



# HOUGHTON REGIS TOWN COUNCIL

Peel Street, Houghton Regis, Bedfordshire, LU5 5EY

Town Mayor: **Councillor Y Farrell**

Tel: 01582 708540

Town Clerk: **Clare Evans**

e-mail: [info@houghtonregis.org.uk](mailto:info@houghtonregis.org.uk)

24<sup>th</sup> October 2022

**To: Members of the Planning Committee**

**Cllrs: M Kennedy (Chair), J Carroll, E Cooper, S Goodchild, D Jones, S Thorne and C Slough.**

**(Copies to other Councillors for information)**

## Notice of Meeting

You are hereby summoned to a Meeting of the **Planning Committee** to be held at the Council Offices, Peel Street on **Monday 31<sup>st</sup> October 2022 at 7.00pm.**

Members of the public who wish to attend the meeting may do so in person or remotely through the meeting link below.

To attend remotely through Teams please follow this link: [MEETING LINK](#)

Please follow this guidance if attending the meeting remotely [LINK](#)

**Debbie Marsh**  
Corporate Services Manager

**THIS MEETING MAY BE RECORDED<sup>1</sup>**

## Agenda

- 1. APOLOGIES AND SUBSTITUTIONS**
- 2. QUESTIONS FROM THE PUBLIC**

In accordance with approved Standing Orders 1(e)-1(l) Members of the public may make representations, ask questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

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<sup>1</sup> This meeting may be filmed by the Council for subsequent broadcast online and can be viewed at <http://www.houghtonregis.org.uk/minutes>

*Phones and other equipment may be used to film, audio record, tweet or blog from this meeting by an individual Council member or a member of the public. No part of the meeting room is exempt from public filming unless the meeting resolves to go into exempt session.*

*The use of images or recordings arising from this is not under the Council's control.*

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The total period of time designated for public participation at a meeting shall not exceed 15 minutes and an individual member of the public shall not speak for more than 3 minutes unless directed by the chairman of the meeting.

### 3. SPECIFIC DECLARATIONS OF INTEREST & REQUESTS FOR DISPENSATIONS

Under the Localism Act 2011 (sections 26-37 and Schedule 4) and in accordance with the Council's Code of Conduct, Members are required to declare any interests which are not currently entered in the member's register of interests or if he/she has not notified the Monitoring Officer of any such interest.

Members are invited to submit any requests for Dispensations for consideration.

### 4. MINUTES

*Pages 5 - 8*

To approve the Minutes of the meeting held on the 10<sup>th</sup> October 2022.

**Recommendation: To approve the Minutes of the meeting held on 10<sup>th</sup> October 2022 and for these to be signed by the Chairman.**

### 5. PLANNING MATTERS

#### (a) To consider the following applications:

CB/22/03853/FULL	Erection of a single storey glass orangery extension La Bella Calabria, 100 Parkside Drive, Houghton Regis, LU5 5QN For: Mr O Lajthjia
CB/22/03782/FULL	Retrospective planning permission for change of use from amenity land to a residential, gravel parking area to the rear 2 Farriers Way, Houghton Regis, Dunstable, LU5 5FG For: Mr R Machado
CB/22/03639/FULL	Proposed part single storey extension and changes to the main house entrance 14 Northview Road, Houghton Regis, Dunstable, LU5 5AH For: Mr & Mrs Wolak
CB/22/04077/FULL	Single storey side extension, and garage conversion. 165 Conway Close, Houghton Regis, Dunstable, LU5 5SD For: Mr J Cummings

#### **For noting**

CB/22/03902/NMA	Non-material amendment to planning permission CB/21/05575/REG3 (Development of a new leisure centre, incorporating landscaping and parking provisions. Demolition of the existing building and the construction of a new facility to include an eight-lane 25 metre community swimming pool, dedicated learner pool, confidence pool, fitness suite, exercise studio and two squash courts. Building to include a café, community space, creche,
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children's outdoor play zone and an outdoor fitness trail and public area). Amendment to west elevation window and east elevation external fire door.

Land currently known as Houghton Regis Academy Kingsland Campus Parkside Drive Houghton Regis LU5 5PX

CB/22/03984/DOC

Discharge of Condition 34 against Planning Permission CB/12/03613/OUT (Outline planning permission with the details of access, appearance, landscaping, layout and scale reserved for later determination. Development to comprise: up to 5,150 dwellings (Use Class C3); up to 202,500 sqm gross of additional development in Use Classes: A1, A2, A3 (retail), A4 (public house), A5 (take away); B1, B2, B8 (offices, industrial and storage and distribution); C1 (hotel), C2 (care home), D1 and D2 (community and leisure); car showroom; data centre; petrol filling station; car parking; primary substation; energy centre; and for the laying out of the buildings; routes and open spaces within the development; and all associated works and operations including but not limited to: demolition; earthworks; engineering operations. All development, works and operations to be in accordance with the Development Parameters Schedule and Plans) Houghton Regis North1 , Sundon Road, Houghton Regis, LU5 5GX

CB/22/03965/DOC

Discharge of Conditions 3,10,18 against planning permission CB/21/3860/FULL Community Sports facility:  
Enhancements/improvements including upgrading of an existing grass pitch to a floodlit FTP, a new additional pavilion building and additional car parking. Condition 3 - materials. Condition 10 - EV charging strategy. Condition 18 - landscaping.  
Tithe Farm Recreation Ground, Tithe Farm Road, Houghton Regis, LU5 5JF

## **(b) Decision Notices**

### ***Permissions/Approvals/Consents:***

### ***Refusals:***

CB/21/00441/FULL

Erection of 7 no. dwellings with associated works  
Land to the south of The Bungalow, Bedford Road, Bidwell

CB/22/01234/FULL

Construction and relocation of fence to abut pathway  
67 Grangeway, Houghton Regis, Dunstable, LU5 5PR

### ***Withdrawals:***

CB/22/03307/LDCP

Lawful Development Certificate Proposed: To access drive over verge green space.  
57 Tithe Farm Road, Houghton Regis, Dunstable, LU5 5HD

## **6. CB/22/01593 - DECKED CAR PARK TO THE NORTH OF PORZ AVENUE, HOUGHTON HALL PARK**

*Pages 9 - 22*

Further to the objection from Houghton Regis Town Council to the above application, Central Bedfordshire Council are moving towards issuing a decision on the above application.

Attached, for members consideration, are the relevant sections of the Case Officer Report and the advised conditions to address the concerns raised.

The Case Officer is requesting that members review this document and the reasoning behind the decision and confirm if the advised conditions would be sufficient in dealing with the Town Council's concerns.

The application has been considered in consultation with the Central Bedfordshire Council's Tree Officer and Conservation Officer who has raised no objections subject to conditions.

**Recommendation: To confirm to Central Bedfordshire Council the Town Council response to the proposed conditions on this application**

**7. EXPERIMENTAL WAITING RESTRICTIONS ON PARK AVENUE, HOUGHTON REGIS - A00353**

*Pages 23 - 24*

Members are informed that Central Bedfordshire Council are proposing to introduce experimental waiting restrictions on Park Avenue, Houghton Regis.

Members will find attached a copy of the notice and plan.

Members are reminded that comments should be received by Central Bedfordshire Council by the 9<sup>th</sup> November 2022.

**Recommendation: To consider the Town Councils response to the proposed experimental waiting restrictions on Park Avenue, Houghton Regis**

**8. STRATEGIC DEVELOPMENT SITES/LOCAL PLAN– UPDATE/PROGRESS**

**Woodside Link** – No substantive update to report.

**A5 M1 Link** – For information this major road project opened on the 11<sup>th</sup> May 2017.

**All Saints View** – No substantive update to report.

**Linnere** – No substantive update to report.

**Bidwell West** – No substantive update to report.

**Kingsland** – No substantive update to report.

**Windsor Drive** – No substantive update to report.



**HOUGHTON REGIS TOWN COUNCIL**

**Planning Committee**

**Minutes of the meeting held on  
10<sup>th</sup> October 2022 at 7.00pm**

Present: Councillors: J Carroll  
E Cooper  
S Goodchild  
D Jones Chairman  
S Thorne  
C Slough

Officers: Clare Evans Town Clerk  
Louise Senior Head of Democratic Services

Apologies: M Kennedy

Also present: Councillors: T McMahan

**12218 APOLOGIES AND SUBSTITUTIONS**

Apologies were received from Councillor M Kennedy.

**12219 QUESTIONS FROM THE PUBLIC**

None.

**12220 SPECIFIC DECLARATIONS OF INTEREST**

None.

**12221 MINUTES**

To approve the Minutes of the meeting held on the 27<sup>th</sup> September 2022.

**Resolved: To approve the Minutes of the meeting held on the 27<sup>th</sup> September 2022 and for these to be signed by the Chairman.**

**12222 PLANNING MATTERS**

**(a) The following planning applications were considered:**

CB/22/03745/FULL Single storey front extension  
26 Longbrooke, Houghton Regis, LU5 5QX  
For: Mr McCarthy

**Comments: The Town Council made no objections.**

CB/22/03703/FULL Proposed two storey side and single storey front extension.  
21 Grangeway, Houghton Regis, LU5 5PR  
For: Mr M Walcott

**Comments: The Town Council made no objections.**

CB/22/03854/ADV Advertisement: 1No. front building mounted sign, 1No.  
rear illuminated building mounted sign and 1No. free  
standing illuminated entrance sign.  
Unit 1, Foster Avenue, Dunstable, LU5 5TA  
For: Siemens Healthineers UK

**Comments: The Town Council made no objections.**

CB/22/02941/FULL Proposed Front porch  
24 Drury Lane, Houghton Regis, Dunstable, LU5 5ED  
For: Mrs M Illiso

**Comments: The Town Council made no objections.**

CB/22/03223/FULL Part single storey and part two storey rear extension (part  
retrospective)  
5 Dell Road, Houghton Regis, Dunstable, LU5 5HT  
*Members were advised that amendments to this  
application had been received in respect of Revised  
Proposal/ Description*

**Comments: The Town Council made no objections.**

**The following applications were noted:**

CB/22/03852/NMA Non-material amendment to planning permission  
CB/20/04715/FULL (Demolition of existing building and  
construction of a two storey manufacturing facility (Use  
Class B2) and associated works). Amendment sought to the  
site layout  
Unit 1, Foster Avenue, Dunstable, LU5 5TA

CB/22/03857/DOC Discharge of Condition 11 against planning permission  
CB/20/04715/FULL (Demolition of existing building and  
construction of a two storey manufacturing facility (Use  
Class B2) and associated works).  
Unit 1, Foster Avenue, Dunstable, LU5 5TA

- CB/22/03787/DOC Discharge of Condition 15 against planning permission CB/15/00297/OUT (Outline 'hybrid' planning application with details of main access routes, primary road network and associated drainage in detail only and layout in outline with details of landscaping, appearance and scale reserved for later determination. Development to comprise: Up to 1,850 residential (C3) dwellings (including affordable housing), 2FE Primary School (D1), employment land (Use Classes B1 [a-c], B2 & B8), local centre comprising retail (A1, A2, A3, A4 & A5) and community/leisure uses (D1/D2), layout of public open spaces including sports pitches and changing rooms, natural wildlife areas and all associated works and operations including engineering operations and earthworks)  
1 Airedale Gardens, Houghton Regis, Dunstable, LU5 6TN
- CB/22/03788/NMA Non-material amendment to planning permission CB/19/03232/RM (Reserved matters: Appearance, scale and landscaping for residential development of 336 dwellings on Development Parcels 5a and 5b Bidwell West, Houghton Regis. Outline application (CB/15/0297/OUT) was supported by a full Environmental Statement (ES).) - Amendment sought is omission of chimneys on plots 22, 23, 11, 12, 39, 40 and 146. Parcels 5a and 5b, Bidwell West, Houghton Regis, LU5 6JQ
- CB/22/03793/NMA Non-material amendment to planning permission CB/21/04839/DOC (Discharge of Conditions 1 and 2 against planning permission CB/21/02108/RM: Reserved Matters: following Outline Application CB/12/03613/OUT (Outline planning permission with the details of access, appearance, landscaping, layout and scale reserved for later determination. Development to comprise: up to 5,150 dwellings (Use Class C3); up to 202,500 sqm gross of additional development in Use Classes: A1, A2, A3, A4, A5; B1, B2, B8; C1, C2, D1 and D2; car showroom; data centre; petrol filling station; car parking; primary substation; energy centre; and for the laying out of the buildings; routes and open spaces within the development; and all associated works and operations including but not limited to: demolition; earthworks; All development, works and operations to be in accordance with the Development Parameters Schedule and Plans): All matters reserved, Erection of 154 dwelling units, with access and parking, landscaping and associated works. The Outline Application was EIA Development and was accompanied by an Environmental Statement) - Brick type changed from Ibstock Bexhill Red to Ibstock Reigate Medium for Plots: 259, 260 and 261  
Dunstable Northern Bypass, Chalton, Houghton Regis, LU5 6JJ



***Permissions / Approvals / Consents***

None received.

***Refusals:***

None received.

***Withdrawals:***

None received.

**12223 STRATEGIC DEVELOPMENT SITES/LOCAL PLAN-  
UPDATE/PROGRESS**

**Woodside Link** – No substantive update to report.

**A5 M1 Link** – No substantive update to report.

**All Saints View** – No substantive update to report.

**Linmere** – No substantive update to report.

**Bidwell West** – No substantive update to report.

**Kingsland** – No substantive update to report.

**Windsor Drive** – No substantive update to report.

**Section 106 Monies** – No substantive update to report.

**Resolved: To note the information**

**The Chairman declared the meeting closed at 7.25pm.**

**Dated this 31<sup>st</sup> day of October 2022**

**Chairman**



## PLANNING OFFICER DELEGATED REPORT

<b>APPLICATION NUMBER</b>	CB/22/01953/FULL
<b>LOCATION</b>	<b>Decked Car Park to the North of Porz Avenue Houghton Hall Park Houghton Regis Dunstable LU5 5FT</b>
<b>PROPOSAL</b>	<b>The creation of a vehicular access ramp to the top deck of the existing multi-storey car park (north eastern elevation) and the Change of use of the top deck from Use Class E to B8 (storage and distribution).</b>
<b>PARISH</b>	<b>Houghton Regis</b>
<b>WARD</b>	<b>Houghton Hall</b>
<b>WARD COUNCILLORS</b>	<b>Clrs Mrs Goodchild &amp; Farrell</b>
<b>CASE OFFICER</b>	Gemma Davies
<b>DATE REGISTERED</b>	30 May 2022
<b>EXPIRY DATE</b>	25 July 2022
<b>APPLICANT</b>	Whitbread Group PLC
<b>AGENT</b>	<b>Walsingham Planning</b>
<b>SUBMITTED PLAN NUMBERS</b>	90000-P3 _Location Plan-09.09.2022, 90601-P2 _Existing Section-09.09.2022, 90100-P1 _Existing Site Plan-09.09.2022, 90103-P1 _Existing Floor Plan-09.09.2022, 30103-P2 _Proposed Floor Plan-09.09.2022, 30601-P2 _Proposed Section-09.09.2022, 90501-P2 _Existing Elevations-09.09.2022, 30501-P2_Proposed Elevation Plans -07.09.2022 and Proposed Car Park Alterations 11.05.2022
<b>RECOMMENDED DECISION</b>	

### Site Location:

The application site is located to the north-west of Whitbread Court and to the north of Porz Avenue, within the Nimbus Park Employment Site and Houghton Hall Business Park, Houghton Regis. The site serves the headquarters of Whitbread PLC which contains Degremont House and service car parking. The site is accessed from the internal estate road which leads from Porz Avenue, lying to the

south.

Commercial units are sited to the east and west of the site and form part of the Business Park. Directly to the north of the site is Houghton Hall Park and Houghton Regis Conservation Area. The park comprises a group of five Grade II and Grade II\* listed buildings located proximate to the northern boundary. There are Significant areas of tree planting surrounding the site with a substantial quadrant of tree planting to the south centred around the roundabout on the site access leading from Porz Avenue.

The application site comprises an existing multi-storey car park building and land immediately to the east comprising hardstanding, woodland, amenity grassland and rural vegetation and hedgerow. The trees within this area and are protected by Tree Preservation Order (TPO/97/0001/W1) which includes various individual trees, areas and groups of trees and four woodlands.

### **The Application:**

Planning permission is sought for the creation of an access ramp to the top deck of the existing two storey car park to provide a dedicated ramp for the storage of delivery vehicles. This would constitute a change of use of the top deck from Class E to Class B8 (open storage)

### **RELEVANT POLICIES:**

#### **National Planning Policy Framework (NPPF) (July 2021)**

- 2: Achieving sustainable development
- 4: Decision-making
- 6: Building a strong, competitive economy
- 9: Promoting sustainable transport
- 11: Making effective use of land
- 12: Achieving well-designed places
- 15: Conserving and enhancing the natural environment
- 16: Conserving and enhancing the historic environment

#### **Central Bedfordshire Local Plan**

- SP2: NPPF - Presumption in Favour of Sustainable Development
- SP7: Windfall Development
- EMP1: Small and Medium Employment Sites
- T2: Highways Safety and Design
- T3: Parking
- T5: Ultra Low Emissions Vehicles
- EE2: Enhancing Biodiversity
- EE4: Trees, Woodlands and Hedgerows
- CC1: Climate Change and Sustainability
- HQ1: High Quality Development
- HQ11: Modern Methods of Construction
- HE2: Historic Parks and Gardens
- HE3: Listed Buildings, Conservation Areas & Built Heritage

#### **Neighbourhood Plan Policies**

A draft version of the Houghton Regis Neighbourhood Plan has been subject to formal public consultation. However due to the early stages of the document, little weight can be attributed at this stage

## Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

### Relevant Planning History:

<b>Case Reference</b>	<b>CB/17/05857/FULL</b>
Location	Degremont House and Adj Land, Houghton Hall Business Park, Houghton Regis, Dunstable, LU5 5FT
Proposal	Decked car park, alterations to existing car park layouts and alterations to access, revision to previously approved scheme under reference CB/17/02781/FUL
Decision	Full Application - Granted
Decision Date	02/02/2018

<b>Case Reference</b>	<b>CB/17/02781/FULL</b>
Location	Degremont, Houghton Hall Park, Houghton Hall Business Park, Houghton Regis
Proposal	Decked car park, alterations to existing car park layouts and alterations to access.
Decision	Full Application - Granted
Decision Date	08/09/2017

<b>Case Reference</b>	<b>CB/16/03127/FULL</b>
Location	Nimbus Park Houghton Hall Park, Porz Avenue, Houghton Regis
Proposal	New access linking existing access road and existing car park.
Decision	Full Application - Granted
Decision Date	19/09/2016

<b>Case Reference</b>	<b>CB/16/02820/FULL</b>
Location	Whitbread Court & Samuel Court Houghton Hall Business Park, Houghton Regis, Dunstable, LU5 5XE
Proposal	External works and alterations to car park to integrate sites
Decision	Full Application - Granted
Decision Date	23/08/2016

<b>Case Reference</b>	<b>SB/08/00145</b>
Location	Degremont, Houghton Hall Business Park, Houghton Regis, LU5 5TD
Proposal	Alterations and extension to offices to form headquarters with development training facilities
Decision	Full Application - Granted
Decision Date	09/05/2008

### Consultees:

Houghton Regis Town Council Houghton Regis Town Council objected to this application on the grounds of: The proposed development would contravene the initial criteria which had been agreed for a car park rather than commercial vehicles. Assurances were required that any vehicles or items stored would not impact the treeline, and would be limited to van height. Additional concerns were raised over the hours of operation. The proposed development and removal of trees would have a detrimental visual impact on an area

adjacent to the Conservation Area and the setting of Houghton Hall Park.

CBC Tree  
Landscape Officer

and The proposed works of creating a vehicular access ramp to the existing multi-storey car park will result in the detrimental impact to the nearest trees that protected under the Tree Preservation Order 01/1997. From the Arboricultural Report conducted 11th May 2022 by Duramen, six of the trees are of Category B and therefore to be considered for retention due to their conservation and cultural value.

This is of further concern as it is under the Town and Planning Act that trees under Tree Preservation Orders are to be replaced if felled. The applicant has not provided any information regarding whether they will replace any trees removed nor have they provided any soft landscaping to improve the area.

Therefore if the works are to go ahead suitable protection as recommended by the Arboricultural Report should be followed to ensure the trees to be retained are protected throughout the construction phase. And for every tree removed, a minimum of one replacement tree should be planted in a suitable location within the applicant borders. Replacement trees should be of similar size and species and planted during the season (November - March), an establishment and maintenance schedule is also requested to be submitted. The reasoning is to ensure the replacement trees reach maturity.

#### Updated Comments Following Provision of Further Details

I have examined the plans and documents associated with this application, in particular the supporting document "Arboricultural Report" (Document Ref. 21077 (f2) dated 20<sup>th</sup> September 2022, as prepared by Duramen. Have assessed Section 6.0 "Arboricultural Impact Assessment", I am satisfied that the level of protected tree removal/pruning is relatively limited given the economic importance of the site, and its connection with this current development proposal. I am also mindful that the strategically important tree-lined boundary, which screens the business park with the adjacent Houghton Hall Park and Conservation Area, should not be compromised to any significant degree.

In this respect, I am prepared to raise no objection to the application, but would require that more detailed tree protection measures are submitted than that being shown in the current "Arboricultural Report" document. This is in the recognition that the "Tree Constraints, Impact and Protection Plan" fails to show any positioning of protective tree fencing, and that the "Arboricultural Method Statement" does not specify the actual degree of access

facilitation pruning required, nor gives any details of the methodology require to safeguard the root system of the Lime tree T1, where excavations are to be carried out within its designated Root Protection Area.

Therefore, if you are minded to grant consent to this application, then the following condition should be imposed:-

Prior to development, a detailed Tree Protection Plan, and a site-specific Arboricultural Method Statement shall be submitted to the Local Planning Authority for approval. These plans and documents shall clearly show the position of protective tree fencing, the precise access facilitation pruning required to facilitate development, and the construction methodology to be implemented around the retained Lime tree T1. The approved Tree Protection Plan and Arboricultural Method Statement shall then be implemented in strict accordance with the required sequence of operations, with all tree protection fencing then remaining securely in position throughout the entire course of development works.

#### REASON

To ensure that the requirement for tree protection, and the need for the necessary mitigation measures , as set out in Section 6.0 "Arboricultural Impact Assessment" and Section 7.0 "Tree Protection Plan" of the supporting document "Arboricultural Report" (Document Ref. 21077(f2), dated 20th September 2022, can be subject to clear, precise and detailed specifications, which can then be accurately implemented, verified and monitored on site.

CBC Ecologist

An ecological impact assessment (EclA) has been provided. Proposals include the loss of a single lime tree and stems of white poplar. A preliminary roost assessment has been conducted and trees have been assessed as having negligible potential for roosting bats. Lime tree 1 should be retained, measures within the arboricultural report should be followed to ensure the tree is protected during the construction phase.

As some vegetation will be removed to facilitate the development, removal should be conducted outside of the nesting bird season. Measures within the EclA should be followed to safeguard species.

Proposed ecological enhancements such as enhancing retained woodland are welcomed and should enhance biodiversity on site.

Recommendations made in the EclA should be adhered to, as such the conditions advised

CBC Pollution Officer

No objections

**Other Representations:**

Neighbours                      No representations have been received

**Determining Issues:**

The main considerations of the application are;

1. Principle
2. Design and Impact on the Character and Appearance of the Area
3. Neighbouring Amenity
4. Highway Considerations
5. Ecological Implications
6. Trees and Landscaping
7. Other Considerations

**Considerations****1. Principle**

- 1.1 The application site is located on land allocated under the Central Bedfordshire Local Plan as the Nimbus Park Employment Site. The site lies within the Settlement Envelope of Houghton Regis, which is a washed over Green Belt settlement as identified by Table 8.1 of the Local Plan. Within such settlements the Green Belt boundary performs the role of settlement envelopes.

In accordance with Local Plan Policy SP7, within Settlement Envelopes the Council will support employment uses, amongst other uses, that are proportionate to the scale of the settlement, taking into account its role and function in the settlement hierarchy.

Houghton Regis is identified within the Settlement Hierarchy, at paragraph 9.1.3 of the Local Plan, as a Major Service Centre, which is a larger settlement with a highly diverse range of services and facilities and a strong availability of public transport.

The change of use of the upper car park deck of the existing multi-storey carpark to B8 use within the Major Service Centre and within a designed Employment Site is therefore considered proportionate to the scale of the settlement. The proposed development therefore presents no conflict with Policy SP7.

In accordance with Paragraph 81 of the NPPF, planning decisions should help create conditions in which businesses can invest, expand or adapt. Significant weight should be placed on the needs to support economic growth and productivity taking into account both local business needs and wider opportunities for development. Further, Paragraph 119 requires that planning decisions should promote an effective use of land in meeting the need for homes and other uses, whilst safeguarding and improving the environment.

As the site is within an allocated Employment Site, Local Plan Policy EMP1 is of relevance. This Policy states that across existing employment sites, permission will be granted for appropriate B2, B8 and E (g) uses where all of the following criteria are met:

1. *The proposal would contribute towards meeting the overall employment*

*needs of the district, or widening the range of employment opportunities;*

2. *The proposal would not conflict with neighbouring land uses; and*
3. *The location is appropriately accessible and the proposal would not result in unacceptable levels of traffic generation.*

The supporting Planning Statement indicates that the proposed change of use is required for the storage of delivery vehicles on behalf of Amazon Ltd. This is as a result of a significant increase in demand for online shopping and services such as Amazon deliveries. Further, it is indicated that Amazon's Dunstable distribution centre is expanding and has an under supply of parking spaces for its delivery vans, which has caused displacement parking within the local area. The proposals are therefore considered to provide a solution to this problem.

It is recognised that Amazon are a major service leader and the proposed change of use would therefore attract a viable business to the area and contribute towards widening the range of employment opportunities within the location.

In consideration of the contribution towards the overall employment needs of the area, due regard must also be given to the impact of the reduction in car parking space to the existing Whitbread operations and future occupiers of the site. In this respect the supporting Planning Statement argues that at the time the original application was made for the multi-storey car park, the proposal was fundamental to enable Whitbread to thrive as its headquarters. This was as a result of company expansion and a severe shortage of car parking spaces. However, since this time there have been major changes within the organisation, resulting from the sale of Costa, changes to the working environment following Covid 19 and the shift towards flexible working and a significant decrease in visitors to the building as a result of online/virtual meetings. These factors are all considered to have contributed towards a reduction in the car parking demand to the site. In the long term, Whitbread have committed to maintaining their flexible working policy which will continue to reduce levels of activity at their head office.

The findings of the Planning Statement are supported by the submitted Transport Report, produced by RCP, which sets out that the 1,830 members of staff within Whitbread fall into three categories, incorporating office based, Agile 1: field based staff who are present on site 1-3 days per week and Agile 2: field based staff who visit occasionally (1-2 days per month). It is therefore found that the remaining car parking provisions would accommodate 60% of staff at any one time, assuming that all staff would travel by car. It is therefore concluded that the retained number of spaces would be appropriate

In terms of the conflict with neighbouring uses, the existing site is surrounded by commercial buildings and existing office space, the proposed storage use would be limited to the upper floor of the car park only and would not result in a loss of office/employment space. Further, as set out above, the reduction in parking provision to the application site would not prejudice the functionality of the existing Whitbread operations as it has been demonstrated that the current parking provision is underutilised and no longer required.

Finally in terms of accessibility, it is acknowledged that in consideration of the site in relation to the strategic highway network, it is likely that a significant proportion of staff and visitors would arrive by car. However, a number of public transport measures are available, enabling employees to travel by public



transport and active travel modes.

The submitted Transport Report identifies that there are a number of lit footways extending out of the Business Park into the surrounding area with safe and convenient routes also available into Dunstable Town Centre. A network of cycling routes are also available which facilitate access to the surrounding residential areas. The closest bus stops are located approximately 500ms to the north-east of the Business Park and provide services to Houghton Regis and Luton.

In addition, the Luton and Dunstable Busway is located within a 15-20 minute walk from the site. The nearest railway station is also located approximately 4km to the east of the site providing services to Bedford and Brighton. Further the Report states that Whitbread head office operate a travel plan across all buildings to actively encourage and assist sustainable travel, including cycling and car sharing.

In light of the foregoing, the proposal is considered to be in conformity with the requirements of Local Plan Policy EM1.

It is noted that the Town Council have objected to the scheme on the basis that the proposed development would contravene the initial criteria which had been agreed for a car park rather than commercial vehicles.

The multi-storey car park was approved in February 2018 under application reference CB/17/05857/FULL. A review of the Decision Notice confirms that this permission was not subject to any conditions restricting a change of use away from the approved car park use. As such the proposal would not directly contravene any of the planning conditions within the original consent.

The supporting documentation is considered to provide a clear justification for the change of use to the site and would not present any conflict with Local Plan Policy EM1, which supports the provision of B8 uses within existing employment sites. As such it would not be reasonable to refuse the application on this basis as the applicant has clearly demonstrated that the existing use is no longer fit for purpose at its current capacity.

If minded to approve however, this would be subject to a condition ensuring that the upper deck of the car park shall only be used for the parking of cars and the storage/open storage of light commercial vans within Class B8 and for no other purpose. This would enable the LPA to retain control over the B8 usage whilst ensuring that the car parking use of the site would also be retained and not lost through the granting of this permission.

In light of the foregoing, the proposal is found acceptable as a matter of principle.

## **2. Design and Impact on the Character and Appearance of the Area**

- 2.1 Local Plan Policy HQ1 seeks to ensure that all developments are of the highest possible quality and respond positively to their context. Development proposals will be permitted where, amongst other things; they are complementary to the existing natural environment, taking account of landscape setting, landscape character and tranquillity, biodiversity and Green Infrastructure, any lighting associated with the development does not have a detrimental impact on the surrounding area and they are of a size, scale, massing, orientation and appearance that relates well to local surroundings both built and natural.

Further, in accordance with Local Plan Policy HE3, development proposals affecting designated heritage assets of local importance will be granted provided they, amongst other things, preserve, sustain and enhance the special character, significance, appearance and/or special architectural or historic interest of the assets in terms of scale, form, proportion, design and materials and preserve the setting of the assets and their historic significance. In addition, Local Plan Policy HE2 supports development proposals that encourage the conservation, enhancement and restoration of Historic Parks and Gardens (both designated and non-designated).

As previously set out, the application site is within a sensitive location surrounded by an attractive mature treed landscape, many of which are protected by Tree Preservation Order (TPO reference: 97/0001/W1). To the north of the site is Houghton Hall Park containing the Grade II\* Listed Houghton Hall which is within the Houghton Regis Conservation Area. The Hall and Conservation Area are designated heritage assets in accordance with the NPPF.

In terms of physical alterations to the site, the application principally proposes the provision of a ramped access to the top deck of the existing car park which would be sited to the north-east of the site area. This would lead directly from the existing surface car park and would be precast with steel frame and supports and galvanised metal sheets used as protective walls. The ramp would rise from ground level directly to the top deck and would be a single lane ramp with traffic signals to control vehicle movement. This would have a 10% slope.

The proposed ramp would facilitate the storage of delivery vehicles on the upper deck of the car park on behalf of Amazon. The delivery vehicles would typically be Mercedes Sprinter Vans. The top deck would accommodate 104 large parking spaces. The vans would be approximately 2.5ms in height, thereby having a taller projection above the existing parapet wall than a standard car. The proposal would also necessitate additional external lighting to the structure which would be of 4ms in height positioned at 10m intervals.

The provision of the proposed ramp would involve the loss of a Lime Tree and stems of a White Poplar. This would also require the removal of a significant part of the existing landscape shrubbery adjacent to the car park. The ramp would be viewed against the backdrop of the existing built form, however it is noted that the north-eastern section of the car park is well screened by the established woodland. The loss of the trees and vegetation to accommodate this would therefore open up views to the car park from within the site. However, this would be viewed within the context of the existing site and built form and is not overall considered to result in material harm.

In terms of the visual impact of the development from Houghton Hall Park which lies to the north of the site, the applicant was asked to provide updated elevational drawings demonstrating the visual impact of the stored vans and lighting columns to provide a clearer indication of the visual impacts of the development from beyond the site. The visuals indicate that the vans would project only a small amount above the significant tree coverage directly to the north of the car park, providing a visual buffer from the Park. The development would therefore only be visible in partially glimpsed views.

The Council's Conservation Officer has been consulted on the proposals and has raised no principle objections subject to safeguarding measures being in place to minimise the visual impact of the development. Of key concern is the outward views across the historic parkland in the direction of the application site,

which are considered to form an integral and important part of the setting and Conservation Area Character. In this respect of key importance is the retention of the existing strength of the tree screening along the perimeter of the site and the impact of the lighting columns.

The revised elevations drawings demonstrate that the lighting columns would have low lux levels with the luminaires fitted with directional shades to direct light away from the surrounding trees. This would as a result, limit light spill and reduce the visual impact of the development on the existing skyline. Further, if minded to approve the application, it would also be necessary to ensure that the colour finish of the columns is appropriately conditioned to further reduce their level of visual intrusion.

Whilst more detail will be set out in the relevant section below, the Council's Tree Officer is content that tree removal/pruning will be limited and that the strategically important tree-lined boundary, screening the business park from Houghton Hall Park and Conservation Area will not be compromised to any significant degree.

It is noted that the Town Council have objection to the application and sought assurances that the vehicles stored would not impact the tree line and would be limited to van height. Further concerns have been raised that the development and removal of trees would have a detrimental visual impact on the area adjacent to the conservation area and setting of Houghton Hall Park.

These matters have been addressed through the provision of updated elevational drawings demonstrating the proposed height of the van storage and its visibility from above the established tree screening. Further, the concerns raised have been addressed in the consideration of the Conservation Officer comments and the impact of the development on the designated heritage assets. If minded to approve the application this would also be conditional upon the storage usage of the site being limited to car parking and van storage only to ensure no future detrimental impact would result and the upper deck could still be used for car parking when required.

Overall, it is not considered that the development would result in harm to the views across to the site and would not therefore have an unacceptable impact on the character and appearance of the designated Heritage Assets or the area immediately surrounding the application site. The proposal would therefore present no conflict with Local Plan Policies HQ1, HE2 and HE3.

### **3. Neighbouring Amenity**

- 3.1 The application site is located within the Business Park with no residential occupiers to be impacted by the development either visually or from any additional noise which might be generated.

As previously set out, the reduction in parking provision to the application site would not prejudice the functionality of the existing Whitbread operations carried out at the site as it has been demonstrated that the current parking provision is underutilised.

It is noted that the Parish Council have raised concerns regarding the proposed hours of operation, however as set out above, the development site is not located within close proximity to sensitive residential receptors which would be directly implicated by the hours of operation.

The submitted Transport Statement sets out that all vans would leave the car park daily from 6am in 30-minute intervals until 8am and would return from 1pm onwards depending on the number of deliveries made. This would therefore reduce the intensity of the use and vehicles entering or leaving the site. The operation of the site has been devised to ensure that all activity associated with Amazon would be outside peak hours of activity in the business park and the wider highway network to reduce the impact on the existing uses and overall traffic congestion.

In light of the foregoing, the proposal would not result in any adverse implications for nearby occupiers.

## **6. Trees and Landscaping**

- 6.1 Local Plan Policy EE4 requires that development proposals, amongst other things, do not adversely affect aged and veteran trees, incorporate trees to enhance development and that any removal of trees to accommodate development is justified with lost assets replaced within the development site with appropriate planting of a suitable species of equivalent scale and character.

As previously set out the proposal would result in loss of a Lime Tree and stems of a White Poplar as a result of the provision of the proposed access ramp. The trees within the site are protected under Tree Preservation Order 01/1997.

The proposals have been reviewed by the Council's Tree Officer who initially requested that, in accordance with Policy EE4, every tree lost as a result of the development be replaced with trees of a suitable species within the application borders.

The applicant has undertaken detailed discussion with an Arboriculturalist and identified that there would be no suitable location within the site to accommodate two new trees of any significant size, given that the site comprises buildings, car parking and edges to car parks that currently maintain a good mix of established trees and shrubs.

In terms of off-site planting provision, in reviewing the planning history of the site, the original planning permission for the multi-storey car park was conditional upon the submission of an off site planting plan, however this was not taken forward. As a result, it was not considered appropriate to provide replacement tree parking within the nearby Houghton Park. The applicant has therefore proposed a replacement planting scheme of shrubbery and small trees around the edge of the car park site.

In reviewing the further details, the Council's Tree Officer has confirmed that the level of protected tree removal/pruning would be relatively limited given the economic importance of the site. Further the Tree Officer considers that the strategically important tree-lined boundary, screening the business park from the adjacent Houghton Hall Park and Conservation would not be compromised to any significant degree.

As such no objection has been raised subject to any approval being conditional upon the provision of further details relating to protective fencing, access facilitation pruning and the methodology to safeguard the root system of the Lime Tree where excavations are to be carried out. If minded to approve, a condition would also be attached requiring the provision of a Landscaping Plan to secure the planting scheme and small tree planting proposed within the site area.

## 7. Other Considerations

### 7.1 Response to Town Council Comments

An objection has been raised to the development by the Town Council, the matters relating to the objection are set out in detail in the Officer Report.

### 7.2 **Human Rights and Equality Act issues:**

Based on information submitted there are no known issues raised in the context of Human Rights / The Equalities Act 2010 and as such there would be no relevant implications.

7.3 The Council has adopted a Construction Code of Practice for Developers and Contractors in order to minimise the impact of construction work on residents who live near to development sites. The applicant has agreed to comply with the requirements of the Code, and compliance will be secured by condition

### **Recommendation:**

That Planning Permission be GRANTED subject to the following:

### **RECOMMENDED CONDITIONS / REASONS**

- 2 Notwithstanding the changes of use permitted within Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the development hereby approved shall only be used for the parking of cars and the storage/open storage of light commercial vans within Class B8 the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking or re-enacting that Order with or without modification) only, and for no other purpose.

Reason: To exclude the provisions of the said Use Classes Order and thereby ensure the Local Planning Authority retains full control of the future use of the land/building(s) in view of the special circumstances of the case.  
(Section 12, NPPF)

- 3 **No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

Reason: To ensure an acceptable standard of landscaping.  
(Sections 12 & 15, NPPF)

- 4 **Prior to development, a detailed Tree Protection Plan, and a**

site-specific Arboricultural Method Statement shall be submitted to the Local Planning Authority for approval. These plans and documents shall clearly show the position of protective tree fencing, the precise access facilitation pruning required to facilitate development, and the construction methodology to be implemented around the retained Lime tree T1. The approved Tree Protection Plan and Arboricultural Method Statement shall then be implemented in strict accordance with the required sequence of operations, with all tree protection fencing then remaining securely in position throughout the entire course of development works.

**Reason:** To ensure that the requirement for tree protection, and the need for the necessary mitigation measures , as set out in Section 6.0 "Arboricultural Impact Assessment" and Section 7.0 "Tree Protection Plan" of the supporting document "Arboricultural Report" (Document Ref. 21077(f2), dated 20th September 2022, can be subject to clear, precise and detailed specifications, which can then be accurately implemented, verified and monitored on site.

- 7 Prior to the completion of development, a full finishes schedule for the associated lighting columns, expressed as RAL nos. or demonstrated by colour swatches, shall be submitted to and approved in writing by the Local Planning Authority and the approved development shall be undertaken thereafter strictly in accordance with the approved details, and maintained as such thereafter unless otherwise expressly agreed in writing by the Local Planning Authority.

**Reason:** To minimise the visual impact of the lighting columns, and to preserve the setting of Houghton Hall Park and Houghton Regis Conservation Area.

(Policies HQ1, HE2 and HE3 and Sections 12 and 16, NPPF)

- 8 The operation of the lighting system for the decked car park shall be carried out in accordance with the details Proposed on Plan No: 30501-P2\_Proposed Elevation Plans -07.09.2022 (211223-FATKIN-WP-DR-AX-XX-30501) and maintained and retained as such thereafter.

**Reason:** To avoid unnecessary light spill, and to preserve the setting of Houghton Hall Park and Houghton Regis Conservation Area.

(Policies HQ1 and HE3 and Sections 12 and 16, NPPF)

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

The Council acted pro-actively through positive engagement with the applicant during the determination process 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.



# PUBLIC NOTICE



## **CENTRAL BEDFORDSHIRE COUNCIL PROPOSES TO INTRODUCE EXPERIMENTAL WAITING RESTRICTIONS ON PARK AVENUE, HOUGHTON REGIS**

Reason for proposals: These markings are intended to prevent obstructive parking effecting the free flow of traffic.

Effect of the Order:

**To introduce No Waiting at any time on an experimental basis on the following lengths of road in Houghton Regis:-**

1. Park Avenue, west side, from the junction with the Green (where the existing waiting restrictions end) and extending in a generally northerly direction for approximately 18 metres.
2. Park Avenue, east side, from the junction with the Green and extending in a generally northerly direction for approximately 10 metres.

Details may also be viewed online at [www.centralbedfordshire.gov.uk/publicstatutorynotices](http://www.centralbedfordshire.gov.uk/publicstatutorynotices).

Comments should be sent by e-mail to [highways.consultation@centralbedfordshire.gov.uk](mailto:highways.consultation@centralbedfordshire.gov.uk) by 9<sup>th</sup> November 2022. Any objections must state the grounds on which they are made **and must quote unique reference number A00353**. If you want to send in your comments in writing please send them to the address shown below FAO Emily Hirst.

Please note that any comments received will be redacted of personal information and uploaded onto the Central Bedfordshire Council website as part of a report on the scheme a few days before the proposal is discussed at the relevant Traffic Management Meeting, where it will remain in the public domain. If you do not wish for your comments to be part of the report please state this explicitly within your response.

Order Title: If made will be "Central Bedfordshire Council (Bedfordshire County Council (District of South Bedfordshire) (Civil Enforcement Area and Special Enforcement Area) (Waiting Restrictions and Street Parking Places) (Consolidation) Order 2008) (Experimental Variation No.\*) Order 2022"

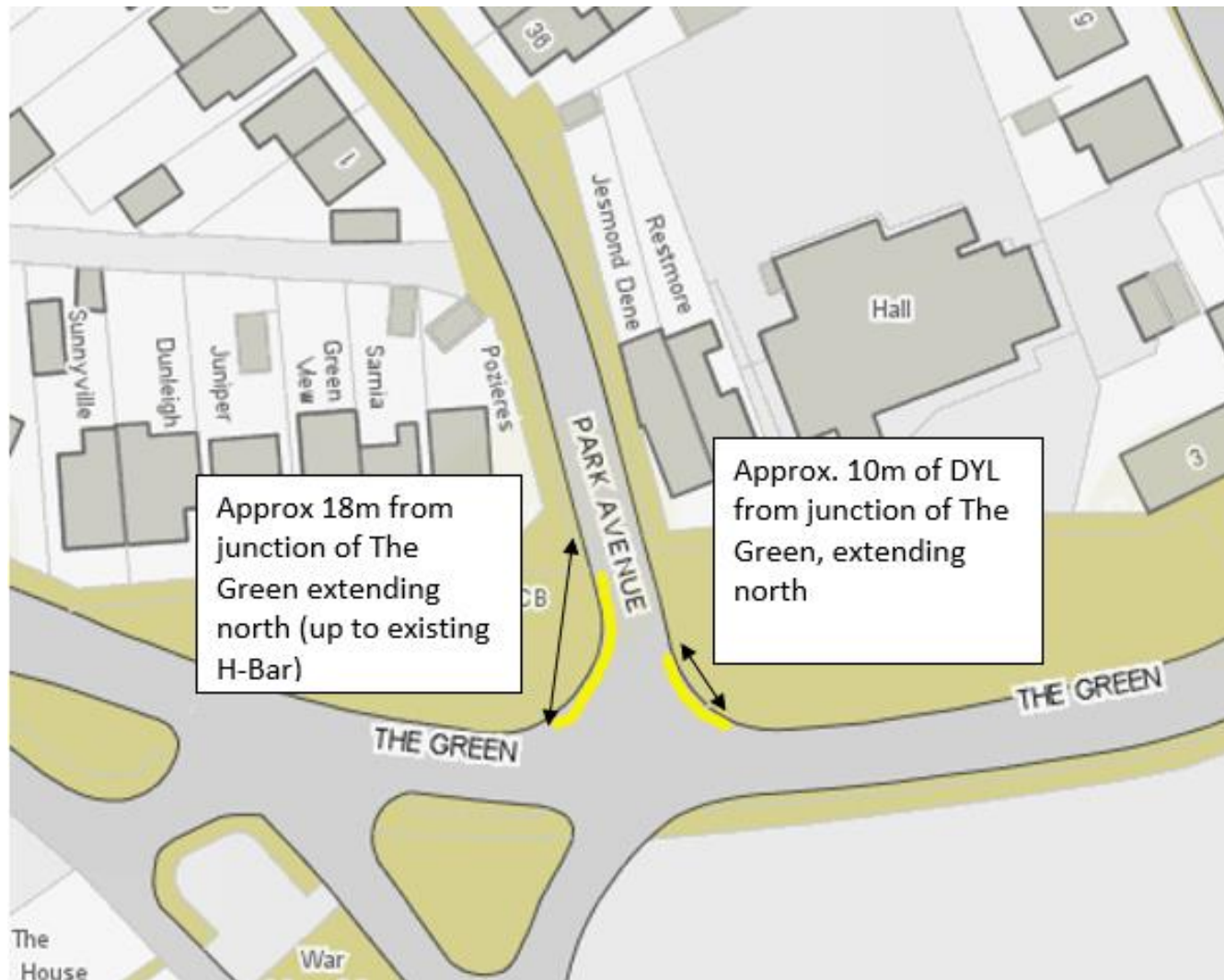
Central Bedfordshire Council  
Priory House  
Chicksands  
Shefford SG17 5TQ

Jill Dickinson  
Deputy Director  
Place and Communities

19 October 2022



## Park Avenue, Houghton Regis – Experimental Parking Restrictions



Double Yellow Lines (No Waiting at any time) proposal – Park Avenue, Houghton Regis