collection point would be.

## **Additional Comments**

Due to the difference in width of the access measuring 5cm, this discrepancy is considered *deminimus*. The location of a refuse collection point and a condition to require one as part of this permission is not considered necessary to make the application acceptable in the planning terms.

## **Additional/Amended Conditions**

None

## ***Item 14 – CB/18/04383/FULL – Manor Farm, Watling Street, Kensworth, Dunstable, LU6 3QU.***

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

#### Trees and Landscape

In response to this application, I refer to my previous pre-application consultation in respect of CB/18/03052/PAPC, which has been duplicated below in italics:

*I have examined the plans and documents and documents associated with this Pre-Application, and also refer to my previous consultation responses in respect of this site. There will be a requirement to reinforce the boundary planting with the A5, as the existing hedge along this boundary will do little to screen any new storage area. I have reservations that trees being planted in containers within the site will not be properly looked after, as the degree of watering required for these will be significant, and such containers are also likely to be subject to machinery damage.*

I still have reservations that despite the proposed planting, the storage area could not be effectively screened to a standard befitting of its Greenbelt location, and that I would therefore be reluctant to sanction the proposal.

### **Planning Officer Comments**

The Trees and Landscape response refers to the inability of the proposed planting to effectively screen the storage area. This is reflective of the concerns raised in Section 1 (Principle of Development and Impact on Green Belt, AONB and AGLV) of the Committee Report in terms of the proposal being detrimental to the openness and visual amenity of the Green Belt.

## **Additional/Amended Conditions**

None

### **\*Additional Comments**

- Text is missing from the third paragraph in the Reason for Recommendation (page 221). It should read:

*Furthermore, the proposed change of use would be to the detriment of the countryside and would fail to conserve or enhance the landscape and scenic beauty of AONB. It would also adversely affect the landscape character and setting of the AGLV.*

- The date of pre-application CB/18/03052/PAPC in the Relevant Planning History (page 224) is 2018, not 2017.

- The word 'not' is missing between 'does' and 'meet' in the fourth paragraph in the Highways (Development Management) consultation response (page 225).

- Text is missing from paragraph 1.10 (page 231). It should read:

*Paragraph 170 of the NPPF, 2018 states that 'planning decisions should contribute to and enhance the natural environment by recognising the intrinsic character and beauty of the countryside....' Paragraph 172 states that, 'Great weight should be given to conserving and enhancing landscape and scenic beauty in areas including AONBs, which have the highest status of protection in relation to these issues'. Also Policy NE3 (Control of Development in the Areas of Great Landscape Value (AGLV)) of the SBLPR states that a proposal can only be considered acceptable if it does not 'adversely affect the landscape character and setting of the area'.*

- The distances in paragraph 2.1 (page 232) are incorrect. They should be 45m distant for New Lodge (not 90m) and 40m distant for Red Cow Farm (not 70m).

- Text is missing from the second recommended reason for refusal (page 234). It should read:

*The application site is in the Chilterns Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV). The proposed development would be to the detriment of the countryside and would fail to conserve or enhance the landscape and scenic beauty of the AONB. It would also adversely affect the landscape character and setting of the AGLV. The proposal is therefore contrary to Policy NE3 of the South Bedfordshire Local Plan Review, and Section 16 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (NPPF), July 2018.*

### ***Item 15 – CB/18/04058/FULL – Tree Tops, 13 West Hill, Aspley Guise, Milton Keynes, MK17 8DP.***

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

Additional response received from immediate neighbour which includes the provision of two photographs taken from the neighbour's shower room showing a view of users of the platform.

### **Additional Comments**

In response to the neighbour's additional response the photographs received have been received by Planning Officers previously.

Since the publication of the officers report a bamboo privacy screen has been erected by the applicant adjacent to the raised platform. This has not been included in this current application and would have to be processed and assessed via a separate application.

### **Additional/Amended Conditions**

None.