

## **Item No. 11**

<b>APPLICATION NUMBER</b>	<b>CB/16/04384/REG3</b>
<b>LOCATION</b>	<b>Lancotbury Close Amenity Land, Totternhoe</b>
<b>PROPOSAL</b>	<b>Regulation 3: Provision of additional off - road parking</b>
<b>PARISH</b>	<b>Totternhoe</b>
<b>WARD</b>	<b>Eaton Bray</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Janes</b>
<b>CASE OFFICER</b>	<b>Nicola Darcy</b>
<b>DATE REGISTERED</b>	<b>02 November 2016</b>
<b>EXPIRY DATE</b>	<b>28 December 2016</b>
<b>APPLICANT</b>	<b>Central Bedfordshire Council</b>
<b>AGENT</b>	
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Regulation 3 application with neighbour objections which cannot be overcome by condition.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Recommended for Approval</b>

### **Summary of Recommendation**

On balance, the loss of some amenity land will be to the greater good of the users of the highway network and the community by providing greater connectivity and protection of the remainder of the amenity provision. It is considered therefore that the proposed development conforms with Policies BE8 & R12 of the South Bedfordshire Local Plan Review and Sections 4 & 7 of the National Planning Policy Framework

### **Site Location:**

The application site consists of a small parcel of amenity land located at the northern end of Lancotbury Close in Totternhoe.

### **The Application:**

The applicant, Central Bedfordshire Council, propose to provide 18 off road parking spaces and the realignment of an existing kerb on a moderately proportioned plot of amenity land.

Following Parish Council comments, the proposal has been amended and now proposes 18 echelon parking spaces, as a row of 9 on each side of the grass amenity area.

### **RELEVANT POLICIES:**

#### **National Planning Policy Framework (March 2012)**

Section 4: Sustainable Transport

## Section 7: Requiring Good Design

### **South Bedfordshire Local Plan Review**

BE8 Design Considerations

R12 Recreation Open Space

T10 Parking

*(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, policies BE8 & R12 are still given significant weight. T10 is afforded less weight.)*

### **Development Strategy**

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

### **Supplementary Planning Guidance**

Central Bedfordshire Design Guide (March 2014)

### **Relevant Planning History:**

None relevant

### **Representations:**

Totternhoe Parish  
Council

I have been instructed to write to you regarding the above Planning Application. My Council do not consider the current proposal to have linear parking in the Close by cutting into the grass amenity land in the centre of the Close, to be the best option. There has been a long term parking problem in this Close and it is felt that a better solution should be considered.

After careful consideration of the drawings associated with this application the Council would recommend that chevron parking would be a better solution and would create more parking spaces, with the loss of an additional area of amenity land being too small to be noticeable. Further it is considered there is not the need for a footpath across the amenity area as most residents would park their cars adjacent to their properties.

The existing area of amenity land is already used as an unofficial car park by residents to the detriment of its appearance. Chevron parking will provide more car parking spaces than a linear scheme, and will discourage residents and visitors from further degrading the grassed areas. A straw poll of residents taken by Councillors has demonstrated that they would support the Council's views on this important issue.

We trust that due consideration will be given to the view of the Council and the local residents.

**Consultees:**

1. CBC Highways Officer The applicant wishes to provide echelon parking spaces, the annotated dimensions of which are in accordance with the Council's Design Guide. The parking bays shown on the drawing do not reflect the dimensions shown and are considered indicative. The use of the echelon parking requires the provision of a one way system which may also require waiting restrictions outside 26 – 28 Lancotbury Close to prevent on street parking obstructing the new parking spaces.

I would recommend the following conditions are imposed.

- Development shall not begin until details of a proposed traffic regulation order for the proposed one-way system and on-street parking restrictions have been approved by the Local Planning Authority and no development shall be brought in to use until the traffic regulation orders have been implemented in accordance with the approved details.

Reason

In the interest of highway safety.

- The proposed development shall be constructed in accordance with the parking standards guidance in the Central Bedfordshire Design Guide.

Reason.

In the interest of road safety and for the avoidance of doubt.

- The widening of the existing carriageway shown hatched with a black line on the approved drawing shall be constructed to an adoptable standard.

Reason

To ensure that the proposed roadworks are constructed to an adequate standard.

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

- The applicant is advised that in order to comply with Condition 3 of this permission it will be necessary for the developer of the site to enter into a Dedication Agreement to ensure the land is dedicated as public highway. Further details can be obtained from the

Highways Development Management, Regeneration and Business Directorate, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ. The applicant is also advised that if any of the construction works associated with the widening of the carriageway affects or requires the removal and/or the relocation of any equipment, apparatus or structures, then the applicant will be required to bear the cost of such removal or alteration.

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 Street Works Co-ordinator, Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8049.

### **Other Representations:**

- 28 Lancotbury Close Yes we need more parking for residents, not a one way system, have you thought about the farm tractors and delivery vans and lorries?? Tractors have to cross the green, but wont be able to with this plan. Why not just allow dropped Kerbs and install driveways, keeping the green as it is for children to play on. It seems that it is being made too complicated when the solution is so simple
- 29 Lancotbury Close I live at number 29, and have my own drive which solves all of my parking issues. Why not give residents permission to put dropped kerbs in, this would solve all of one side of Lancotbury Closes parking problems, without cost to the council??  
At the other end of the Close, why not take out the grass near the houses in the horseshoe shape, so residents can park nearer their houses than at present they cant get anywhere near with a car?  
The way these plans are drawn, the car spaces are at an angle, the one way suggestion should be the other way round, so getting into these spaces is easier?  
As I live at 29, I also dont want to go right round the Close to go a few yards up the road, it is wide enough to pass so why put a 1 way system in?  
Can you confirm that you will be putting double yellow lines in? And if so what for?  
Residents want their own parking of course, and a lot are prepared to put their own in with permission to drop the kerbs, at present they drive over the kerb to keep their cars safe from burglary and vandals, near to their houses, this will not stop even with this proposed parking put in, so I feel that where possible, permission should be given for residents to go over council verges to get onto their front

gardens, as I was able to do.  
Are these places allocated for certain houses?  
We need more information.

24 Lancotbury

My wife and I strongly support the application, however, we have concerns regarding new parking bays opposite our drive way. At present, to back out of our drive, we have to mount the grass area to enable a turning circle. The proposed plans mean a car would be parked there therefore not allowing space to reverse out of our drive. On occasions when cars park on the green close to the edge opposite our drive, it can be almost impossible to manoeuvre out, especially if cars are parked too close to the dropped kerb. We would like consideration made for this and would welcome someone to view.

9 Lancotbury

I support the application but have some comments about it.

(1) Have the double yellow lines that were in the original design been removed? Will this mean that the Close could still be blocked by parked cars when there are parking spaces available?

(2) When relocating the lamp posts could anything be done about the fact that they flood our bedrooms with too much light at night? Could they be switched lower or off between midnight and 6am?

(3) I think the new design with a One Way system and echelon parking at the east end is much better. It is both more practical and more attractive. But surely the echelons are sloping the wrong way - unless you are intending to force people to reverse into parking spaces? Entering at the south of the Close you would have to turn through 120 deg to the right to get into a bay and when reversing out you would then be facing the wrong way for the One Way system. The same applies to the bays on the north side of the Close.

(4) What is the new profile of the grassed area going to be? I do not see how to view this on line.

(5) Could any thought and provision be given to planting some trees on the grassed area to enhance it? This could be done between the rows of echelons but also a few in the open grassed area would be attractive. If it is a matter of lack of funds I would be happy to canvass the residents about funding and even planting the trees ourselves if necessary.

5A Lancotbury

CONS:

1. Difficult to enter parking spaces in a forward direction due to proposed one way system, therefore necessitating car boot emptying over grass area which is unsafe due to being very slippery over winter.

2. Still does not give the required number of car parking spaces, therefore original problem not addressed.

PROS:

1. Least disturbance of green areas
2. Wider road at the lower end of the Close giving better access for larger vehicles.

## **Considerations**

### **1. Principle**

Policy R12 of the South Bedfordshire Local Plan Review emphasises the need to preserve formal and informal open spaces in the district. The Local Authority considers that open spaces have a vitally important amenity role in addition to their value for recreational purposes. Such open spaces contribute to the variety of land uses within the urban fabric which help to make towns and villages convenient, satisfying and enjoyable to live.

In the case of the proposed amenity land, in places, the land appears to show evidence of being used for unauthorised parking leaving some of the grassed amenity areas in an unacceptable state. As such, the loss of a relatively small portion of this large expanse of land for hardstanding would allow the control of parking concentrated to the areas proposed and allow for the remaining amenity land to regrow and add value to the streetscene. Furthermore the scheme has additional benefits which are material considerations, including a one way system around the Close and the realignment of a problematic kerbline to prevent large vehicles from damaging the kerb.

As such, on balance the loss of some amenity land would be to the greater good of the remainder amenity provision, the users of the highway network and the community by providing greater connectivity and protection of the remainder of the amenity provision. It is considered therefore that the proposed development conforms with Policies BE8 & R12 of the South Bedfordshire Local Plan Review.

### **2. Affect on the Character and Appearance of the Area**

The introduction of formal parking on the amenity area would provide greater protection of the remainder of the green space from indiscriminate parking and therefore ensuring the visual protection of the amenity space is retained. Therefore it is considered that the proposal would conform with Policy BE8 of the South Bedfordshire Local Plan Review and Section 7 of the NPPF.

### **3. Neighbouring Amenity**

The council as applicant has provided the following response to the various points raised by residents:

#### 1. Introduction of one-way system

The introduction of a one-way operation has the benefits of maximising on-street parking and enhancing safety. The marginal dis-benefit is that some residents will have to drive slightly further to their properties.

#### 2. Number of car parking spaces created

The arrangement seeks to maximise the number of parking spaces available to residents in a way that is affordable for the authority to construct.

#### 3. Accessibility for larger vehicles including tractors, lorries and delivery vans

The one-way arrangement and changes to the kerb line will make it easier for all vehicles to negotiate their way around the central island.

4. Option to remove the grassed amenity area at the western end of the Close

The amount of material that would have to be excavated makes this option prohibitively expensive for the relatively few additional parking spaces created.

5. Orientation of the spaces to facilitate access to spaces

The spaces are deliberately orientated to encourage drivers to reverse in and accords with road safety guidance (reference paragraph 20.17 of the Traffic Signs Manual).

6. Introduction of waiting restrictions

The need for waiting restrictions will be assessed once the scheme is in place.

7. Allocation of spaces

There is no intention to change the first-come first-served basis for on-street parking within the Close.

8. Issues when accessing driveways

The need for 'h-bar' markings to protect property accesses will be considered when finalising construction plans.

9. Profile and landscaping of the grassed area

The provision of trees within the amenity area can be considered for the scheme's construction, assuming budgets allow.

10. Design of the replacement street lighting

Where a lighting column has to be moved it is likely to be replaced with a modern LED version. These use a lot less energy to run and afford greater control over the 'spread' of light.

11. Option to allow residents permission to drop the kerb and to provide a driveway so that they can park within the curtilage of their property

The option to apply for a dropped kerb will remain open to residents with requests assessed in accord with the authority's published guidance.

Having regard to the above, it is considered that, on balance, the proposed scheme would alleviate some of the parking problems within the Close. Furthermore, the scheme is not considered to give rise to an unacceptable impact on the local residential amenity in terms of inconvenience, noise and disturbance which could substantiate a reason for refusal. Therefore it is considered that the proposal would conform with Policy BE8 of the South Bedfordshire Local Plan Review and Section 7 of the NPPF.

#### **4. Highway Considerations**

The works to form the parking areas would be undertaken by the authority in accordance with the appropriate specification. The creation of these additional parking spaces at the end of this cul-de-sac would help in reducing the parking problems in the area. Therefore the Councils Highways Officer has confirmed that there should not be a restriction to the granting of permission to the above planning application on highway grounds, subject to the imposition of conditions. However, the matter of providing a one-way system and on-street parking restrictions is a matter that is controlled by the Council as a Highway Authority and should not therefore be controlled by planning condition. The proposal would not contribute to highway safety concerns and it is considered to be in accordance with policy T10 of the South Bedfordshire Local Plan Review, the Central Bedfordshire Design Guide and Section 4 of the NPPF.

## **5. Other Considerations**

### **Human Rights issues**

The proposal raises no Human Rights issues.

### **Equality Act 2010**

The proposal raises issues under the Equality Act with regards to the provision of disabled parking spaces and the scheme provides for the retention of one on road parking space accordingly.

### **Recommendation:**

That Planning Permission be APPROVED subject to the following:

### **RECOMMENDED CONDITIONS**

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The proposed development shall be constructed in accordance with the parking standards guidance in the Central Bedfordshire Design Guide.

Reason: In the interest of road safety and for the avoidance of doubt. (Section 4, NPPF)

- 3 The widening of the existing carriageway shown hatched with a black line on the approved drawing shall be constructed to an adoptable standard.

Reason: To ensure that the proposed roadworks are constructed to an adequate standard.  
(Section 4, NPPF)

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan number CBC/001.

Reason: To identify the approved plan 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 applicant is advised that in order to comply with Condition 3 of this permission it will be necessary for the developer of the site to enter into a Dedication Agreement to ensure the land is dedicated as public highway. Further details can be obtained from the Highways Development Management, Regeneration and Business Directorate, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ. The applicant is also advised that if any of the construction works associated with the widening of the carriageway affects or requires the removal and/or the relocation of any equipment, apparatus or structures, then the applicant will be required to bear the cost of such removal or alteration.
4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.
5. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk).

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

The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has 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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