

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ

**This meeting
will be filmed.***



**Central
Bedfordshire**

please ask for Leslie Manning
direct line 0300 300 5132
date 18 January 2018

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 31 January 2018 10.00 a.m.

Venue at

Council Chamber, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: The Chairman and Members of the DEVELOPMENT MANAGEMENT
COMMITTEE:

Cllrs K C Matthews (Chairman), R D Berry (Vice-Chairman), M C Blair,
Mrs S Clark, K M Collins, I Dalgarno, F Firth, E Ghent, C C Gomm, K Janes,
T Nicols, T Swain and J N Young

[Named Substitutes:

D Bowater, A D Brown, Mrs C F Chapman MBE, Cllr S Dixon, Ms C Maudlin,
A Ryan and Cllr B J Spurr]

All other Members of the Council - on request

***MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS
MEETING***

**N.B. The running order of this agenda can change at the Chairman's
discretion. Items may not, therefore, be considered in the order listed.**

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AGENDA

Welcome

1. **Apologies for Absence**

To receive apologies for absence and notification of substitute Members.

2. **Chairman's Announcements and Communications**

To receive any announcements from the Chairman and any matters of communication.

3. **Minutes**

To approve as a correct record the minutes of the meeting of the Development Management Committee held on 31 January 2018 (copy to follow).

4. **Members' Interests**

To receive from Members any declarations of interest including membership of any Parish/Town Council consulted upon during the planning application process and the way in which a Member cast his/her vote.

Report

Item	Subject	Page Nos.
5.	Planning Enforcement Cases Where Formal Action Has Been Taken	To Follow

To consider the report of the Director of Regeneration and Business which provides a monthly update of planning enforcement cases where action has been taken.

Planning and Related Applications

Prior to considering the planning applications contained in the following schedules Members will have received and noted any additional information relating to the applications as detailed in the Late Sheet for this meeting.

Item	Subject	Page Nos.
6.	<p>Planning Application No. CB/17/02575/OUT (Houghton Conquest and Haynes)</p> <p>Address: Land east of Ampthill Road and north of Bedford Road surrounding Great Thickthorn Farm, Houghton Conquest (nearest postcode MK45 3NQ)</p> <p>Outline application (with all matters reserved except access): Mixed use development with access from Ampthill Road and Bedford Road comprising up to 650 dwellings, children's play spaces, a countryside park comprising formal and informal open space and playing pitches, new woodland and other landscape works together with a localised footpath diversion, a site of up to 2.00 hectares for educational use and other associated works and operations including but not limited to demolition, earthworks and engineering operations (including in relation to utilities and drainage).</p> <p>Applicant: Old Road Securities plc</p>	7 - 62
7.	<p>Planning Application No. CB/17/00981/OUT (Ampthill)</p> <p>Address: Land north of Clophill Road, Maulden, MK45 2AE</p> <p>Outline: Erection of 21 dwellings with estate road.</p> <p>Applicant: Mrs Cowell and Mrs Donnelly</p>	63 - 86
8.	<p>Planning Application No. CB/17/01156/OUT (Ampthill)</p> <p>Address: Land east of No 13 Clophill Road, Maulden, Bedford, MK45 2AQ</p> <p>Outline Application: Residential development on land north off Clophill Road, Maulden including other associated works.</p> <p>Applicant: Aldbury Homes</p>	87 - 108

9. **Planning Application No. CB/16/02972/FULL (Dunstable Icknield)** 109 - 138
- Address:** Former Dukeminster Estate, Church Street, Dunstable (nearest postcode LU5 4FF)
- Erection of 270 dwellings with parking and associated works.
- Applicant:** Persimmon Homes North London
10. **Planning Application No. CB/16/05852/FULL (Shefford)** 139 - 156
- Address:** Land off Harrow Way, Shefford (nearest postcode SG17 5GG)
- Construction of six new dwellings.
- Applicant:** Warden Developments Ltd
11. **Planning Application No. CB/17/02512/OUT (Houghton Hall)** 157 - 174
- Address:** Land south of the bungalow, Bedford Road, Houghton Regis, Dunstable, LU5 6JS
- Outline Application: Residential development of up to 1.03ha of the site with formation of two accesses, sustainable urban drainage and associated landscaping.
- Applicant:** Haut Ltd
12. **Planning Application No. CB/17/05425/FULL (Shefford)** 175 - 186
- Address:** The Pigling, Woodview Nurseries, Shefford Road, Meppershall, Shefford, SG17 5LL
- Replace existing mobile home with a single storey two bedroom permanent dwelling.
- Applicant:** Mrs D Hinton

13. **Planning Application No. CB/17/04050/FULL (Cranfield and Marston Moretaine)** 187 - 212

Address: Holywell Middle School, Red Lion Close, Cranfield, Bedford, MK43 0JA

Extension to reception area, new 7 classroom teaching block, new 3 court sports hall and changing area.

Applicant: Ellis Williams Architects

14. **Planning Application No. CB/17/04312/FULL (Flitwick)** 213 - 226

Address: Land at 11 and rear of 13 The Ridgeway, Flitwick, Bedford, MK45 1DH

Erection of one bungalow and one two storey house with access off Durham Close.

Applicant: Acorn Building Services (Luton) Ltd

15. **Planning Application No. CB/17/05740/FULL (Leighton Buzzard North)** 227 - 242

Address: 65 Mill Road, Leighton Buzzard, LU7 1AX

Resubmission of Application No: CB/17/03798/FULL for change of use of dwelling to two flats and erection of two flats.

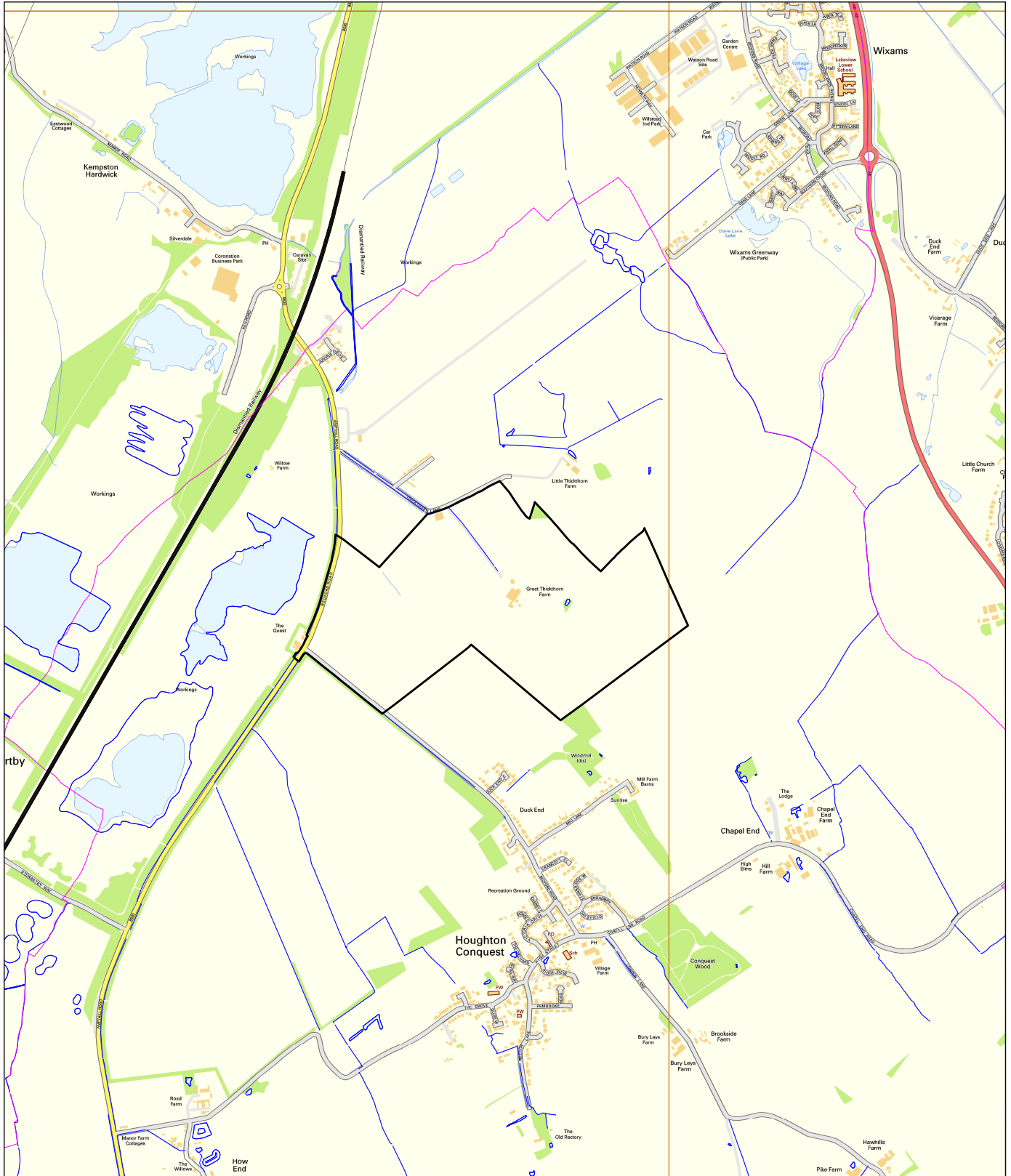
Applicant: Mr and Mrs M Blair

16. **Late Sheet**

To receive and note, prior to considering the planning applications contained in the schedules above, any additional information detailed in the Late Sheet to be circulated on **30 January 2018**.

17. **Site Inspection Appointment(s)**

Under the provisions of the Members' Planning Code of Good Practice, Members are requested to note that the next Development Management Committee will be held on **28 February 2018** and the Site Inspections will be undertaken on **26 February 2018**.



	<p>© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)</p>	<p>Application No. CB/17/02575/OUT</p>
	<p>Date: 15:January:2018</p> <p>Grid Ref: 504426; 242882</p>	
<p>Scale: 1:20000</p>	<p>Land East of Ampthill Road and North of Bedford Road surrounding Great Thickthorn Farm, Houghton Conquest</p>	

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Item No. 6

APPLICATION NUMBER	CB/17/02575/OUT
LOCATION	Land East of Ampthill Road and North of Bedford Road surrounding Great Thickthorn Farm, Houghton Conquest
PROPOSAL	Outline application (with all matters reserved except access): Mixed use development with access from Ampthill Road and Bedford Road comprising up to 650 dwellings, children's play spaces, a countryside park comprising formal and informal open space and playing pitches, new woodland and other landscape works together with a localised footpath diversion, a site of up to 2.00 hectares for educational use and other associated works and operations including but not limited to demolition, earthworks and engineering operations (including in relation to utilities and drainage).
PARISH	Houghton Conquest
WARD	Houghton Conquest & Haynes
WARD COUNCILLORS	Cllr Mrs Barker
CASE OFFICER	Lisa Newlands
DATE REGISTERED	24 May 2017
EXPIRY DATE	23 August 2017
APPLICANT	Old Road Securities Plc
AGENT	David Lock Associates
REASON FOR COMMITTEE TO DETERMINE	Major development outside of the settlement envelope with Parish Council objection
RECOMMENDED DECISION	Outline application - Recommended for approval subject to the completion of a S106 agreement.

Summary of Recommendation

The proposed development would be outside of any settlement envelope on a currently unallocated site and therefore would be in conflict with Policy DM4 of the development plan in so far as it seeks to direct development within settlement envelopes. Through the assessment of the benefits of the scheme, it is considered that the benefits would outweigh the limited harm to the character of the area and the minor harm to the setting of Houghton House. In addition to this the planning history of the site is a material consideration and would be given weight in this instance.

It is therefore considered on balance that the benefits of the scheme and other material considerations outlined in the report would outweigh the identified harm to the heritage asset, the landscape and the conflict with Policy DM4 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). It is therefore recommended that outline planning permission be approved.

Site Location:

The application site is located east of the B530 Ampthill Road, to the south of the Wixams new settlement and immediately south of land allocated under Policy MA3 of the Central Bedfordshire (North) Site Allocations DPD. Bedford Road forms part of the southern boundary. The village of Houghton Conquest lies to the south of the site, with the A6 to the east.

An existing farm access provides a connection through the site to the existing Great Thickthorn Farm although located at its centre, is excluded from the application site.

The site has previously been in agricultural use and is largely undeveloped apart from a number of access tracks and an agricultural barn. The site is therefore predominantly large open fields most recently in arable use, with a hedgerow and ditch network primarily forming the boundaries of the site. The site has modest topographic changes, with higher land located to the south west.

The Application:

Outline planning permission is sought with all matters reserved except access for a mixed use development with access from the B530 Ampthill Road and Bedford Road. The development is proposed to comprise of up to 650 residential dwellings; children's play spaces; a countryside park comprising formal and informal open space and playing pitches, new woodland and other landscape works together with localised footpath diversion; a site of up to 2.00 hectares for educational use; and, enabling and other associated works and operations including but not limited to: demolition, earthworks, and engineering operations (including in relation to utilities and drainage).

The application has been supported by a full suite of documentation.

Following the Council's determination that an Environmental Statement would be required as part of the application the promoters sought a formal screening direction from the Secretary of State on 4 November 2015. The Secretary of State issued a formal Screening Direction on 11th December 2015 concluding that the proposed development described would not, in his view constitute EIA Development.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

- 1: Building a strong, competitive economy
- 3: Supporting a Prosperous Rural Economy
- 4: Promoting sustainable transport
- 5: Supporting High Quality Communications Infrastructure
- 6: Delivering a wide choice of high quality homes
- 7: Requiring good design
- 8: Promoting healthy communities
- 10: Meeting the challenge of climate change & flooding
- 11: Conserving and enhancing the natural environment
- 12: Conserving and enhancing the historic environment

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy
CS2 Developer Contributions
CS3 Healthy & Sustainable Communities
CS4 Linking Communities - Accessibility & Transport
CS5 Providing Homes
CS6 Delivery & Timing of Housing Provision
CS7 Affordable Housing
CS9 Providing Jobs
CS13 Climate Change
CS14 High Quality Development
CS15 Heritage
CS16 Landscape & Woodland
CS17 Green Infrastructure
CS18 Biodiversity & Geological Conservation
DM1 Renewable Energy
DM2 Sustainable Construction of New Buildings
DM3 High Quality Development
DM4 Development Within & Beyond Settlement Envelopes
DM9 Providing a Range of Transport
DM10 Housing Mix
DM13 Heritage in Development
DM14 Landscape & Woodland
DM15 Biodiversity
DM16 Green Infrastructure
DM17 Accessible Greenspaces

Local Plan

The Council has recently consulted on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Minerals and Waste Constraints

Minerals and Waste Local Plan: Strategic Sites and Policies (Jan 2014)

Minerals and Waste Adopted Plan Saved Policies

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)
SUDS guidance

Relevant Planning History:

Application:	Planning	Number:	CB/15/04232/SCN
Validated:	04/11/2015	Type:	EIA - Screening Opinion
Status:	Decided	Date:	11/11/2015
Summary:		Decision:	Not Proceeded With
Description:	EIA Screening Opinion: mixed use development including 650 dwellings, a one form entry primary school. open space including a countryside park, formal sports provision and landscape works. Access from B530 and Bedford Road, internal road network, provision of utilities, drainage and any associated ground remodelling works.		

Consultees:

Parish/Town Council

Houghton Conquest Parish Council:

- The plan for the road shows two access points along Bedford Road but it isn't clear why there are two? This needs clarification
- As Bedford Road will be a dead end, plus it is already in the process of being altered near Duck End Close, there needs to be joined up thinking about this road. The entire road needs to have a 30mph limit (and appropriate traffic calming if considered necessary), so that it doesn't jump from 30mph to 60mph and back to 30mph again over a short distance.
- At what stage of the development will Houghton Conquest residents be using the new roundabout and road? When will Bedford Road be closed at the end and how will it be protected from potential misuse. The dead-end area needs to be carefully designed in such a way that reduces these potential issues.
- How will works traffic be prevented from interfering with residential traffic? Houghton Conquest residents do not want to face years of driving through building works, during staged delivery.
- Due to the size of the development and the fact that our lower school is at capacity, the lower school proposed for the site must be delivered before houses are occupied.
- The countryside park must be in place and significantly established before development starts.

- The area and position of the country park must also be more clearly defined in the outline application so it cannot be altered at a later date.
- There needs to be clarification on who will manage the country park and open spaces
- There is a significant increase in the number of houses originally proposed from up to 500 to up to 650. The proposal is to deliver this scheme in advance of the main Wixams extension, and therefore it will stand alone for some time without any community facilities. It is therefore assumed that these residents are likely to access the community facilities within the Houghton Conquest for some time, and as such we would ask that a S106 provision be made for improvements to the Village Hall, so that it can accommodate this anticipated increase.
- There is no provision for Doctors services, and no clarity on how bus services will access Wixams Park and Houghton conquest. As residents of the new Greenlakes estate close by, have recently been advised they can no longer be served by their Doctors Surgery in Ampthill, this is clearly a current issue that needs careful planning.
- The Parish Council will be minded to object to any future planning applications if these matters are not addressed within future applications.

Bedford Borough Council

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Objection on the following grounds:
Principle of development

- the site is adjacent to land allocated under Policy MA3. It was previously allocated in the draft Development Strategy for 500 dwellings and a country park immediately to the south of the southern expansion area. The draft policy is mentioned within the draft Central Bedfordshire Local Plan as Land South of Wixams. The draft plan is not an allocations plan and has not considered the sustainability credentials of other potential sites. A masterplan was approved by CBC in April 2015 which combines the Policy MA3 allocation as well as the application site. The application fails to respond to the delivery timeframes identified within the wording of policy MA3 or draft wording of policy 63 in terms of timeframes for delivery.
- Bedford Borough is of the view that the application is premature and unsustainable when considering the current delivery of the Wixams Site. This allocation is pre-empting the allocation of the site within Central Bedfordshire's Local Plan.
- The Wixams main site is in a fairly early stage of delivery, the southern expansion area cannot be

delivered before 2021, unless otherwise determined by the Council. The submitted application cannot be considered a sustainable extension in its own right. There are no existing connections through to the main Wixams settlement, other than the B530 and footpath link FPA10. In the absence of the delivery of Wixams main settlement, the southern extension and the associated facilities and transport infrastructure on which the application site will depend and the fact that the granting of permission is likely to see the site implemented prior to the completion of both the main settlement and the southern extension, the proposal is not considered a sustainable location for new residential development. The proposal is considered to be development within open countryside that is contrary to sustainability principles outlined within the NPPF.

Highways

- The Wixams main settlement and its access strategy focussed on the A6/A421 route corridor to discourage traffic through the surrounding Bedford Borough/ Central Bedfordshire villages and towns of Kempston Hardwick, Stewartby, Houghton Conquest and Ampthill. This current development and measures now promoted do not accord with this approach. The travel and access strategy beyond the site itself was not addressed prior to the adoption of the masterplan. The acceptability of traffic travelling through the villages mentioned and proposed junction measures at Kempston Hardwick to better manage the traffic capacity issues it creates is a key consideration.
- concerns related to the existing capacity of the Cow Bridge and Marsh Leys junctions and impact on the operational assessments of assignment of potential additional trips travelling northbound into the Bedford Borough area.
- Indications that public transport would enter the site suggest that this would extend to just 46% of the proposed dwellings being within a reasonable walking distance of a bus service. There is no certainty that penetration of the site will occur especially due to the fact that it is quite a diversion for operators, there are existing time constraints in the service schedule and there are no connections onwards through to Wixams north, where additional patronage could be secured.
- the proposed access strategy significantly affects the villages west of the development. As a result of the capacity assessments, junction improvements are proposed for both ends of Manor Road (BBC) and the A6/ Chapel End Road (CBC). No mitigation is proposed for any other junctions.

- Although mitigation such as signals at Manor Road could be used to constrain or encourage trips through Kempston Hardwick area their appropriateness in a rural area with no context of signalised junctions is uncertain. If traffic is constrained at these junctions the impacts on Cow Bridge or Stewartby south will undoubtedly be exacerbated.
- Even with the signal junctions as proposed the mechanism for controlling traffic at both ends of Manor Road, at the B530 end, the junction only just works within acceptable levels of Degree of saturation in 2027 and queues northbound in the AM peak would extend and potentially block back across the new roundabout access to the car auction site. At the Woburn Road end two schemes have been tested. To cater for the full committed developments some localised widening to provide more lanes would be required.
- The arguments related to reductions and reassignments of trips in future years are not certain and although no reduction in trips has been made to reflect this in the TA, it is not reliable enough reason to make the proposals acceptable.
- In isolation the site is not sustainable in traffic terms. Without significant vehicular, cycleway and footway connections to the Wixams the through traffic impacts particularly on surrounding local communities and junctions both within the BBC and CBC areas are significant.
- If CBC are satisfied that the proposed development meets the sustainability objectives of the NPPF, Bedford Borough Council would be seeking S106 contributions/ schemes towards:
 - expansion of Wixams Secondary School
 - off-site traffic mitigation
 - Wixams railway station
 - schools transport
 - footway/ cycleway to Stewartby (employment site)
 - Public transport

Rights of Way

Please ask the applicant to submit Path Diversion Applications as early as possible if they indeed intend to divert the path concerned in order to not obstruct the path.

The applicant will be unable to build over any PRoW unless a Temporary Closure is in place BEFORE any work starts across the legal line of the path or indeed has been legally Diverted and thus remain open (if possible) during the build.

Will require considerable surface enhancements to the legal line of all PRow that cross the application site. The existing site layout drawings are NOT sufficient to enable a conclusion, save to insist that all route must be metalled over their full legal width - possible 2 metres wide.

Housing Development
Officer

A Six week lead in is required for any Temporary Closure.

Whilst this application states the intentions of the provision of affordable housing, it does not state the overall percentage proposed and whether or not the proposal is for a policy compliant scheme. Would expect to see 35% affordable housing or 228 affordable units. The supporting documentation does not indicate the tenure split of the affordable units. The Strategic Housing Market Assessment (SHMA) has identified a tenure requirement from qualifying affordable housing sites as being 73% affordable rent and 27% intermediate tenure. This would make a requirement of 166 units of affordable rent and 62 units of intermediate tenure (shared ownership) from this proposed development.

Would like to see the affordable units dispersed throughout the site and integrated with the market housing to promote community cohesion & tenure blindness. Would also expect the units to meet all nationally prescribed space standards. We expect the affordable housing to be let in accordance with the Council's allocation scheme and enforced through an agreed nominations agreement with the Council. If these comments are taken on board, would support this application. Would welcome discussions surrounding the affordable element and the mix of affordable units proposed from the scheme.

Leisure Officer

Provision Required:

1. Countryside Recreation and Informal Recreation

Depending on the size and composition of the proposed countryside park, it should achieve the requirement.

2. Urban Park and Large Formal Recreation Areas

Provision for a multi-facility space which can accommodate both formal facilities – potentially a formal park – with play facilities and sporting provision.

3. Small Amenity Spaces

These spaces should be provided within the housing layout when known, to break up the mass of development and provide green spaces for visual and

casual recreational benefit.

4. Facilities for Children and Facilities for Young People

As indicated on the framework plan, facilities for children and young people – up to 14+ years should be provided together on large sites which offer a range of activities and space for games etc.

The plan shows a combined NEAP/LEAP/LAP and a Super LAP. The SLAP should be 200sqm and have play equipment suitable for children up to the age of 10yrs. The combined NEAP/LEAP/LAP should be 1,500smq comprising of a LAP area at 100sqm with 3 pieces of equipment for 3-6yr olds, a LEAP area at 400sqm with 5+ pieces of equipment for 4-8yr olds and a NEAP area at 1,000sqm with 8+ pieces of equipment for 8-14yr olds.

Teenage provision for 14+yrs should also be made in association with the NEAP. This should provide a separate informal meeting area, which may include a teenage shelter and basketball provision.

With the configuration of the neighbouring play areas in MA3, as identified in the framework plan, the proposed onsite provision within this application should be adequate

On site outdoor sports facilities are identified on the framework plan and Option D2 layout was previously agreed between Leisure and The Landscape Partnership. Further details will be required from Sport England and the FA on pitch standards and changing room design.

Ecology

Comments made in terms of the indicative layout. Given the construction will occur in parcels over a number of years it is considered that each parcel should be informed by up to date ecological assessment - suggested condition. It is also considered given the scale of development that a Construction Environmental Management Plan and a landscape and ecological management plan be conditioned.

Tree and Landscape Officer

The site consists primarily of agricultural land with isolated trees and boundary hedgelines. The Planning Statement refers to an Arboricultural Impact Assessment which unsure has been submitted or whether it is intended to be submitted at a later point. We will require one along with tree protection details. Looking at site proposals it would seem that there is going to be potential to substantially improve tree and landscape cover and to this end we will expect a quality planting and landscape scheme to be supplied which will include a detailed Management Plan showing how new planting will be provided and maintained. Planting details for park

and woodland areas will concentrate on the use of native species preferably of local provenance and include both standard trees, bare root shelter belts and hedging.

Updated comments:

Arboricultural Impact Assessment has been supplied identifying trees and hedgelines on site along with their retention categories. A number of trees will be removed to facilitate of which trees of principle interest are three category B trees which will be removed to provide a new access to the site.

Section 10.1 of the Assessment highlights the need for a detailed tree protection plan and Method Statement to be supplied at a later date based on final layout details. This will be required.

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Green Infrastructure:

Phasing

Proposals for green infrastructure enhancement include significant proposals for new planting and landscaping.

In order for these to be functional, they need to be established well in advance. The proposals set out by the applicant are not acceptable. The Landscape and Green Infrastructure Strategy breaks the work down into three stages; advance planting, stage 1 works, and stage 2 works. To ensure that the green infrastructure and landscaping is adequately established, the phasing should be amended as follows.

Advance planting needs to be completed at commencement.

Stage 1 works need to be completed in advance of the first occupation.

Stage 2 works need to be complete at the early stages of development.

This phasing needs to be amended, and required to be completed at these points by condition.

Detailed design

The design of the green corridors, and the effective incorporation of multifunctional SuDS is critical to ensuring the green infrastructure network meets the needs of the residents.

Currently, there is insufficient information provided, particularly around the designs of the large attenuation features that dominate several of the green corridors.

More information needs to be provided and agreed with the council as a pre-commencement condition,

specifically

- Sections of all attenuation features, showing depths and profiles
- Detailed proposals for planting, and for management
- Detailed proposals showing access routes / informal routes / desire lines within these features.

This is required in order to demonstrate how the proposals are in line with CBC requirements, and with best practice (e.g. CIRIA SuDS manual). The current proposals do not adequately provide this information, particularly the requirements CBC sets out for the Surface Water Drainage scheme, providing sections and management information.

These details should be discussed and agreed with CBC's ecology, landscape, green infrastructure and SuDS officers before commencement.

SuDs	No objection subject to conditions.
Sustainability	No objection subject to conditions.
Self Build Officer	Growing demand for serviced plots for self and custom builders and the developer is encouraged to deliver 10% plots as serviced plots within this development. Currently there are 185 people registered on the Central Bedfordshire's Self and Custom Build Register and 34 of them are looking for a plot in the Houghton Conquest, Wixams, Haynes, Clophill, Maulden, Ampthill and Marston Moretaine area.
Archaeology	No objection subject to a number of conditions.
Travel Plan Officer	No objection subject to condition in relation to travel plan.
Strategic Landscape Officer	<p>Landscape Issues - there has been a long consultative process with regard to the development of the Landscape Framework. Key aspects of the landscape provision include the</p> <ul style="list-style-type: none">- Countryside Park , which provides the main screen to provide visual mitigation to safeguard the rural context of Houghton Conquest,- landscape frontage beside Ampthill Road - this is crucial as the character of this road is being radically changed by development and it is important that new development <p>secures a quality edge to maintain a sense of space between Bedford and Ampthill as well as creating a setting for the Wixams.</p>

- integration of more formal landscaped areas such as the sports provision and play areas,
- Suds provision appropriate to the Forest of Marston Vale.

The southern boundary to the Countryside Park is well wooded and should provide adequate screening whilst allowing some views to permeate .

The sequence of spinneys south of the residential area will also help to mitigate visual impact ,particularly of development when seen from the Country Park.

The Landscape Framework provides a design code for the detailed design, which includes a range of grassland treatments. It will be important to ensure that this vision for the landscaped areas is progressed at the next stage. A Landscape and Ecology Management Plan would help with specification of stock and future maintenance.

The original Masterplan for the Wixams included substantial woodland belts, which were intended to have been planted in advance of development on sections of this application site. The woodland blocks will receive some surplus soil to create low mounds, which will be dependant on the rate of development. However, it is essential that the southern woodland belt is established at the earliest opportunity in order to achieve the screening function.

Sympathetic management of the Suds will also be required in order to foster the ecological outcomes required.

In terms of Green Infrastructure, there are concerns about the potential impact of the new community on the highly sensitive Quest Pit site. Whilst the development brings forward new parkland, the potential impact on a site of high landscape and wildlife significance (albeit private land) needs to be considered.

Waste	Requirement to provide waste provision in accordance with CBC standards. Condition to secure bin provision. Further details required on reserved matters applications.
Pollution Officer	No objection subject to conditions.
Public Art	No objection subject to conditions to secure public art.
Historic England	Concerns regarding the application on heritage grounds owing to the minor harm caused by the proposal to the setting of the designated Houghton House. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 132 and 134 of the

	NPPF.
Highways England	No objection subject to condition in relation to a revised travel plan condition.
Highways	No objection subject to conditions and necessary contributions.
Community Halls	£100,000 contribution towards village hall in Houghton Conquest - refurbishment, small extension, improvements to energy efficient and installation of renewable energy sources.
Health Provision	<p>Contributions required towards the following:</p> <p>GP Core Services: £536,750.77 Mental Health: £126,399.00 Acute Costs: £1,439,399.00 Community healthcare: £118,319.00</p> <p>Since there is significant housing development underway in the proximity of this site (potentially over 6,000 dwellings) this would necessitate additional healthcare facilities in the area. The contributions would go towards the proposed new GP surgery in the Wixams town centre.</p>
Education	<p>Financial contribution based on 1 form entry primary school plus a financial contribution from the remaining 150 dwellings to contribute towards the expansion of that primary school. 500 dwellings would necessitate a 1 form primary school, therefore a further financial contribution is sought for the additional 150 dwellings. Education Officers have advised that the school built will likely be a 2 form entry school.</p> <p>Total primary and early years contribution = £5,310,268 + indexation</p> <p>Secondary financial contribution of £4,134,443 (650 homes) for expansion of Wixams Secondary School.</p> <p>Total education financial contribution = £9,444,711.04 + indexation. and a 2.0ha primary school site as detailed in the plans submitted.</p>
Environment Agency	No objection subject to conditions.
Anglian Water	No objection subject to condition.
Forest of Marston Vale	Greater woodland and tree planting would appear to be necessary to achieve the required Forest contribution. Given the size of the site this scheme could provide at least 39% canopy cover across the site.

- A clear robust plan needs setting out for the sustainable management and governance of the ultimate woodland and associated greenspace.
- promote the introduction of working chimneys within the development to help stimulate the local woodland economy and provide householders with a cheaper heating source. Burning wood is cheaper and is a carbon neutral way to heat the home.

MANOP

A development of this size is one where consideration should be given to the inclusion of a specialist scheme for older people such as a care home, a Housing with care development of a housing with support development.

In mainstream housing the needs of older people should be considered.

Conservation Officer

1. HE are correct is attributing weight to the setting of a heritage asset in this case Houghton Hall. Views from country houses of this period did play an integral part of their design and often the site was chosen specifically for their view/vistas as well as setting. HE's letter is explicit in the case that Houghton Hall was put there for the view it would command over the Marston Vale i.e. the view from the front of the Hall. So I would concur with HE that the assertion that there were designed setting. These designed settings may have been included to enhance the presence and visual interest or to create experience of drama or surprise.
2. Reference needs to taken from HE GPA3 (Good Practice Planning Note) – The Setting of Heritage Assets. The NPPF makes it clear that the extent of the setting of a heritage asset 'is not fixed and may change as the asset and its surroundings evolve'. It goes further to discuss the setting and the significance this has on heritage assts. Although setting itself is not a heritage asset nor a heritage designation, it is what that land contributes to the significance of that asset or to the ability to appreciate that significance. Given the guidance and the location of the Hall and its relationship with the Vale it would not be unreasonable to conclude that these designed views contribute to significance.
3. .The argument in my view boils down to how much change has taken place and the impact of that change on significance etc Cumulative change is where an asset has been compromised in the past by

unsympathetic development affecting setting and to accord with NPPF policies consideration still needs to be given whether “additional change will further detract from, or can enhance, the significance of the asset’. Negative change could include severing the last link between an asset and its original setting – in this case the designed views out towards the Vale from the front of the Hall.

Therefore it is considered that the proposal will cause minor harm for the reason set out in HE’s letter and for the reasons given above. The NPPF requires that clear and convincing justification for that harm and the degree of harm in this case less than substantial should be weighted against the public benefit of the proposal.

Other Representations:

Neighbours

4 letters of support raising the following comments:

- the area would benefit from more family homes with a country park to enjoy
- great benefit to the area, more housing is needed and the country park is essential to the community for exercise, health, exercising pets and giving the local community a place to meet and socialise too.
- we need more housing in this area so it makes sense to have this development. Houghton Conquest deserves more parkland and bridleways so I fully support the development and hope that the idea of the countryside park is included and supported too.
- support this development as the country park creates a division between the old village and Wixams development. New houses near the train station will always be a good thing!

1 letter of objection raising the following concerns:

- Houghton Conquest has already been subjected to extensive planning in the last 2 years with over 180 passed. Our lovely village has become engulfed with houses.
- Disturbance during the building process has already begun.
- the application is vague and needs to be explained in more detail
- we still await to see the Country Park promised before these homes are built
- no spaces in the local schools - where are the children going to go?
- will there be any shop as this will become a more centralised part of our small village along with the new development now in the process of building along

Bedford Road. The village shop will be quite some distance - so accessing it by car will cause even further chaos in our small high street

- the road infrastructure in the surrounding area is not suitable
- Green farmland for crops destroyed, yet brown areas left untouched.
- Utilities already stretched and water pipes continually bursting and leaking
- no public meetings held
- destruction of rural villages in Bedfordshire, and Houghton Conquest steeped in history, swallowed up by Wixams - utter destruction of arable farmland.
- Object strongly to this huge development of homes and more disruption and destruction to the lying landscape of once rural Houghton Conquest, the quiet village we chose to live in away from a town, soon to become a town due to planners.

Gallaghers, Wixams
main settlement
landowners (Barton
Wilmore on behalf of)

Objection on the following grounds:

- the proposal represents a freestanding and unsustainable piecemeal form of development, which will have no internal employment or other services by reason of being out of sequence with both the Wixams main settlement, currently under construction and the intended first phase of the Southern Expansion Area.
- there is an absence of any commitment to make direct contributions towards facilities within the Wixams Main settlement, upon which the submitted outline proposals will rely while substantially benefiting from main settlement facilities such as the secondary school, health, public transport, leisure and assembly. However, whilst impacting upon the capacity of these main facilities, there is no commitment to proportionately fund them.
- the submitted outline proposals are premature, inconsistent and contrary to the vision for the contribution of this site to the Wixams settlement as a whole as expressed in the emerging plan policy.
- the submitted proposals are inconsistent with the stated intentions of the Wixam Park Masterplan document - the most notable departures being the number of dwellings and the unsustainable complete inversion of the stated phasing to remotely commence the Land South of Wixams Growth Location on the most southerly land parcel, ahead of the principal policy MA3 allocation.
- the remote and unsustainable dormitory nature of the submitted proposals, relative to the ongoing delivery of the Wixams will exacerbate the general lack of connectivity and integration with the main settlement,

which is a primary characteristic of the Southern Expansion Area proposals as a whole. Given that each element of the SEA envisages an entirely separate access on to a minor B-road the premature approval of the development on the former Policy 63 Area will further prejudice the future comprehensive integration of the site with the Wixams, as required by policy.

- There is a lack of tangible need at the present time for the release of strategic land outside of the Wixams main settlement envelope. The Council has claimed five year housing supply land and this has not been challenged by the applicant. Furthermore, the available market capacity in the area is currently being served by the Wixams itself. Accordingly, any further, ill-timed, expansion beyond the settlement boundaries of Wixams will not serve its own new market, rather it will simply dilute current sales and delivery at the Wixams main settlement with no net delivery gains for the CBC housing trajectory.

Gallaghers, Wixams
main settlement
landowners (Pinsent
Masons on behalf of)

Write to highlight the legal obligations that the Council is contractually required to comply with when assessing the planning application and the necessary mitigation it will be required to provide.

- the Council will ensure appropriate contributions are secured by way of planning obligation towards the extension of any middle/ upper schools
- the Council should consider what bus services the application is proposing to offer and how these will integrate with those on The Wixams site
- the Council should use reasonable endeavours to secure financial contributions towards the Railway Station
- the Council should use reasonable endeavours to secure appropriate contributions towards joint ventures in respect of planning obligations, strategic infrastructure and strategic landscaping and infrastructure connections to the Expansion land to the extent they relate to or benefit the expansion land.
- Request copy of heads of terms / draft S106 forwarded to client asap.

Determining Issues:

The main considerations of the application are;

1. The principle of development
2. Impact on the character and appearance of the area
3. Access and Highways considerations
4. Impact on the amenity of neighbouring residents
5. Biodiversity
6. Historic Environment

7. Planning Contributions
8. The Planning balance
9. Other matters

Considerations

1. The principle of development

- 1.1 S38(6) of the Planning and Compulsory Purchase Act (2004) and the National Planning Policy Framework (NPPF) (2012) set out that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (para 11).
- 1.2 It is considered that whilst the development plan as a whole falls to be considered under Section 38(6) of the Planning and Compulsory Purchase Act 2004, as amended, the relevant policies of determining this application focus upon Core Strategy Policies DM4, DM13, DM14, CS15 and CS16.
- 1.3 The Proposals Map seeks to define the boundaries between settlements and surrounding countryside. Policy DM4 identifies the development that would be acceptable within the different hierarchy of settlement envelopes. It is not a policy for the supply of housing as defined by the Supreme Court. Policy DM4 seeks to direct development to within settlement envelopes and not within the open countryside. Consistent with recent appeal decisions at Clophill and Potton, it is not considered that Policy DM4 is out of date. Policy DM4 of the Core Strategy, whilst a relevant policy, is not fully consistent with the policies of the Framework, which seek to recognise the intrinsic character and beauty of the countryside rather than to specifically 'protect' it. In such circumstances, given this inconsistency, this policy should be afforded moderate weight in accordance with Paragraph 215 of the Framework. The proposed development would be in conflict with this policy, in so far as the development proposed is outside of any existing settlement envelope.
- 1.4 In terms of Policies DM14 and CS16 which relate to landscape and woodland. These policies set out a criterion approach which require that planning applications are assessed against the impact that the proposal will have on the landscape, stating that *'any proposals that have an adverse impact on the landscape in these areas will be rejected unless there is a particular need for, or benefit arising from the proposal that would override this requirement'*.
- 1.5 In decisions including the recent Potton appeal decision the Inspector concluded that these policies are broadly consistent with the Framework and as such they should be afforded the greater weight envisaged at Paragraph 215 of the Framework.
- 1.6 In terms of the proposed development the report goes on to assess the impact of the proposal on the character and appearance of the area and this will be considered further in the planning balance. It is acknowledged that the introduction of 650 houses within the landscape will create some harm to the character and appearance of the area, however, the Landscape Officer has raised no objection to the proposed development and Policies DM14 and CS16 are clear, that this harm should be weighed against the benefits arising from the proposal.

- 1.7 Policies DM13 and CS15 relate to heritage in development and that planning applications will be determined in line with advice given in national guidance and that the Council will protect, conserve and enhance the district's heritage. Such an approach is broadly consistent with the Framework. The NPPF is the national guidance in relation to this matter and paragraphs 132-134 set out how the impact of a development on the significance of a designated heritage asset should be considered. In this instance Historic England and the Council's Conservation Officer have identified that the proposal would result in minor harm to the setting of Houghton House a Listed Building. It is considered that this would result in less than substantial harm to the significance of a designated heritage asset, and as set out this harm should be weighed against the public benefits of the proposal.
- 1.8 Given the foregoing appraisal, it is considered that the relevant development plan policies in relation to this matter are not out-of-date or silent and therefore the tilted balance as set out in paragraph 14 of the NPPF in terms of presumption in favour of sustainable development is not engaged.
- 1.9 Furthermore, recent appeals decisions have supported the Council's Housing Land Supply Statement and Trajectory that confirm that the Council can demonstrate a five-year supply of deliverable housing land.
- 1.10 In any event it is clear that specific policies of the Framework including those at Section 12 relating to the conservation and enhancement of the historic environment indicate development should be restricted and therefore the tilted balance set out in paragraph 14 of the Framework would not be engaged consistent with footnote 9 to paragraph 14 of the Framework.
- 1.11 Sustainable development is the golden thread that runs through the NPPF. There are three dimensions to sustainable development which require consideration which are economic, social and environmental roles. Paragraph 9 of the NPPF states that these roles are mutually inclusive and as such in order to achieve sustainable development all three of the dimensions should be sought simultaneously.
- 1.12 Economic
The NPPF makes it clear that planning policies should aim to minimise journey lengths for employment, shopping and other activities, therefore planning decisions should ensure developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes maximised. It is acknowledged that the construction of 650 houses would support a level of employment, with associated benefits to the local economy, within the local area on a temporary basis during the construction period. Houghton Conquest provides some employment opportunities including public houses, village stores, a school and restaurant. In addition there are some services within Wixams main settlement which will continue to grow, services within nearby Ampthill and across the boundary nearby within Bedford. Concerns have been raised regarding the isolated nature of the site and that MA3 land is not coming forward first. Whilst it is appreciated that there would be an increase in journey's prior to the MA3 land coming forward and links to the main Wixams site being made - it is considered that the planning benefits in terms of the primary/lower school coming forward early in the development, the substantial early provision of the

country park, and improvements/ contributions towards bus services will seek to reduce and minimise these journeys and during the construction life of the development - the services within the main Wixams site will increase and links through to Wixams will come on board through the future development of the MA3 land as identified in the Masterplan. These benefits will be discussed in more detail in subsequent sections.

1.13 Social

The provision of housing is a benefit of the scheme which should be given weight the promoters have agreed to a build rate timetable clause within any S106 should permission be granted which would seek to deliver 240 dwellings within 5 years. This would constitute a significant contribution to the Council's 5 year housing supply. Whilst the Council can currently demonstrate a supply of 5.94 years, in order maintain a supply of housing in sustainable locations and provide an adequate buffer the provision of housing in this case is given significant weight. Houghton Conquest is classified as a Large Village under Policy CS1 of the Core Strategy for the North with access to a variety of community facilities, and is therefore considered to be a sustainable location. The village is served by a bus service which stops on Bedford Road. Wixams is identified as a major service centre and is considered to be a sustainable location. It is considered that in the early phases nearby services are considered to be accessible for new residents although it is acknowledged that this is likely to be via car journeys in the early phases of the development for the reasons outlined above.

1.14 Environmental

The NPPF states that opportunities should be taken to protect and enhance the natural environment and to improve biodiversity. The Council's Ecologist is satisfied that the proposal would secure additional biodiversity gain and the early provision of substantial parts of the country park will enhance the natural environment. The countryside park will safeguard and maintain adequate separation from Houghton Conquest and put in place a long-term southern boundary to Wixams.

1.15 Policy CS1 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) identifies Wixams as a Major Service Centre recognising the scale and nature of the settlement and the level of facilities that will be created there. Paragraph 3.9.2 notes that it is unlikely that additional large-scale development over and above that presently permitted could be delivered before 2021. Although it acknowledges that beyond this the expansion areas could be brought forward. This was taken forward in the allocation of the land south of Wixams (MA3) within the Site Allocations DPD.

1.16 Policy MA3 relates to the land in between the application site and the main Wixams settlement. This policy required the production of a planning and development brief, a masterplan and a design code to guide the mixed use development. This policy states that development of this site will not commence before 2021 unless determined otherwise by the Council as a result of its annual monitoring process.

1.17 Paragraph 11.5.3 of the Site Allocations DPD states that '*A Planning and Development Brief and Masterplan will be produced to guide the mixed use*

development. It will also explore the potential of land to the south of MA3 to deliver further mixed use development in the period post 2026, together with a country park, in order to put in place a long-term southern boundary to Wixams and maintain separation from the village of Houghton Conquest'.

1.18 Paragraph 11.5.4 of the same document states that *'In order to safeguard and maintain adequate separation from Houghton Conquest, the Council will seek advance planting within, or to the south of, the allocated site. Its exact location shall be agreed as part of the Masterplanning for Policy MA3 and should be brought forward with the development of 1000 dwellings and 5 hectares of employment land. Should it be found that additional land is required to be allocated for development purposes beyond the plan period, a country park of strategic importance will be created incorporating this advance planting and establishing a southern boundary.*

1.19 The Growth Strategy outlined in Policy 2 of the Development Strategy for Central Bedfordshire (although subsequently withdrawn) identified Land South of Wixams as an area for new development. This was to build on the existing planned site of MA3. As stated above paragraph 13.58 of the Development Strategy reiterated that *'The site allocations DPD identified a need to explore the potential of additional land to the south of allocation MA3 to deliver further mixed-use development, together with a countryside park'*. This document goes on to state that development will continue to be focussed on Villages 1-4 of the Wixams main settlement to support the delivery of infrastructure. Commencement of development on the Wixams Southern Extension is not expected before 2021, however, if certain delivery targets are not met within the Wixams main settlement, the Policy enables the early delivery of the Wixams Southern Extension. These delivery targets are identified in the body of Policy 63 which sought to allocate Land south of Wixams for development. The targets are as follows:

- By the end of 2015: The material commencement of the fourth village at the Wixams
- By the end of 2017: The completion of the consented Station Access Road providing a link from the B530 to the Wixams Railway Station
- By 2020: The delivery of the Wixams Railway Station, as shown on the approved Masterplan, or any subsequent approved plans.

The policy states that 'planning applications for the Southern Extension can be brought forward in advance of 2021 to ensure timely delivery post 2021 or in the event that the targets above are not met.

1.20 As noted above the Development Strategy was subsequently withdrawn but is useful in terms of the direction of travel of the Council in terms of this site.

1.21 On 31 March 2015 the Wixams Park Master Plan was adopted for Development Management purposes at the Executive Committee. Wixams Park is the collective name for the two sites previously referred to above in terms of Policy MA3 and Draft Policy 63. This looked at both sites comprehensively and outlined future requirements.

1.22 As acknowledged the site is not currently allocated, but has a raft of planning

history as set out above. The Council are currently working on the new local plan for the area. The Regulation 18 version of the plan was published in July 2017 and underwent a period of consultation - this identified the application site as an area for potential growth. The Regulation 19 version of the plan has now been published and went out for consultation on 11th January 2018. This identifies the application site as an allocation and is referred to as 'Land South of Wixams'.

- 1.23 It could be contested that any development of the site prior to the examination of the local plan maybe premature. The National Planning Practice Guidance makes it clear in paragraph 14 that arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and

(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

In this instance the draft Local Plan while at Regulation 19 stage has not yet been submitted for examination and it is not considered that the approval of development in this instance would prejudice the outcome of the plan-making process.

- 1.24 It is considered that the proposal is in conflict with Policy DM4 and that further assessment in terms of the impacts of the proposal against policies DM13, DM14, CS15 and CS16 of the Core Strategy it is considered that the benefits of the scheme would need to be considered as to whether they outweigh any adverse impacts of the development which are discussed further in the planning balance section of the report.

2.0 Impact on the character and appearance of the area

- 2.1 The site lies between a number of transport routes, to the immediate west of the site lies the B530, with the A6 lying some 1km to the east. Bedford Road runs from the B530 alongside the southern boundary of the Site to the village of Houghton Conquest - which is some 1km to the south of the Site.

- 2.2 The Site lies approximately 3km to the north of the Greensand Ridge which forms a prominent ridge above the vale below. The Site lies within the Vale.

- 2.3 The major land-use within the setting of the site is agricultural, largely arable but with some cattle grazed grasslands. There are a number of lakes and waterbodies in the vicinity of the Site, originating from former clay extraction to produce bricks. There are disused workings and associated waterbodies to the immediate west of the B530. There are several Public Rights of Way (PRoW) mainly footpaths, within the vicinity of the site the majority of which lies to the south of the site providing connections to the Greensand Ridge. There are a number of recreational routes through the setting of the site, including the John Bunyan Trail and the Greensand Ridge Walk.
- 2.4 The site lies within the designated Forest of Marston Vale, there are no other landscape designations within the local or wider setting of the site. The Greensand Country Landscape Partnership extends from the south of Houghton Conquest over and along the Greensand Ridge. This is a 4 year programme which aims to create greater connectivity between the Marston Vale and the Greensand Ridge.
- 2.5 The site also lies within the National Character Area (NCA) 88 Bedfordshire and Cambridgeshire Claylands and the NCA profile describes it as 'a broad, gently undulating, lowland plateau dissected by shallow river valleys that gradually widen as they approach The Fens NCA in the east. The Greensand ridge lies within this area and forms ' a contrasting narrow and elevated outcrop of Greensand' with views of the large scale arable farmland.
- 2.6 In terms of a more local level, the Central Bedfordshire Landscape Character Assessment identifies the Site as lying within the 'North Marston Clay Vale Landscape Character Area' which extends into Bedford Borough. The landscape characteristics are flat and open character which is in contrast to the elevated landform of the Mid Greensand Ridge which lies to the south. The key characteristics are identified as the following:
- large scale, open vale defined by Oxford Clay geology
 - mix of agriculture fragmented by industrial activity and major transport routes
 - a disturbed landscape due to the legacy of extraction for brick making
 - mature woodland is scarce although there are more recent areas of community woodland which are part of the Forest of Marston Vale
 - Open character with expansive views across the vale to prominent landscapes of the wooded Greensand Ridge to the south
 - Bedford's urban fringe and town expansions
 - busy transport routes cut through the LCA including the A421 and railway lines leading from Bedford to London and Bletchley
 - Lines of pylons extending from the Greensand Ridge cuts across the landscape
 - settlement concentrated on the flattest parts of the Vale
 - Stewartby is model village and associated listed chimneys
 - PRoW provide connections to recreational routes.

The conclusion set out in the Landscape and Visual Impact Assessment (LVIA) in relation to landscape character is one of a 'disturbed and interrupted' landscape of North Marston Clay Vale. The landscape is considered to be

fragmented, with limited visual cohesion. Landscape sensitivity is considered to be low, with the landscape having a moderate ability to accommodate residential development. The landscape susceptibility to change is considered to be of medium value.

- 2.7 The effects of the proposed development have been assessed in relation to landscape and visual aspects and form the basis of the LVIA. This involved both desk based and field research. The assessments looked at the impact at Year 1 and Year 15 and also the cumulative effects of approved and allocated sites.
- 2.8 The assessment identified some minor effects on the North Marston Clay Vale, due to physical changes arising from the development and on the Mid Greensand Ridge which overlooks the site due to inter-visibility effects.
- 2.9 The assessment concludes by stating that *'the proposed development will have a visual effect of particular consideration on those view points from public footpaths within the Site and from viewpoints within the local setting, particularly to the immediate north and to the east. Otherwise, due to the local landform and distance the effects are not as significant. Over time growth of the substantial amount of planting within the site will reduce the effects, particularly from the south and south-west and provide a physical buffer between Houghton Conquest and the development to the north. In landscape terms the planting will result in a substantial increase in tree cover and access from the existing situation within an area of relatively low sensitivity.'*
- 2.10 The Landscape Officer has commented on the application and does not raise an objection on landscape character terms. It is noted that the key aspects of the landscape provision include the following:
- countryside park, which provides the main screen to provide visual mitigation to safeguard the rural context of Houghton Conquest,
 - the landscape frontage beside Ampthill Road - this is crucial as the character of this road is being radically changed by development and it is important that new development secures a quality edge to maintain a sense of space between Bedford and Ampthill as well as creating a setting for Wixams
 - integration of more formal landscaped areas such as the sports provision and play areas
 - SuDs provision appropriate to the Forest of Marston Vale
- 2.11 The southern boundary to the Countryside Park is well wooded and it is considered that this would provide adequate screening whilst allowing some views to permeate. The sequence of spinneys south of the residential area will also help to mitigate visual impact, particularly of development when seen from the Countryside Park.
- 2.12 It is considered that the Landscape Framework provides a detailed design framework and it is therefore important that this is followed in terms of the Reserved Matters applications, which could be secured by condition.
- 2.13 It is essential that the southern boundary element is established at the earliest

opportunity to achieve the required screening function and this will be secured by way of condition and the timing will be secured through the S106.

- 2.14 It is acknowledged that the assessment has identified some visual impact in terms of views from within the site and viewpoints within the local setting. However, it is considered that overall there would be no detrimental impact on the character and appearance of the area. The landscaping scheme seeks to draw on the character of the area identified within the landscape character assessment and will minimise any potential effects. The Countryside Park will be of significant benefit in terms of screening the development and safeguards the rural context of Houghton Conquest.

3. Access and Highways Considerations

- 3.1 The Highways Officer has made the following comments on the application: the site currently has access at two points, from the B530 via Thickthorn Lane, an existing single track lane which provides the northern boundary to the site at this point; and from a low order single unmetalled track that connects Great Thickthorn Farm to Bedford Road. This track was previously used as the main access for delivery vehicles to the (now ceased) wood processing facility at Great Thickthorn Farm. This access has now been blocked and is not in use.
- 3.2 The B530 is a single carriageway road running north-south between Bedford and Ampthill. Along the site frontage the B530 is approximately 7.0m wide, is unlit with grass verges and no footpaths, and the speed limit is 60mph.
- 3.3 Bus services – serve the B530 but the nearest bus stop is over 400 m away and therefore doesn't comply with current guidance and there are no footways currently linking to the site.
- 3.4 Train services – the application cites Wixam's planned station as being an opportunity to link residents with frequent train services on the Midland Mainline but the situation with regard to the planned station is currently unclear due to a lack of funding. A contribution has been sought from the development should planning permission be granted towards the provision of the Station.
- 3.5 There are currently no cycle routes serving the site, and there are a number of Rights of Way links from the site to Houghton Conquest.
- 3.6 In terms of collision analysis it indicates that there have been 58 collisions with nine serious in severity but there is no discernible pattern in the study area to indicate that the proposed development would have a negative impact on highway safety.
- 3.7 Surveys identified base highway conditions in July 2016 for one week monitoring the daily flows on the B530 Ampthill Road and at Bedford Road, and junctions between the hours of 7:00am to 9:30am and 4:00pm to 6:30pm. Assessments were made at twelve junctions to indicate movements on A421, A428, A6 and surrounding local road network at Stewartby Lane, Green Lane, Manor Road, Woburn Road, and Chapel End Road: B530 / Stewartby Way priority junction; B530 / Kiln Way roundabout; B530 / Manor Road priority junction; B530 / Polo Field Way / Sam Clark Way roundabout; A6 Ampthill Road / B530 signal controlled junction; A6 Ampthill Road / Elstow Road signal

controlled junction; A421 / A6 roundabout; Woburn Road / Manor Road priority junction; B530 / Bedford Road (Houghton Conquest) junction; A6 / Chapel End Road priority junction; A421 / A428 / Woburn Road signalised roundabout (Marsh Leys roundabout); and, Bedford Road / Green Lane priority junction

- 3.8 The results of the surveys indicate that the AM and PM peak hours on the network are 07:45-08:45 and 17:00-18:00 respectively.

Most of the junctions assessed are shown to operate within capacity in 2016; although Cow Bridge at the A6 Ampthill Road / B530 / Elstow Road in the evening peak operates close to capacity, with degrees of saturation on both the A6 N/B and B530 approaches exceeding 90%.

Junction analysis has also been undertaken for junctions that impact upon the Highways England network including A421/A428 (Marsh Leys) and A421/A6 junctions.

- 3.9 The proposed access strategy for the site follows closely the arrangement set out in the Wixam Park Master Plan Document. Access to the southern site which forms the basis of this application is via a roundabout off the B530 with a further secondary access off Bedford Road, the existing junction of Bedford Road/B530 being closed.
- 3.10 The proposed highway works will include speed limit reductions to B530 (40 mph limit extended to the south of the proposed roundabout) and to Bedford Road (40 mph from the new site access to the 30 mph limit at Houghton Conquest).
- 3.11 Site access on Bedford Road to B530 will be closed to through traffic which will require a stopping up order and a 30 mph speed limit introduced.
- 3.12 The proposal allows for roads within the site to be 30 mph – the road hierarchy for the site should conform to CBC design guide with low speeds and 20 mph speed limits as appropriate and particularly in the vicinity of the school. These should be secured by planning condition in any subsequent reserve matters application.
- 3.13 The development proposal states that connectivity will be provided linking FP10 (Thickthorn Lane) to the footway /cycleway being provided as a result of Wixams village 4 access works. In the absence of improvements to secure a high quality link with regard to this particular application along FP10, connectivity also needs to be provided adjacent to the B530 from this application site. Connectivity cannot be predicated on site MA3 as there is currently no application on this site. Necessary foot and cycle links would need to be secured by planning condition.
- 3.14 Ultimately the Wixams Park development in its totality will provide two points of access with a looped internal arrangement, however until that time necessary turning heads will need to be provided within the development such that refuse vehicles and (potentially) school buses can enter the site safely and turn. These should be secured by planning condition in any subsequent reserve matters application.
- 3.15 It is anticipated that public transport will need to enter this site and therefore

the internal layout will need to be designed in order to accommodate buses with bus stops introduced at relevant locations. In order to support the access arrangements proposed as part of this application new stops will need to be introduced and relevant tracking diagrams provided to ensure that vehicles can safely enter and leave the site.

- 3.16 For Wixams Park, the vehicle trip rates are deduced from the national TRICS database. For residential these are at the lower end of the range typically experienced at 0.51 in each peak hour between 08:00 to 09:00 and 17:00 and 18:00 hrs, generating a flow of 356 and 358 vehicles in the morning and evening and 3,240 between 07:00 and 19:00 hours each weekday. The trip rates were previously agreed with the Council.
- 3.17 Primary School trips by vehicles for pupils and staff generate peak hour trips of 198 in the morning and 32 in the afternoon. The lower afternoon departure flow reflecting earlier school finish times in the afternoon. This approach is supported.
- 3.18 To assess the future years, growth factors were applied to the 2016 traffic to which is added that associated with the committed development plus the generated flows. This traffic is distributed onto the network in proportion of the 2011 census journeys to work. This approach is supported.

The route assignment is such that the most significant impact is as follows:

A6 south 24%

A6 north 16%

A421 south to MK 11%

Within Central Bedfordshire, 24% of traffic will journey through Houghton Conquest to the A6(S), 21% will journey south on the B530 but with only 3% carrying on to Ampthill, the remainder travelling west through Stewartby to A421 and the M1. 55% of the development traffic will turn to the right along the B530 in the Bedford direction. The assumption is also that there are no through movements through Wixams itself.

- 3.19 Junction assessments have been provided for both accesses onto the B530 in addition to 9 additional junctions. Junction capacities have been assessed for the assumed year of opening, 2020, and for the design year of 2027, both with and without the traffic generated by the Proposed Development. Traffic generated by the other committed developments has been included in the base flows. This methodology is supported
- 3.20 The site accesses operate well according to testing, however concerns have been raised regarding six nearby junctions and a further junction is considered border line in capacity terms. The junctions of concern are the B530/ Manor Road junction; Cow Bridge junction; Manor Road/ Woburn Road; A6/ Chapel Road; A421/A428 and B530/ Stewartby Way. The border line junction is the B530/ Kiln Lane.
- 3.21 Of the junctions above the A6/Chapel End Rd Houghton Conquest and the B530/Stewartby Way are in Central Bedfordshire.

- 3.22 It is argued that the Wixams Park development has a more limited impact on the tested junctions than the other committed developments. For instance the A6/Chapel End Road junction will see increasing traffic levels of traffic of 39% between 2016 and 2027 but only 13% of that traffic is attributable to the development.
- 3.23 The application proposes that a scheme of monitoring is undertaken at the junctions for which the impact is the most severe and mitigation measures only introduced when junction capacity increases reach a critical stage.
- These junctions are as follows:
- A6 / Chapel End Road – Installation of single lane dualling to provide more gaps for safer right turn manoeuvres from Chapel End Road to A6
- B530 Ampthill Road / Manor Road signalisation to better cater for right turns from Manor Road to Ampthill Roads
- Woburn Road / Manor Road - Signalisation to better cater for right turns
- 3.24 Within Central Bedfordshire the mitigation proposed for the A6/Chapel End Rd. junction provides sufficient capacity to cater for traffic associated with all of the committed development, the proposed development and general growth.
- 3.25 The signalisation of the Manor Rd/B530 junction operates within theoretical capacity for this development site but not with the inclusion of the MA3 site and therefore it is anticipated that this site will trigger the need for further work.
- 3.26 Two schemes for the signalisation of the Manor Rd/Woburn Rd junction are identified, the second scheme being required when the MA3 policy area is developed.
- 3.27 The three arm roundabout off the B530 is considered acceptable.
- 3.28 The access street off Bedford Road is 6.5m wide with 8m junction radii and is generally considered acceptable for access by cars and public transport, however as with the roundabout no tracking has been provided to ensure access by the largest vehicles such as a bus and the 11.5m long refuse collection vehicle (RCV) can gain access with hindrance.
- 3.29 A 2m wide footway is also required to link this development with Houghton Conquest on the northern side of Bedford Road. Horizontal traffic calming is also recommended to extend from the features provided for the land to the rear of Duck End Close up to the public transport access. The traffic calming features would be spaced circa 60m to 90m apart if the road is reduced in speed to 30mph in line with Local Transport Note 01/07, these last two matters though can be included within the conditions.
- 3.30 The last access is at the point where Bedford Road would be stopped up towards it's current junction with the B530 and should be retained as a footway/cycleway at 3m in width. At the moment the plans do now show where access for pedestrian/cyclists will be taken. For the limited number of dwellings this would take (see indicative layout within Design and Access Statement) the width is considered acceptable. A 2m wide footway will need to be provided from this access and the next access serving public transport which can be

conditioned.

- 3.31 The proposed alteration at the A6/Chapel End Road would be for single lane dualling which would require through lanes of 4m, north and south, with a minimum physical island width of 10m, so a minimum carriageway width of 18m in total for which highway land is available, the existing ghost right turn junction is circa 10/11m in width. The design when submitted for Section 278 Agreement process will need to be fully DMRB compliant and decelerating length into the junction (travelling southwards) will be dependent on the gradient of the A6. It is considered that this junction alteration can be accommodated within the highway boundary and as such can be conditioned at this stage.
- 3.32 In summary, the Transport Assessment presents an analysis of the potential impacts of the proposal.
- 3.33 The highway access proposals are satisfactory and will need to be subject to a S278 highways agreement to deliver.
- 3.34 The most significant traffic impacts occur within Bedford Borough's area mainly due to the need to accommodate right turn traffic; although it will be necessary to alter the A6 / Chapel End junction by introducing single lane dualling. This will need to be subject to a S278 highways agreement to deliver.
- 3.35 Additional lengths of footpath need to be provided to connect the Bedford Rd accesses to Houghton Conquest with associated reductions in speed limit and street lighting.
- 3.36 On the basis of the assumptions contained within this TA it is anticipated that all of the highway mitigation works will be required prior to full occupation, therefore a trigger point will need to be agreed within the S106 for earlier delivery.
- 3.37 The applicants have met with Highways Officers at Bedford Borough Council following their concerns raised in their representation. The applicant has subsequently proposed a package of measures to overcome their concerns. This looks to secure contributions towards junction improvements on the junctions identified in their area. This package has been put to Bedford Borough Council Highway Officers and an update on this will be provided on the late sheet.
- 3.38 Highways England have been consulted on the application and following more information submitted by the applicant do not raise any objection, subject to a condition in relation to a revised Travel Plan.
- 3.39 In terms of Rights of Way improvements are required to footpaths linking the site to Houghton Conquest, in particular footpaths 9, 10 and 12.
- 3.40 It is considered that the proposed development would be acceptable in highway terms and would not have a detrimental impact on highway safety.

4. Impact on the amenity of neighbouring residents

- 4.1 In terms of neighbouring properties in the vicinity of the site, Great Thickthorn

Farm is located in the centre of the site area, the farm buildings and associated curtilage are excluded from the planning application. Great Thickthorn Farm includes a farmhouse that remains in residential use. Tracks run through the site. A rough unmade track provides access from Bedford Road and is within the application boundary. A second track runs from Thickthorn Lane providing access into the Farm from the north. Thickthorn Lane is not within the application site, but the track continuing to Great Thickthorn Farm is.

- 4.2 In terms of Great Thickthorn Farm, the parameter plan shows that the farm will be bounded on three sides by the countryside park and landscaping. The boundary to the north will be defined by an access route and then residential development. It is considered that through the reserved matters process that an appropriate relationship can be designed between the Farm and the residential parcel to ensure that there is no loss of amenity.
- 4.3 Little Thickthorn Farm is located to the north of the application site and is contained within the MA3 site. Access to this is via Thickthorn Lane. The site is therefore fairly separated from the application site, with some landscape amenity and retained vegetation and it is not considered that the development of this site would have a detrimental impact on the amenities of this Farm.
- 4.4 A commercial property is located on the western side of Ampthill Road, opposite the junction with Bedford Road. Two residential bungalows are adjacent to this commercial property.
- 4.5 The main access to the site on the B530 has been sited north of these properties, with an area of landscape amenity space set along this frontage boundary. It is considered that this would provide a sufficient separation distance with these existing properties and that any reserved matters application will ensure an appropriate relationship with these dwellings and future dwellings on the site.
- 4.6 It is not considered that the proposed development would have a detrimental impact on the residential amenities of any existing neighbouring properties.
- 4.7 In terms of the wider context, the countryside park will assist in demarcating the boundary of the Wixams area and will provide a natural separation between Wixams and Houghton Conquest.

5. Biodiversity

- 5.1 Policy CS18 of the Core Strategy and Development Management Policies for Central Bedfordshire supports the designation, management and protection of biodiversity particularly where designated, it also supports the creation of biodiversity networks.
- 5.2 The site is not subject to any national, international or local ecological designations. The application has been supported by an Ecological assessment this states that the extensive green infrastructure network proposed within the development would provide significant net ecological gains within the site and strengthen the local ecological network.
- 5.3 Protected species have been identified on the site or making use of the site, it

is considered that appropriate mitigation measures can be put in place and secured by condition to prevent significant effects on those species.

- 5.4 The Council's Ecologist has commented on the application and whilst they have raised no objection to the application they have recommended a number of conditions. The Council's Ecologist is overall content that the potential ecological impacts of the proposal have been adequately assessed and the provision of open space and additional habitats should result in a net gain in biodiversity.
- 5.5 Survey information is generally accepted to remain relevant for up to 2 years, so some of the surveys are approaching the end of their validity, but are sufficient to inform the outline application. Given the size of the proposal it is likely that construction will occur in parcels which may take a number of years to come forward. Each element of the development should therefore be informed by up to date ecological assessment.
- 5.6 Equally, given the scale of development and the need to consider a European Protected Species a construction environmental management plan should be provided.
- 5.7 It is considered that the proposal would deliver a net gain in biodiversity and would therefore comply with Policy CS18 and paragraph 109 of the NPPF.

6. Historic Environment

6.1 Archaeology

The proposed development site lies within a known archaeological landscape and recent archaeological evaluation (in association with this application) has produced evidence for multi-period activity within the site boundary. Some of this activity, such as the late Iron Age/Roman settlements (HER 20505 and 20506) and the possible medieval occupation evidence (HER 3282) are considered to be heritage assets with archaeological interest (as defined by the NPPF).

- 6.2 This application is supported by a number of documents that detail the archaeological investigations thus far undertaken at the site. The documents include the results of a geophysical survey (Stratascan 2016), a *Desk-Based Heritage Assessment* (Albion Archaeology 2017), a *Heritage Statement* (Albion Archaeology 2017) and the first draft of the archaeological field evaluation report (Albion Archaeology 2017). These documents present evidence relating to the known history and archaeology of the application area and its surroundings, including the recent discoveries made as a result of the geophysical survey and intrusive trial trenching.
- 6.3 The most significant archaeological remains identified by the work undertaken in connection with this application are two areas of late Iron Age/Roman settlement activity. These had not previously been identified and they are located in the eastern half of the application area; at the southern tip (Area A in the Albion Archaeology reports) and the far eastern edge (Area B in the Albion Archaeology reports). The evaluation established that in both cases the settlements appeared to be defined by enclosure ditches and core domestic areas could be also identified. In Area A (HER 20505), there was some

evidence for a substantial Roman building, although it is not necessarily believed to be located within the application area. The settlement in Area A seemed to continue into at least the 3rd/4th century AD and there may have also been some early Saxon occupation (5th century) in this area as well. Area B (HER 20506) seemed to have been largely dated to the late Iron Age and early Roman periods but also produced evidence for a small contemporary cremation cemetery.

- 6.4 In addition to the late Iron Age and Roman activity there is some slight evidence of medieval occupation (Area C in the Albion Archaeology Reports) and this may relate to the a possible deserted settlement previously recorded on the Central Bedfordshire and Luton Historic Environment Record (HER) around Great Thickthorn Farm (HER 3282). Other activity across the application area represents evidence of medieval and post medieval cultivation practises such as ridge and furrow (Area D in the Albion Archaeology Reports).
- 6.5 The available plans suggest that some of the archaeological remains are located in areas suggested for housing (Area B and Area C) while others such as Area A will be mostly within the country park and new woodland, with some possibly under the formal sports pitches.
- 6.6 Section 5 of the *Heritage Statement* discusses the likely impact of the development on the archaeological remains. It considers the impacts before mitigation and after mitigation. Mostly the conclusions drawn in this section are adequate; except for the suggestion that significant part of Area A could be preserved *in situ* within the country park area. It is not appropriate to suggest a significant archaeological site can be preserved *in situ* within an area of woodland, particularly not when there are few details relating to the woodland at this stage. Further more, it is clear from the evaluation that there is a substantial building associated with the activity in Area A. It is possible that this building lies to the south of the application area, but not certain. It is unusual in Central Bedfordshire to find evidence of substantial Roman buildings; these are generally considered to be higher status and may be associated with a range of significant artefacts. If this settlement is preserved *in situ* within the country park, a publicly accessible open space, it will be very vulnerable to unscrupulous metal detectorists and this would not be appropriate. It is also questionable as to whether sports pitches can be seen as being low impact. The archaeological deposits in Area A were encountered less than 0.5 metres below the present ground surface, sports pitches sometimes require drainage and other ground reduction. Therefore, it is not appropriate to suggest archaeological remains in an area where sports pitches are proposed can be effectively preserved *in situ*.
- 6.7 Archaeological evaluation has demonstrated that the proposed development site contains multi-period archaeological remains, some of which can be considered to be heritage assets with archaeological interest (as defined by the NPPF).
- 6.8 Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence

(and any archive generated) publicly accessible (CLG 2012).

- 6.9 There are elements of the proposed development that will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of all heritage assets at the site. In the areas that will be impacted upon by the development proposals, this will be achieved by the investigation and recording of all archaeological deposits that may be affected; and will take the form of an open area excavation. It is acknowledged that because this is an outline application, some elements of the proposal may change and therefore subject to detailed plans it may be acceptable for some preservation of archaeological remains *in situ*. As a consequence, each stage of the development will require a Scheme of Heritage Asset Resource Management (SHARM). Each scheme of works will also include the post-excavation analysis of any archive material generated and the publication of a report(s) on the works. In order to secure this, please attach the following three conditions to any permission granted in respect of this application.
- 6.10 Historic England
Historic England have raised concerns regarding the setting of Houghton House, Grade 1 listed, and Scheduled which overlooks the Marston Vale from the south. The house is situated in an elevated position on the northern edge of the escarpment to the north of Amptill and was originally surrounded by mature parkland. Views out from the house over the landscape played a particularly important role. The house was specifically designed with two views in mind: that from the front the house looking north (towards the development site) and that to the west.
- 6.11 Historic England maintain that the long distance views contribute much to the significance of the site and form an important part of its setting. They consider that the proposals would result in minor harm to the significance of heritage assets owing to the impact on the setting of the Grade 1 listed and Scheduled Houghton House caused by further erosion of the rural vista to the north.
- 6.12 The Heritage Statement submitted in support of the application and the rebuttal submitted on 13th October by the Archaeology Collective does not agree with this position. Historic England raise concerns regarding the views from Houghton House and an avenue of trees. The avenue of trees depicted on the first edition OS mapping from c.1883 as referred to in the letter from Historic England is no longer present. The applicants argue that therefore any view along this avenue which is the past may have framed the Vale to the north can no longer be said to contribute to the significance of the house, due to the absence of the avenue. Whilst the avenue may have augmented the view in the past, it doesn't now. The NPPF emphasises that in relation to the setting of historic assets that setting 'changes and evolves'.
- 6.13 Comments from Historic England also refer to views from the second floor, however, the second floor no longer exists, having been dismantled in 1794. Consequently, views from the upper floor that may have existed towards the application site prior to 1794 are irrelevant when determining the significance

of the structure at the present time, on the basis that the house has clearly changed and evolved over time. It is also noted that it is listed as a ruin and not a complete structure. Therefore, only views from those parts of the ground floor that survive are relevant to any assessment as to how views out from the house to the north contribute to its significance.

- 6.14 The Heritage Statement makes it clear that these views have changed significantly since the house was built, and since the time of the 1st edition Ordnance Survey map.
- 6.15 The Heritage Statement assesses that the proposed development will in the main involve a very minor if not negligible change to an expansive view out from the building towards the proposed development; a view which includes a substantial number of modern developments, all be it at a greater distance from the proposed site. The Heritage statement therefore disagrees with the statement from Historic England and concludes that there is likely to be no harm for the purposes of the planning balance in paragraphs 132 to 134 of the NPPF and no harm for the purposes of the decision maker's duty under section 66(1) of the Act'
- 6.16 Given this conflicting position, advice was sought from the Council's Archaeologist who had previously raised no concern in terms of the setting of Houghton House and the Conservation Officer. The Archaeological Officer undertook a site visit on 6th October to assess the impact on the setting of the monument from the proposed development. In terms of views from the naked eye, it was difficult to see the site partly because of the undulations in the topography, the existing vegetation (hedgerows and hedgerow trees), the small pockets of residential development (Houghton Conquest and Chapel End) which draw the eye in the immediate foreground of the site and that the site is some 3km from the scheduled monument. Using binoculars the site could be identified but only partially because the northerly part is in a slight topographical dip.
- 6.17 The developments that are more obvious in the Marston Vale are the industrial type units/ distribution buildings not just because of their scale but also their colour. The residential developments are less obvious because of their more muted colour tones. It is therefore considered that any impact on the visual elements of the setting of Houghton House from the proposed development site could only be considered in terms of the cumulative effect of another area of development within the Marston Vale and as such, given the lack of inter-visibility between the proposed development and Houghton House, it is considered that there would be only very minor harm.
- 6.18 The Conservation Officer concurs with Historic England in terms of attributing weight to the setting of Houghton House, as views from country houses of this period did play an integral part of their design. The NPPF makes it clear that the extent of the setting of a heritage asset 'is not fixed and may change as the asset and its surrounding evolve'. It goes further to discuss the setting and the significance this has on heritage assets. Although setting itself is not a heritage asset nor a heritage designation, it is what that land contributes to the significance of that asset or to the ability to appreciate that significance. Given the guidance and the location of the Hall and its relationship with the Vale it

would not be unreasonable to conclude that these designed views contribute to significance. From this it is concluded that there would be minor harm.

- 6.19 Minor harm would be considered to amount to less than substantial harm in terms of the NPPF and therefore paragraph 134 would be relevant and any identified harm would need to be weighed against the public benefits of the proposal. Further to this in terms of Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 in considering whether to grant planning permission for development which affects a listed building or its setting, special regard should be given to the desirability of preserving the building or its setting. Further assessment in relation to the benefits of the proposal against the identified harm will be undertaken in the planning balance section of the report.

7. Planning Contributions

- 7.1 A S106 agreement will be used to secure the relevant contributions required towards local infrastructure. During the application process and requests from relevant spending officers the following heads of terms have been agreed with the applicant.

Housing Delivery

- A build rate timetable clause which will agree to deliver 240 homes within the next 5 years

Affordable Housing

- Policy compliant affordable housing provision of 35%

Education

- 2.0ha of land for the provision of a primary school.
- Primary and Early Years financial contribution of £5,310,268.00. The S106 provisions will allow mechanisms for the Council or developer to build the school and for it to be built and open within 2 years of commencement of development.
- Contribution of £4,134,443 towards the extension of Wixams Secondary School. The trigger for this payment is to be agreed in association with Bedford Borough Council.

Health Contributions

- £536,750.77 for GP Core Services
- £126,399.00 for Mental Health
- £1,439,399.00 for Acute
- £118,319.00 for community healthcare

Total financial contribution of £2,220,867.77 towards the delivery of a health centre within the main Wixams site on the land previously secured within Village 3 (in the proposed town centre).

Other contributions:

- £100,000.00 towards improvements/ extension towards Houghton Conquest Village Hall.

- £1,935,050.00 towards the provision of a railway station within main Wixams. Should this station not come forward then suitable provision will be contained within the S106 to enable the money to be used towards alternative public transport measures.
- Public transport contribution and off-site highway works
- Playing pitches and play area provisions
- Provision of the Countryside park. This will be delivered in two phases as set out in the Landscape and Green Infrastructure Strategy Rev A (Nov 2017): Stage 1 will be implemented prior to first occupation – this includes the majority of the core of the countryside park and the basins associated with the attenuation from the majority of the core of the countryside park but excluding those associated with residential development. Stage 1 works are likely to include – demarcation of the core countryside park with a post and wire fence, implementation within the core of the countryside park, including creation and seeding of attenuation basins, planting of woodland belts, gapping up of hedgerows, mounding, general meadow seeding, improvements to existing rights of way, implementation of circulation routes, species rich grasslands/ wild flower areas and planting, temporary seeding of buffer/ construction zone. Stage 2 will include the implementation within the Greenways of the countryside park, completion adjacent to the residential phases, including playing pitch and play areas, completion of circulation routes and species rich grasslands/ wild flower areas and planting.

The proposed heads of terms are considered to meet the tests as set out in terms of the Community Infrastructure Levy.

8. The Planning Balance

- 8.1 As stated at the beginning of the report S38(6) of the Planning and Compulsory Purchase Act (2004) and the National Planning Policy Framework (NPPF) (2012) set out that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (para 11).
- 8.2 It is considered that whilst the development plan as a whole falls to be considered under Section 38(6) of the Planning and Compulsory Purchase Act 2004, as amended, the relevant policies of determining this application focus upon Core Strategy Policies DM4, DM13, DM14, CS15 and CS16.
- 8.3 In terms of Policy DM4 the proposal would be outside of any defined settlement envelope and therefore in so far as it being outside of any settlement envelope would be contrary to this policy. It is considered that weight should be given to this policy and that it is not out of date.
- 8.4 Policies DM14 and CS16 of the Core Strategy and Development Management Policies for Central Bedfordshire in terms of landscape and paragraph 132 of the NPPF in terms of heritage assets require that where there is identified harm that this is assessed against the public benefits of the scheme. In terms of Policies DM14 and CS16 it is acknowledged within the report that the proposal will cause some harm to the character of the area, however, it is not

considered that this would be significant and the Landscape Officer has raised no objection on landscape grounds. It is therefore considered that this would result in limited harm.

- 8.5 In terms of policies DM13, and CS15 - these point the decision maker to national guidance, and the preservation of heritage assets. The report has acknowledged that there would be minor harm to the setting of Houghton House. The duty in Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires there to be considerable importance and weight given to preserving the setting of listed buildings. Paragraph 134 of the NPPF highlights that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. It is therefore considered whilst harm has been identified and therefore the proposal would be in conflict with these policies that a further assessment of the benefits of the proposal has to take place.
- 8.6 Benefits of the proposal
The provision of market housing: the scheme would create up to an additional 650 dwellings. The build rate time table agrees to deliver 240 of these within the next 5 years.
- 8.7 The provision of affordable housing: the scheme would be policy compliant in terms of affordable housing and would therefore secure 35% affordable housing on the site. This would equate to up to 228 dwellings.
- 8.8 Social Benefits: The proposal would provide housing to meet the need and growth aspirations. The site is in an accessible and sustainable location close to key services and facilities. The early provision of the school and countryside park are considered to be social benefits allowing early access to a school on the site thereby reducing car journeys and also provision of recreational space within the countryside park area.
- 8.9 Economic and employment benefits: the scheme would support the provision of jobs within the construction industry and would be eligible for a new homes bonus. There would also be increased spending power given the increased local residents.
- 8.10 Environmental benefits and Public Open space: The proposal involves the provision of the countryside park, informal public open space, landscaping, provision of footpaths across the site, play areas and informal recreational open space. There would also be the provision of playing pitches and therefore more formal play provision within the site.
- 8.11 Biodiversity and Ecological benefits: the NPPF looks for development to ensure that biodiversity is maintained and enhanced where possible on the site. The proposal includes a number of enhancements in terms of biodiversity and there is a substantial amount of landscape buffering, countryside park, attenuation ponds which will create landscape features of value to both wildlife and residents alike.
- 8.12 The planning contributions have already been discussed in the section above.

The proposal will lead to increased pressure on existing infrastructure, services and facilities. Where contributions have been deemed necessary to make the scheme acceptable in planning terms these have been secured and detailed above.

- 8.13 The provision of both market and affordable housing can be regarded as a benefit of the scheme. Whilst affordable housing is a policy requirement, there is case law which determines that such provision should be regarded as a benefit which should be given weight in the planning balance. In addition to this the provision of housing is also a benefit which should be given weight in determining an application, as it would seek to maintain and provide additional buffer in terms of the Council's required 5 year housing supply.
- 8.14 In terms of economic benefits these can be given weight as a benefit as it will provide a large number of jobs within the construction industry.
- 8.15 The countryside park is also considered to be a benefit of the scheme, this will provide a natural barrier and boundary to the Wixams site with Houghton Conquest and will seek to retain the rural feel of Houghton Conquest. The space will also provide additional opportunities for recreation for both existing and future residents. The additional playing pitch provision is also an additional facility for the local community.
- 8.16 Other considerations
It is also acknowledged that the site was not originally intended to come forward until after 2021 However, Policy 63 of the draft Development Strategy set out certain delivery targets for the main Wixams site due to slow progress in delivery of the main Wixams site. The policy made it clear that if these targets were not met then the Wixams Southern Expansion could be brought forward earlier. These targets related to the material commencement of the fourth village by end of 2015; the completion of the consented Station Access Road providing a link from B530 to the Wixams Railway Station by the end of 2017; the delivery of Wixams Railway Station as shown on the approved masterplan by 2020. A number of these targets were not met and therefore the masterplan for MA3 and this site was progressed. Since then, whilst it is acknowledged that development of the main Wixams site has progressed, the pressure for delivery of housing has increased. Whilst there will be limited connectivity on commencement of the development, this would be a temporary situation and will improve during the life of the development. Whilst the Development Strategy was withdrawn, it provides useful background in terms of this site and its planning history.
- 8.17 As set out in the principle of development section, the site has an extensive planning history. It is set out in the Draft Local Plan (Regulation 19) which is currently out for consultation prior to submission as an allocation, referred to as 'Land South of Wixams'. It was previously an identified allocation within the withdrawn Development Strategy (Policy 63) and has an approved Masterplan for the combined site with MA3. This would be a material consideration in the determination of the application.
- 8.18 It is evident from the report that the proposal would be in conflict with Policy

DM4 of the development plan in so far as it seeks to direct development within settlement envelopes. Through the assessment of the benefits of the scheme, it is considered that the benefits would outweigh the limited harm to the character of the area and the minor harm to the setting of Houghton House. In addition to this the planning history of the site is a material consideration and would be given weight in this instance.

- 8.19 It is therefore considered on balance that the benefits of the scheme and other material considerations outlined in the report would outweigh the identified harm to the heritage asset, the landscape and the conflict with Policy DM4 of the Core Strategy and Development Management Policies for Central Bedfordshire (North).

9. Other Matters

9.1 Human Rights issues:

The development has been assessed in the context of human rights and would have no relevant implications.

9.2 Equality Act 2010:

The development has been assessed in the context of the Equalities Act 2010 and would have no relevant implications.

Recommendation:

That outline planning permission be approved subject to the following conditions:

RECOMMENDED CONDITIONS

- 1 **Approval of the details of the appearance, landscaping, layout and scale of the development within each area approved as identified in condition 4, (herein called ‘the reserved matters’) shall be obtained in writing from the local planning authority before development is commenced within that area. The development shall be carried out in accordance with the approved details.**

Reason: To comply with Article 5(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 2 Application for approval of the reserved matters for each area, as identified in condition 4, shall be made to the local planning authority before the expiration of ten years from the date of this permission. The development shall begin no later than two years from the approval of the final reserved matters.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 Each reserved matters application shall demonstrate how it has taken account of the principles set out within the submitted Design Framework

Document (David Lock Associates, May 2017):

- Section 4 - Character Areas
- Section 5 - Layout, Scale & Form
- Section 6 - Access & Movement
- (d) Section 7 - Landscape, Ecology & Open Space
- (e) Section 8 - Secured by Design

and the submitted revised Parameter Plan ORS004\OPA\002] (David Lock Associates, December 2017)

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority in accordance with Policies CS14 and DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009)

- 4 Prior to the submission of the first reserved matters, an areas plan for the entire application site shall be submitted to and approved in writing by the Local Planning Authority. The areas plan shall show a maximum of 10 residential areas and shall define the location and extent of the education area and each residential area and the number of dwellings in each area;

Reason: In order to ensure the proper and timely provision of the development.

- 5 No more than 650 dwellings shall be constructed on the site pursuant to this planning permission.

Reason: For the avoidance of doubt.

- 6 **(i) No development shall begin until the details for the provision of 2.0m wide footway along Bedford Road between the site access point marked A on submitted and the existing footway in Houghton Conquest at the point marked B on the Footpath connections plan ORS004\OPA\003] (David Lock Associates, December 2017) have been submitted to and approved in writing by the Local Planning Authority.**

(ii) No development shall begin until the details for the provision of 3.0m wide footway/ cycleway between the junction of Thickthorn Lane with Ampthill Road (B530) at the point marked C and the proposed new roundabout serving the development of the site on the B530 Ampthill Road at the point marked D on the Footpath Connections Plan ORS004\OPA\003 have been submitted to and approved in writing by the Local Planning Authority.

No dwellings shall be occupied until the footways have 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 in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009 and Section 4 of the

National Planning Policy Framework

- 7 No dwelling shall be constructed until the junction(s) of the proposed vehicular access points with the highway have been constructed to base course level in accordance with the approved details. No dwelling shall be occupied until the junction has been fully implemented in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009 and Section 4 of the National Planning Policy Framework

- 8 The development shall be served by means of roads, turning heads 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 in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009 and Section 4 of the National Planning Policy Framework

- 9 No dwelling shall be occupied until visibility splays have been provided at the junction of the estate road with the Bedford Road. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed estate road from its junction with the channel of the public highway and 43m measured from the centre line of the proposed estate road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be kept free of any obstruction 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) in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009 and Section 4 of the National Planning Policy Framework

- 10 Visibility splays shall be provided at all 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 above the adjacent carriageway level.

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

safety in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009 and Section 4 of the National Planning Policy Framework .

- 11 **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) Rhino type 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 in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009 and Section 4 of the National Planning Policy Framework .

- 12 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 the car and cycle parking areas serving each dwelling shall be made available for use before the dwelling is occupied and those 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 in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009 and Section 4 of the National Planning Policy Framework.

- 13 Prior to occupation of the 25th dwelling a scheme for traffic calming on Bedford Road between site vehicle access points shown on the approved plans, a scheme for traffic calming shall be submitted to and approved in writing by the Local Planning Authority. The approved traffic calming scheme shall be fully implemented prior to the 50th dwelling occupation.

Reason: To ensure the provision of appropriate speed reduction measures in the interests of highway and pedestrian safety in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009 and Section 4 of the National Planning Policy Framework.

- 14 Prior to occupation of the 25th dwelling a scheme for a single lane dualling junction improvement on A6/Chapel End Road junction shall be submitted to and approved in writing by the Local Planning Authority. The approved traffic calming scheme shall be fully implemented prior to the 50th dwelling occupation.

Reason: In order to minimise danger and inconvenience to users of the highway and of the development in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009 and Section 4 of the National Planning Policy Framework .

- 15 **(i) Prior to the submission of any reserved matters applications for any area of residential development approved as per condition 4 of this permission:**

(a) an overarching Landscape and Open Space Implementation and Management Plan; and

(b) a reserved matters application for the countryside park in accordance with the submitted Landscape & Green Infrastructure Strategy Revision A (The Landscape Partnership, November 2017

shall be submitted to the local planning authority.

The Landscape and Open Space Implementation and Management Plan shall set out the requirements for delivery of the areas of landscaping and open space in accordance with the principles set out within the submitted Landscape & Green Infrastructure Strategy Revision A and the areas plan approved by condition 4 and shall include:

a) a programme for implementation ;

b) long-term design objectives for the laying out of areas of green infrastructure and open space within the residential development areas including any replacement planting;

c) short and long-term management responsibilities;

d) maintenance schedules for all hard and soft landscape areas, open spaces and play areas (other than privately owned domestic gardens), and any associated features.

(ii) No development shall commence until the Landscape and Green Infrastructure Implementation and Management Plan has been approved in writing by the Local Planning Authority and approval of reserved matters granted for the countryside park

(iii) The development shall be carried out in accordance with the approved overarching Landscape and Open Space Implementation and Management Plan.

Reason: To ensure a satisfactory appearance of the development in accordance with policies DM3 and DM16 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009.

- 16 The landscaping scheme(s) required by conditions 1 and 15 of this permission shall show the numbers, types and sizes of trees, grass and shrubs to be planted and their location in relation to proposed buildings, underground services and/or engineering works and shall include details of any hard surfaces and earth mounding. The approved scheme for each area approved by condition 4 of this permission shall be implemented by the end of the full planting season immediately following the completion of that identified area (a full planting season means the period from October to March). The trees, shrubs and grass shall be subsequently maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.

Reason: To ensure a satisfactory appearance of the development in accordance with Policies DM3 and DM16 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009.

- 17 **Prior to commencement of any development on site for each area of the development approved as per condition 4 an Arboricultural Method Statement and Tree Protection Plan following the principles set out in the submitted Tree Survey incorporating Arboricultural Impact Assessment (The Landscape Partnership, May 2017) shall be submitted to and approved in writing by the Local Planning Authority.**

The development shall be carried out in accordance with the approved statement(s) and plan(s).

Reason: To safeguard existing trees on site in accordance with Policy DM14 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009.

- 18 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Surface Water Drainage Strategy (May 2017), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and a restriction in run-off rates to that outlined by the IDB. Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included.**

The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of and maintenance and prevent the increased risk of flooding both on and off site, in accordance with Para 103 National Planning Policy Framework (2012).

- 19 No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 20 Unless otherwise approved in writing by the Local Planning Authority no development shall commence in each area of the development approved as per condition 4 until a foul water strategy for that area has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works described in the approved strategy serving that dwelling have been carried out in accordance with the foul water strategy so approved.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009.

- 21 (i) No development in any area of the development approved as per condition 4 of this planning permission shall take place until a Phase 2 investigation report, as recommended by the previously submitted AECOM

report dated May 2017 has been submitted to and approved in writing by the Local Planning Authority for that area. Where found to be necessary by the phase 2 report a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

(ii) Before any permitted dwelling is occupied in an area of the development approved as per condition 4 of this planning permission the effectiveness of any remediation strategy as required by Condition 21 (i) above in relation to that area shall be demonstrated to the Local Planning Authority by means of a validation report unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during the works.

Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009.

- 22 **Prior to the commencement of the development hereby permitted a Construction Environmental Management Plan (CEMP) shall be submitted and approved in writing by the Local Planning Authority. This plan shall include measures that all developers, contractors and subcontractors will employ at all times during the construction, demolition and any other engineering operations on the site. The CEMP shall include:**
- **Measures to be used to control and suppress dust;**
 - **Measures to be used to reduce the impact of noise and vibration arising from activities on site in accordance with best practice as set out in BS5228:2009 “Code of Practice for noise and vibration control on construction and open sites”;**
 - **The siting and layout of works compounds including material storage areas.**

The implementation of the development shall only be undertaken in accordance with the approved CEMP.

Reason: To safeguard the amenities of the occupiers of neighbouring residential premises in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009.

- 23 Noise resulting from the use of the plant, machinery or equipment shall not exceed the existing background level when measured or calculated according to BS4142:2014.

Reason: To protect the residential amenity of any existing or future users in

accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009.

- 24 Works in respect of the construction on the development hereby permitted shall be restricted to 8.00am - 6.00pm Monday – Friday 8.00am – 1.00pm on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To protect the residential amenity of any existing and future occupiers in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009.

- 25 **No development shall commence in a residential area of the site identified in accordance with condition 4, until the applicant has submitted to and had approved in writing to the Local Planning Authority a scheme of noise attenuation measures for that residential area which will ensure that internal noise levels from external rail and road traffic noise sources shall not exceed 35dB LAeq, 07.00am – 11.00pm in any habitable room or 30dB L_{Amax} 11.00pm – 07.00am (more than 15 times a night) inside any bedroom, and that external noise levels from external rail and road traffic noise sources shall not exceed 55dB LAeq(1 hour) in outdoor amenity areas.**

Any works which form part of the scheme approved by the Local Planning Authority shall be completed, and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the Local Planning Authority in writing, before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority.

Reason: To protect the residential amenity of any existing and future occupiers in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009.

- 26 **No development shall take place in an area of the development approved as per condition 4 above until there has been submitted to and approved in writing by the Local Planning Authority a detailed waste audit scheme for that area. The waste audit scheme shall include details of refuse storage and recycling facilities.**

The development of dwellings in each area shall be carried out in accordance with the approved details shall not thereafter be used for any other purpose.

Reason: To ensure that development is adequately provided with waste and recycling facilities in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009).

- 27 The details required by condition 1 of this permission in relation to each area approved by condition 4 shall include details of the finished floor and site levels including full details of finished floor levels for each building and finished site levels (for all hard surfaced and landscaped areas) in relation

to existing ground levels. The development shall thereafter be carried out strictly in accordance with the approved level details.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development.

- 28 **No development shall take place in each area of the development approved by condition 4 until a written scheme of heritage asset resource management (SHARM) for that area has been submitted to and approved in writing by the Local Planning Authority. Each written scheme of heritage asset resource management shall include an outline strategy for post excavation assessment; the preparation of an Updated Project Design, post excavation analysis and publication.**

The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme(s).

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological mitigation in advance of development would be contrary to paragraph 141 of the National Planning Policy Framework (NPPF) that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

- 29 For each area of the development approved by condition 4 the archaeological post excavation assessment and the preparation of an Update Project Design shall be completed no later than 1 year after the completion of archaeological fieldwork. The Update Project Design(s) shall follow the parameters set out in the outline strategy for post excavation assessment, analysis and publication as agreed in the approved written scheme of heritage asset resource management(s). The Update Project Design(s) shall be submitted and approved in writing by the Local Planning Authority.

Reason: In accordance with paragraph 141 of the NPPF; to make the record of archaeological work publicly available.

- 30 For each area of the development approved by condition 4 the archaeological post excavation analysis (as specified in the approved Updated Project Design), the preparation of the site archive for deposition with a store approved by the Local Planning Authority, the completion of the archive report and the submission of the publication report will be undertaken within two years of the approval of the Updated Project Design.”

Reason: In accordance with paragraph 141 of the NPPF; to make the record of archaeological work publicly available.

- 31 **No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing how renewable and low energy sources would reduce the total energy needs of the site by 10% and also showing water efficiency measures achieving 110 litres per person per day.**

The works shall then be carried out in accordance with the approved

details.

Reason: In the interests of sustainability and in accordance with Policy DM1 and DM2 of the Core Strategy and Development Management Policies for Central Bedfordshire (North).

32 No development shall take place until a revised Travel Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with Highways England. The Travel Plan shall include the following:

- The identification of targets for trip reduction and modal shift;
- The detailed methods to be employed to meet these targets;
- The mechanisms for monitoring and review;
- The mechanisms for reporting;
- The penalties to be applied in the event that targets are not met;
- The mechanisms for mitigation including budgetary provision;
- Implementation of the travel plan (until full occupation) to an agreed timescale and its operation thereafter;
- Mechanisms to secure variations to the travel plan following monitoring and reviews;
- Mechanisms for managing the travel plan and coordinating with other travel plans in the Wixam Park/ Wixams area.

The completed development shall be occupied in accordance with the approved Travel Plan which shall be retained in place thereafter unless otherwise amended in accordance with a review submitted to and approved in writing by the Local Planning Authority in consultation with Highways England.

Reason: To ensure the A421 trunk road continues to serve its purpose as part of a national system of routes for through traffic, to satisfy the reasonable requirements of road safety on the A421 and connecting roads in accordance with Section 10 of the Highways Act 1980 and to encourage the use of sustainable modes of transport and reduce travel by car in accordance with Policy DM9 of the Core Strategy and Development Management Policies for Central Bedfordshire (North).

33 Where the approved development is to proceed in a series of phases, further supplementary ecological surveys for amphibians, reptiles and badgers shall be undertaken to inform the preparation and implementation of corresponding phases of ecological measures. The supplementary surveys shall be of an appropriate type for the identified species and survey methods

shall follow national good practice guidelines.

Reason: To ensure adequate protection and mitigation measures for identified species in accordance with Policy DM15 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009.

34 **No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.**

a) Risk assessment of potentially damaging construction activities.

b) Identification of “biodiversity protection zones”.

c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

d) The location and timing of sensitive works to avoid harm to biodiversity features.

e) The times during construction when specialist ecologists need to be present on site to oversee works.

f) Responsible persons and lines of communication.

g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure adequate protection and mitigation measures for identified species in accordance with Policy DM15 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009.

35 **No development shall commence until a landscape and ecological management plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall include the following.**

a) Description and evaluation of features to be managed.

b) Ecological trends and constraints on site that might influence management.

c) Aims and objectives of management.

- d) **Appropriate management options for achieving aims and objectives.**
- e) **Prescriptions for management actions.**
- f) **Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).**
- g) **Details of the body or organization responsible for implementation of the plan.**
- h) **Ongoing monitoring and remedial measures.**

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure appropriate ecological measures are carried out and appropriate management practices put in place in accordance with Policy DM15 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009.

36

No development shall commence on site until a Public Art Plan has been submitted to and approved in writing by the Local Planning Authority. The Public Art Plan should include details in relation to the following:

- **Management-who will administer the Plan, contact details, time scales/programme;**
- **Brief for involvement of artists, site context, background to development, suitable themes and opportunities for public art;**
- **Funding - budgets and administration;**
- **Method of commissioning artists/artisans, means of contact, selection process/selection panel and draft contract for appointment of artists;**
- **Community engagement - programme and events**
- **Implementation/ phasing**
- **Future care and maintenance**

The development shall be carried out in accordance with the approved plan.

Reason: To ensure that appropriate public art is provided on the site in

accordance with Policy DM3 of Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009 and Section 4 (Public Art) of the Central Bedfordshire Design Guide: A guide for development (2014).

- 37 The development hereby permitted shall not be carried out except in accordance with the Approved Plans drawings numbers: ORS004/OPA/001; ORS004/OPA/002; ORS004/OPA/003; 60504669/TR/I/0003; B16039/101E;

Reason: For the avoidance of doubt.

INFORMATIVE NOTES TO APPLICANT

1. 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.
2. 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 National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
3. 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 184 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.
4. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
5. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing

highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Highways Agreements Officer, Highways, Community Services Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

6. 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.
7. The development shall not begin unless and until highway rights have been extinguished across the area of land at the B530 Ampthill Road/Bedford Road junction in accordance with a stopping up order to be made by the National Transport Casework Team, Department for Transport, under Section 247 of the Town and Country Planning Act 1990, or by application to the highway authority for the stopping up of highway land via the magistrates court under section 117 of the Highways Act 1980.
8. 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".

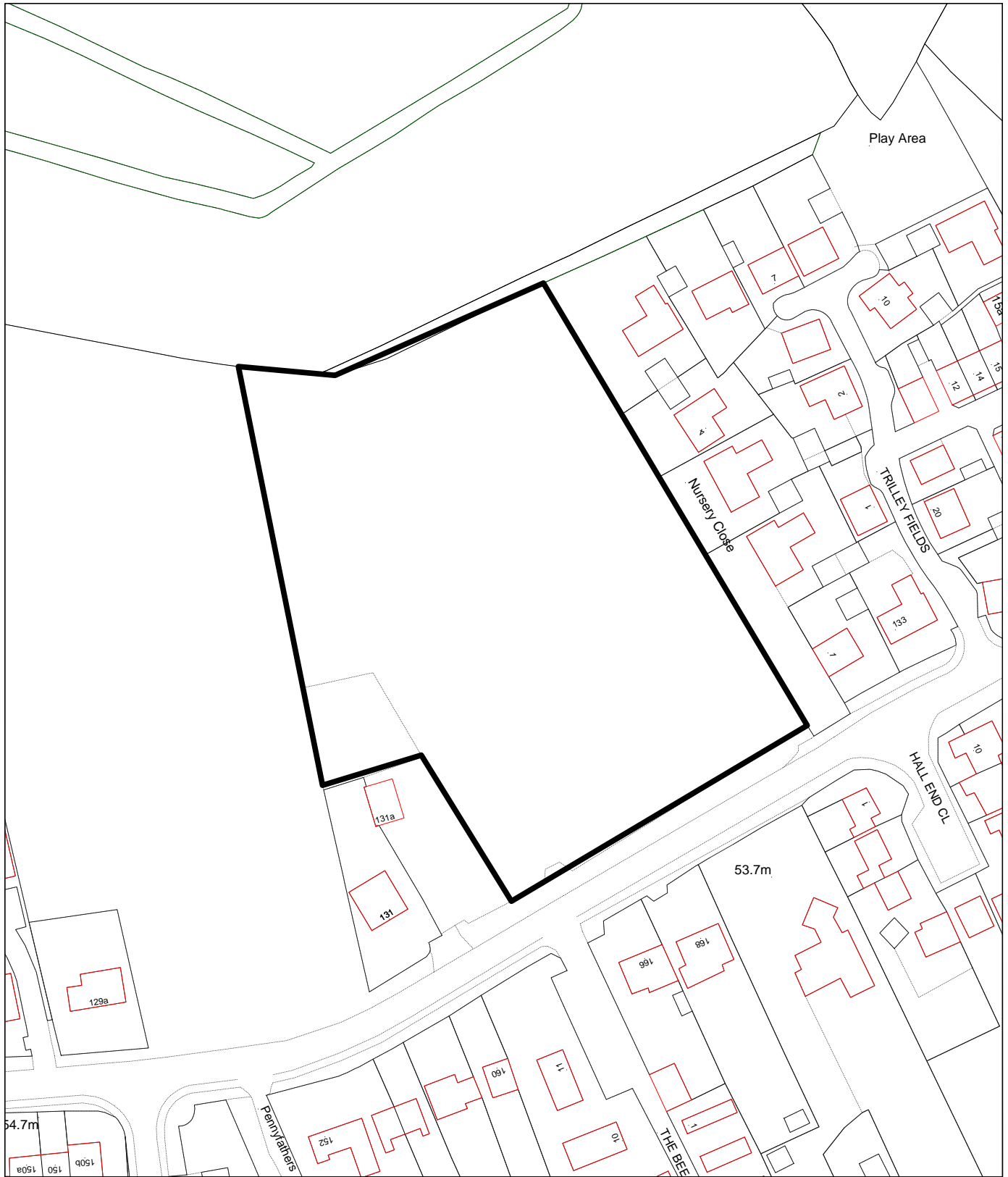
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

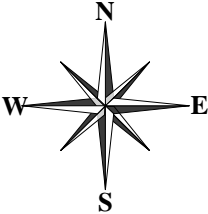
The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements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

DECISION

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	<p>Date: 15:January:2018</p> <p>Grid Ref: 507840; 237694</p>	
<p>Scale: 1:1250</p>	<p>Land North of Clophill Road, Maulden, MK45 2AE</p>	

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Item No. 7

APPLICATION NUMBER	CB/17/00981/OUT
LOCATION	Land North of Clophill Road, Maulden, MK45 2AE
PROPOSAL	Outline: Erection of 21 dwellings with estate road
PARISH	Maulden
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Matthew Heron
DATE REGISTERED	24 February 2017
EXPIRY DATE	30 May 2017
APPLICANT	Mrs Cowell and Mrs Donnelly
AGENT	Mr M Doodes
REASON FOR COMMITTEE TO DETERMINE	Objection from Maulden Parish Council to a major development
RECOMMENDED DECISION	Outline application – Recommended for approval subject to completion of legal agreement

Summary of Recommendation

The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.

It is acknowledged that there would be some harm to the landscape character. However, when considered in the round, the development represents a logical expansion to the settlement and would contribute significantly to the economic and social dimensions of sustainability.

In the overall balancing exercise required, the identified harm and conflict with the Development Plan would be significantly out-weighed by the benefits of this scheme, particularly when assessed against the National Planning Policy Framework as a whole.

Site Location:

The application site is located towards the western side of Clophill and is approximately 2km to the west of Maulden. The site itself is rectangular piece of predominately open agricultural land.

To the north of the site is Maulden Wood, a Site of Special Scientific Interest (SSSI) for acidic grassland and heathland interest and as a large part remains ancient woodland. To the east, the site adjoins a modern housing development, which comprises residential units constructed in a range of architectural styles. To the west, the site adjoins a piece of agricultural land

The Application:

This application seeks outline planning permission, with all matters except access reserved, for the construction of 21 residential units.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies - North 2009

Policy CS1 – Development Strategy

Policy CS2 – Developer Contributions

Policy CS7 – Affordable Housing

Policy CS13 – Climate Change

Policy CS14 – High Quality Development

Policy CS16 – Landscape and Woodland

Policy CS18 – Biodiversity and Geological Conservation

Policy DM2 – Sustainable Construction of New Buildings

Policy DM3 – High Quality development

Policy DM4 – Development Within and Beyond Settlement Envelopes

Policy DM10 – Housing Mix

Policy DM14 – Landscape and Woodland

Policy DM15 – Biodiversity

Local Plan

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

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

None relevant.

Consultees:

Maulden Parish Council

“Maulden Parish Council strongly object to this application on the following grounds:

- *Outside the Maulden Settlement Envelope*
- *Significant harm to the village character.*

- *The village school is at breaking point and no meaningful school provision has been or can be provided by the addition of this quantity of houses.*
- *Draft CBC Local Plan will be published at the end of June and this application is untimely and improper prior to this publication.*
- *Considering the emerging Maulden Neighbourhood Plan and an emerging desire in the village to be involved in the NP, to build a significant settlement in this part of the village, we feel this application is premature and insufficient.*
- *Loss of green space and visual amenity.*

In addition and without prejudice to the above objection the application makes mention of Development Infrastructure Contributions under Proposed Planning Obligations. Under section S106 Maulden Parish Council would propose the following provisions to be made and agreed with the developer:

Recreation and Open Strategy

- *Improvements to existing facilities at Trilley Fields as well as on-site facilities identified in the proposed site plan.*
- *Increase and improvements to the facilities at the existing Brache Recreation Ground to benefit the whole village. New slides and additional facilities for the play area. New bench's to replace the old ones that have had to be removed due to wear and tear.*

Outdoor Sport

As no on-site outdoor sports facilities would be appropriate on this development a contribution towards improvements to the changing rooms at the recreation ground, new toilet block and sports facilities/equipment for outdoor sports

School Places

As mentioned in our objection Maulden School is currently full so there is a need for more school places as a result of a development of this size. This needs to be addressed by the Local Education Authority.

Traffic Calming

Concern over road safety within the village has been expressed for many years by both MPC and local organisations. Vehicles speeding are a problem and various traffic calming options are being discussed between MPC/CBC. The increased traffic will only add to the problem in the rest of the village. Therefore a contribution to traffic calming measures in the village and a safe pedestrian crossing point adjacent to the village shop should be included.

Community Benefit Fund

This has been proposed for other developments in the village so the setting up a Community Benefit Fund and a contribution that could be used by MPC to fund local causes such as the extension to the Village Hall."

Consultees

Highways Team – No objection subject to relevant conditions.

The application proposes the erection of 21 dwellings on land on the northern side of Clophill Road. It is outline form with all matters except means of access reserved for subsequent approval.

The application is supported by a Masterplan which indicates how the 21 dwellings could be accommodated on the site together with a Transport Statement prepared by the Russell Giles Partnership.

A previous application on the site – CB/15/03434/OUT – was withdrawn following a number of concerns raised and this latest proposal has also been subject to pre-application consultation.

The proposed access is shown to be laid out as a 5.5m wide priority junction with 6m kerb radii. This is of sufficient standard to serve the scale of development proposed.

In the vicinity of the site, Clophill Road is subject to a 30mph speed limit. The proposed access is located in such a position that visibility at the point of access complies with and indeed exceeds the standards set out in Manual for Streets for a 30mph speed limit.

Thus the proposed means of access can be considered acceptable in highway design terms.

A 2m pedestrian link is shown to be provided across the site frontage linking the development site to the existing footway network and a second link is shown to be provided along the eastern boundary to provide a more direct link from the interior of the site to the bus stop.

Such provision addresses the highway concerns raised in respect of the previously withdrawn application.

Although the internal road layout is indicative, the applicant should be advised that the proposed private driveway service road serving the dwellings fronting Clophill Road does not appear to provide sufficient manoeuvring space independent of the parking areas. However as the application is in outline form, this matter can be subject to condition and dealt with at the reserved matters stage.

The Transport Statement accompanying the application suggests that the proposed development will give rise to some 12 to 15 two-way vehicle movements in the traditional peak periods and some 111 two-way movements over the 12 hour day (07:00-19:00). The conclusions reached in the Transport Statement advise that the development can be accommodated on the local road network and that the impact of the development traffic will not be severe. I would not disagree with the overall conclusions.

In a highway context I recommend that the following conditions be included if planning approval is to be issued:

1. Prior to the commencement of the development full engineering details of the proposed 5.5m wide access road junction with Clophill Road as shown indicatively on the submitted plans shall be submitted to and approved by the Local Planning Authority and no dwelling shall be occupied until the junction has been constructed in accordance with the approved details.

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

2. The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include plans and sections of the proposed access road(s), footways, cycleways, turning areas, etc. to accord with the Council's published standards.

Reason: To ensure a satisfactory means of access between the proposed dwellings and the public highway and to ensure that the proposed dwellings can be properly serviced.

3. No dwelling shall be occupied until a 2.0m wide footway has been constructed on the northern side of Clophill Road between the proposed site access and the bus stop at the eastern end of the site frontage in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.

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

4. The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a scheme for the provision of off-street parking in accordance with the Council's published standards.

Reason: To enable vehicles to draw off and park clear of the highway, thus minimising conditions of danger, obstruction, and inconvenience to users of the highway and of the premises.

5. The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a scheme for the provision of secure and covered parking of cycles in accordance with the Council's published standards.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

6. The supporting documentation to be submitted for approval of reserved matters in connection with this development shall include a construction method statement which incorporates details of:

*The hours of construction work and deliveries;
Parking of vehicles for site operatives and visitors;
Loading and unloading of plant and materials;
Storage of plant and materials used in constructing the development;
Wheel washing facilities;
Construction traffic routes; and*

Details of the responsible person who can be contacted in the event of a complaint. and all works shall be undertaken in accordance with the approved details.

Reason: To ensure the safe operation of the surrounding road network during the construction period.

Trees and Landscape – No objection subject to relevant conditions.

Tree Officer

Currently the site has little in the manner of redeeming features with some boundary hedgelines and a backdrop to the north on rising ground of Maulden Woods.

Looking at the extensive information provided it would appear that the importance of ensuring a buffer zone by providing an area between the development and the woods that will be outside the property boundaries and will have limited access is an important feature. The proposed closeboard fence although not ideal will be backed on the northern side by native hedge and tree planting. It should be added that this planting will have limited light being located on the north and may take time to establish. I would prefer to see a post and rail fence in combination with the hedging used here, this will also discourage the practice of using the area behind the fence as a dumping ground for garden rubbish etc which in my experience often occurs when areas are fenced off in this manner.

With this full application we would expect details of tree and existing hedgeline protection to be included. To the north this would simply need an indicated plan showing Heras type fencing or similar to ensure that plant and materials are not within the root protection areas of trees on the woodland edge.

Overall I would suggest that the proposals outlined would improve the extent of planting and trees for the site which should be beneficial but the importance of the woodland to the north must be recognised.

Landscape and boundary treatment details would be conditioned.

Landscape Officer

CB/17/00981 - Landscape and Visual - although this is an application which has been sensitive to the location adjacent to Maulden Woods , with the proposal for the ecological buffer area and linkage with the small pocket park and boundary planting, there are major concerns in terms of loss of landscape character which would arise if this site was to be developed.

The site is one of two remaining small fields to the north of Clophill Road which provide open views up to Maulden Woods, within the hamlet of Hall End. The view over rising ground to the woodland edge is highly characteristic and helps to retain the sense of place and connection between the settlement and this major landscape feature. Development of this land would block views of the wood to the detriment of local amenity - not only for local residents but for the many people who use the road and local paths for recreational use. Development would also set a precedent for additional development on the land to the west, which would result in the total loss of direct views up to the wood at this location.

The Indicative Masterplan shows that the development will result in a very hard urban edge - the shared driveway and pavement proposed is not screened or softened in any way as only a post and rail fence will mark the boundary. In the previous submission, some hedging and small trees were proposed. The current design would urbanise the frontage, with large properties and extensive surfacing dominating the rural setting, which would detract from the village scale of Hall End.

Elsewhere, the development does propose details such as the use of "feature brick walls" - which is to be welcomed, particularly if the design could incorporate tiling or stone rubble, which is locally distinctive in Clophill.

Clophill lies within the Greensand Country Landscape Partnership - a HLF funded programme to enhance the landscape of the Greensand Ridge and Flitt Valley. Inappropriate development has been a key cause of the decline in landscape character.

*The LCA Guidelines for Development for the "Mid Greensand Ridge" include -
6B1.32 - Monitor linear development, infill of villages in order to prevent coalescence and loss of individual village identity - this is particularly the case for the dispersed, loose settlements and "Ends".*

6B1.35 - Conserve the ridge in providing a strong wooded horizon, skyline and backdrop to the adjacent clay vales. This statement applies to the visual impact to the Flitt Valley and the dip slope to the south as much as to the Marston Vale and the north facing escarpment.

6B1.37 - Conserve the character of rural roads, limiting urban influences. Although aimed at engineering - the extent of additional surfacing proposed would significantly change the visual appearance of Clophill Road.

In conclusion, the loss of the open views to Maulden Wood together with the loss of agricultural land which forms part of the characteristic sequence of open spaces and settlement within Clophill and more particularly Maulden, mean that this proposal would detract from landscape character and be contrary to Policy 16. The Greensand landscape, of which this field forms a parcel, is considered to be "valued" in terms of the NPPF.

It is recommended that the Application is refused.

If it is minded for approval, then it would be important to secure a revision of the frontage to provide frontage screening, preferably a native hedgerow and appropriate native trees.

Ecology – No objection subject to relevant conditions.

I have reviewed the updated survey report and indicative masterplan. I am pleased to see the mitigation measures proposed in the report shown on the plan and welcome consideration to lighting, provision of habitat opportunities, buffers and enhanced connectivity. The masterplan indicates some trees on the western edge and I would support the retention and addition of fruit trees here.

As the site lies in the Greensand Ridge Nature Improvement Area, and in accordance with the NPPF, a net gain for biodiversity would be expected from a development. The existing land use is agricultural, with the inclusion of the buffer to the SSSI and the other enhancements I would be satisfied that the proposal could achieve a net gain.

To ensure construction working practices are undertaken in an appropriately sensitive manner and ongoing management of the site supports the protection and benefit of wildlife I would ask that the following condition be applied.

All ecological measures and/or works shall be carried out in accordance with the details contained in the October 2016 Ecological Appraisal and revision F of the Indicative Masterplan drawing 3206_DR_001 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

SuDS – No objection subject to relevant conditions

We are pleased to see that a Flood Risk Assessment and Surface Water Drainage Strategy for the proposed development have been provided. Based on the information in these documents we have the following comments. These must be addressed with the detailed design. We therefore require that the conditions below be applied.

Infiltration

The indicative maps produced by BGS show very significant restraints for infiltration on the site. Whereas the FRA states that: The underlying sand geology will likely be suitable for infiltration systems to work , given that sand has typical infiltration coefficients varying from 10-2 to 10-5 m/s, whilst a coefficient of 10-6 m/s is generally taken as the cut-off point at which infiltration systems will provide a viable means of surface water drainage.

We expect all infiltration design to be based on actual rates of infiltration. At the detailed design stage sufficient information, based on site specific testing carried out under BRE 365, must be provided regarding the actual rate of infiltration, ground conditions and water table to demonstrate whether or not infiltration is a viable method of discharging surface water for the lifetime of the development. This information should be provided with the detailed design prior to any development taking place. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals should be submitted.

Soakaways or other infiltration systems shall only be used in areas on site where they will not present a risk to groundwater and shall not be constructed in land affected by contamination where they may promote the mobilisation of contaminants and give rise to contamination of groundwater. Only clean water from roofs shall be directly discharged to soakaway systems, for the discharge of surface water from associated hard-standing, roads and impermeable vehicle parking areas shall incorporate appropriate pollution prevention measures. The depth of soakaways must be kept to a minimum to ensure the maximum possible depth of unsaturated material remains between the base of the soakaway and the top of the water table, this ensures that a direct discharge of surface water into groundwater is prevented. Percolation tests should be made to ensure that soakaways will work adequately in adverse conditions.

Discharging to a watercourse

Full consent from the IDB will be required under the Land Drainage Act 1991 before any connection may be made to the watercourses on the site's southern boundary, this includes the permissible rate and volume of surface water run off. The site is undeveloped, the rate and volume of discharge must not exceed greenfield run off for the site. A 40% allowance for climate change shall be applied. This is in accordance with CBC policy and the National SuDS standards (DEFRA, 2015).

No development should take place within 9m of the watercourse to ensure the future development will be safe from fluvial flooding and to ensure the water corridor is adequately protected from the impact of development. Future maintenance of the watercourse shall be considered and details of this provided with the final design, any responsibilities inherited for the watercourse by future home owners bordering this shall be made explicit. Adequate access to the watercourse shall be provided at all times for maintenance.

Culverting of the watercourse may be required to provide access to this site, in this case there should be no detriment to the flow of water and subsequent flood risk from the watercourse, or to the ecology, biodiversity or aesthetics. The design, construction and management shall follow the guidance in the CIRIA document 'Culvert design and operation guidance C689'. Maintenance responsibilities for the culvert shall be made explicit. The remainder of the watercourse shall be retained in its current open state.

Storage and conveyance of surface water

The storage and conveyance of surface water must comply with CBC adopted policy, set out in the SuDS Supplementary Planning Guidance document (2015). We therefore do not encourage below ground solutions before surface water features have been considered in detail.

The final detailed design shall demonstrate the use of surface water attenuation and conveyance on the surface of the development site wherever possible, and shall be supported by appropriate plans and calculations.

We do not consider permeable paving to be an appropriate strategic solution, and while this may be provided on private driveways and parking areas, we encourage that this is integrated into a wider SuDS management train. This is to ensure any blockage or failure of permeable paving will not result in a site wide flood risk.

We are pleased to see a swale network has been proposed, the detailed design of swales and other drainage components should comply with the Ciria guidance document 'The SuDS manual C753'.

Maintenance

We expect that any components that require replacement and/or maintenance will be designed to be accessible without undue impact on the drainage system and adjacent structures or infrastructure.

The FRA and drainage strategy both reference the Sustainable Drainage Approval Body (the SAB), please note that the legislation to enact this role has not been commenced and as such the SAB does not exist. The Council does not, and is not required to, adopt any SuDS feature. It is the responsibility of the applicant to ensure that the surface water drainage system, in its entirety, will be effectively maintained in

the long-term. We therefore expect confirmation of the proposed arrangements for maintenance to be provided with the final detailed design, including the future maintenance and operational needs and the responsible bodies for undertaking maintenance (for all public and private drainage components).

We recommend, to ensure future homeowners and subsequent homeowners will be aware of any maintenance requirements / responsibilities for surface water drainage, that further measures be proposed by the applicant that may include, for example, information provided to the first purchaser of the property and also designation/registration of the SuDS so that it appears as a Land Charge for the property and as such is identified to subsequent purchasers of the property. Any methods involving designation or registering a Land Charge are to be agreed with the LPA.

Summary and recommended conditions

We recommend that condition be applied to secure the final detailed design of the surface water drainage system, please see the following:

Condition 1: *No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (Rev B Jan 2015) and Drainage Strategy Report (Rev A – Dec 2015) has been submitted to and approved in writing by the Local Planning Authority.*

The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and restriction in run-off rates and volumes to at or below greenfield, using suitable drainage principles. The scheme shall include details of a site specific ground investigation report (in accordance with BRE 365 standards) to determine the infiltration capacity of the underlying geology and the ground water level, as well as details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion. The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance shall be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).

The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: *To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.*

Condition 2: *No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.*

Reason: *To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.*

The Greensand Trust – No objection

Further to your call this morning, I can confirm that the Greensand Trust did not submit any comments on application number CB/17/00981/OUT when it was being consulted upon earlier this year. We had objected strongly to the previous application on this site as it would have been damaging to the adjacent Maulden Wood and Pennyfather's Hills Site of Special Scientific Interest, however, as CB/17/00981/OUT did include a buffer between the houses and the SSSI, and we have very limited time and resources to spend on planning issues, we didn't comment further.

At that time there was no hint of an application on the adjacent land to the west and, although I appreciate it may be difficult in terms of the planning process, in an ideal world the two sites should be considered together in terms of the impact to the SSSI and the landscape and character of this part of Maulden in order to prevent a damaging outcome.

Environmental Health – No objection subject to relevant conditions.

Thank you for consulting Public Protection. I have no objection or condition to impose but please attach the following informative to any permission:

As a result of past use of the site and neighbouring land there may be unexpected materials or structures in the ground. It is the responsibility of the applicant to ensure safe and secure conditions, so a watching brief for signs of contamination should be considered and any indications of potential contamination problems should be forwarded to the Local Planning Authority.

Bedfordshire and River Ivel Internal Drainage Board – No objection.

Waste Services – No objection.

Environment Agency – No objection.

Fire and Rescue – No objection.

Affordable Housing Officer – No objection.

Education Spending Officers – No contributions requested.

Local Residents

11 letters of objection have been received from surrounding addresses. Comments are summarised as:

- Harm to biodiversity.
- Harm to the character of the area.
- Increased traffic and congestion.

- Harm in terms of vehicular and pedestrian safety.
- Insufficient services (including school provision and healthcare).
- Limited need for additional housing.
- Noise and disturbance to living conditions during construction.
- Harm in terms of flooding.

The loss of views has also been referenced in above mentioned objections. The loss of views are not material planning considerations. Further, concern has been raised with regards to the possible precedent that this application would set for future development and also attention has been drawn to developments refused within the surrounding area. Each application is determined on its own individual merits with regards to its own particular circumstances. As such, limited weight is afforded to these concerns.

Determining Issues:

Background

This application was deferred from a Committee meeting dated 03/01/2018 to allow for full consideration of the emerging Local Plan. A further pre-submission version of this Local Plan was published on 11/01/2018.

The main considerations of the application are;

- The principle of the development
- The quality of the design and the impact upon the character of the area
- The impact upon living conditions
- Highway safety and parking provision
- Other material considerations
 - Sustainability
 - Ecology
 - Flooding and Drainage
 - Affordable Housing and Contributions
 - Contaminated Land

Considerations

1. The principle of the development

- 1.1 The application site is located outside of the defined 'settlement envelopes' of Clophill and Maulden and the Council can currently demonstrate a five year supply of housing land.
- 1.2 It is acknowledged that the approach of Policy DM4 in seeking to control the principle of development beyond settlement boundaries is more restrictive than the balanced, cost/benefit, approach set out in the Framework. The balancing of harm against benefit is a defining characteristic of the Framework's overall

approach. However, this policy also seeks to ensure development is channelled to more sustainable settlements, away from isolated rural locations which have limited access to services and facilities. In this respect, Policy DM4 is entirely consistent with the thrust of the Framework which seeks to promote sustainable social, economic and environmental development. Overall, it is considered that weight may still be attributed to this policy in the determination of this application as the Council seeks to deliver planned development in a sustainable manner.

- 1.3 The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.

2. The quality of the design and the impact upon the character of the area

- 2.1 Policies CS14, DM3 and DM4 seeks to ensure proposals are of a high quality of design, respect the local context in which they are in, are appropriate in terms of scale and have an acceptable impact upon the landscape. Chapter 7 of the Framework emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.
- 2.2 The application site comprises an area of open agricultural land, adjacent to built residential form to the east, and is accessed off Clophill Road which bounds the site to the south. Though there is vegetation to the front of the site, views would be available of the proposed development from the public domain.
- 2.3 It is noted that concern has been raised from Landscape Officers regarding the loss of views of the woodland to the rear of the site and the loss of an open field which is considered to contribute positively to settlement character. However, the woodland to the rear is at an elevated position compared to vantage points along the access road and so views of vegetation to the north of the site would still be available. In any event, the loss of a particular view is afforded no weight in this balancing exercise.
- 2.4 The applicant has submitted a landscape and visual impact assessment which indicates that the proposal would not result in significant and demonstrable harm to the character of the area. Under the current adopted Development Plan, the site is not an identified 'gap' in policy terms and comprises no discernible landscape features. Given the existence of built residential form immediately adjacent to the site to the east and opposite the site to the south, it is considered that this development proposes a logical expansion to the village.
- 2.5 The units would not be more than two storeys in height and sufficient space would be left about units to ensure that they did not appear cramped upon their plots. It is recommended that permitted development rights for extensions and roof alterations (including dormer windows) are withdrawn to ensure the development remains acceptable in terms of spacing and design. Furthermore, a Landscaping Plan could be secured to ensure that built form is appropriately softened.
- 2.6 Though the extent to which the development would be visible would depend upon details reserved for future determination, and it is anticipated that views of the

units would be screened by established and proposed vegetation, it is acknowledged that the final form of the proposal would result in residential development on land predominantly absent of built form. This would not result in the merging of settlements or harm to the wider landscape character, but would add to the erosion of the countryside.

- 2.7 Overall, there would be some visual and landscape harm arising from the loss of the site's open and undeveloped character. However, this could be mitigated, through the appropriate management of elements reserved for future consideration and through conditions. As such, the proposal would not result in significant harm in this regard.

3. The impact upon living conditions

- 3.1 Policy DM3 aims to preserve neighbouring amenity. Furthermore, guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.
- 3.2 Though the detailed layout and overall design of units is reserved for future consideration, it is considered that, given the size of the application site, units could be positioned and designed in such a way as to not result in significant and demonstrable harm to the living conditions of surrounding units. Furthermore, given the existence of surrounding residential units and the scale of the proposal, it is not considered that the access would result in significant harm in terms of increased noise and disturbance from vehicular movements associated with the development.
- 3.3 Furthermore, it is noted that specific concerns have been raised with regards to the impacts of the proposal in terms of noise and disturbance during construction. The construction of units must adhere to environmental health legislation (which, amongst other things, manages the hours of construction to appropriate times) and it is recommended that a Construction Management Plan is requested through condition. This would ensure that vehicular movements and methods of dust suppression are appropriately managed, in the interest of neighbouring living conditions. Overall, it is not considered that the proposal would result in significant harm in this regard.

4. Highway safety and parking provision

- 4.1 Guidance within the 'Design for Central Bedfordshire: A Guide for Development' states that, generally, one bedroom units will require one parking space, two and three bedroom units will require two parking spaces and four bedroom units will require three spaces.
- 4.2 Though plots seem large enough to accommodate sufficient off-road parking, the overall layout of units is reserved for future consideration. However, a condition requested by Highways Officers would ensure that parking provision is in accordance with the Council's standards applicable at the time of submission.
- 4.3 Turning to highway safety, on discussion with Highways Officers it is considered that the access to the site would be suitable and that vehicular movements

associated with this development could be accommodated on the existing highway network.

- 4.4 As such, subject to the imposition of conditions requesting; a Construction Management Plan, details of off-street parking and cycle provision, details of the access road, footways, cycle ways and turning areas and ensuring the provision of a footway along the northern side of Clophill Road, the proposal is considered acceptable in this regard.

5. Other material considerations

(i) Sustainability

- 5.1 The Framework adopts a broad definition of sustainable development in that it states that the policies in paragraphs 18 – 219, taken as a whole, constitute the Government's view of what sustainable development means in practice. The Framework also establishes that the purpose of the planning system is to contribute to the achievement of sustainable development, which includes economic, social and environmental dimensions.

Social

- 5.2 The proposal would make a small but valuable contribution to the existing housing stock. Given that one of the key aims of the Framework is to significantly boost the supply of housing, the proposal is considered sustainable in this regard and significant weight in favour of the proposal is attached to this factor. Further, it is noted that there has been concern raised with regards to there not being the services within Clophill and Maulden to support this development. However, both settlements are defined as a Large Villages within Policy CS1 and have a number of services and facilities. Taking this into account, and given the statutory duty of relevant bodies to provide services (such as health and education) it is considered that there are sufficient services with the Large Village to accommodate the additional units.

Economic

- 5.3 The proposal would also result in economic benefits, through the purchase of materials and services in connection with the construction of the dwellings and an increase in local household expenditure. The proposal is considered sustainable in this regard, which again weighs in favour of the grant of permission.

Environmental

- 5.4 It is acknowledged that the proposal would result in some (moderate) harm to the character of the rural setting. However, the proposal is within close proximity to services and facilities and, overall, the development would not be environmentally unsustainable.

(ii) Ecology

- 5.5 The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework (paragraphs 118-119), Natural

Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 as well as Circular 06/05. Furthermore, Policy CS18 seeks to support the maintenance and enhancement of habitats and states that development that would fragment or prejudice the biodiversity network will not be supported.

- 5.6 The site lies in the Greensand Ridge Nature Improvement Area (NIA) and as such development would be expected to deliver net gains for biodiversity. The proposals include a considerable 'buffer' to the adjacent SSSI and, on discussion with Ecology Officers, it is considered that the development could achieve a net gain in this regard.
- 5.7 To ensure that this gain is secured, it is recommended that a conditions is imposed ensuring that the development is in accordance with the details contained in the submitted October 2016 Ecological Appraisal and revision F of the indicative masterplan for the site.
- 5.8 Furthermore, it is noted that the proposed 'buffer' (minimum 20m) to the SSSI is smaller than that shown on illustrative plans associated with the emerging Local Plan (minimum 50m). Firstly, it should be noted that plans accompanying the emerging Local Plan are indicative only and, given the stage of this Plan, limited weight is afforded to them in any event.
- 5.9 Further, the guidance from Natural England which informed the increased 'buffer' has now been removed to allow for discussions with the Home Builders Federation. As such, guidance in this regard has reverted back to that issued in October 2015 which only recommends a 15m buffer. This development therefore exceeds the minimum buffer required under this guidance.
- 5.10 Taking all of the above into account, and as the proposal would preserve the key features that resulted in this SSSI designation (fragments of semi-natural woodland), the proposal is acceptable in this regard.

(iii) Flooding and Drainage

- 5.11 Policy CS13 seeks to ensure that proposals incorporate suitable drainage infrastructure. It is acknowledged that concern has been raised with regards to the proposal being susceptible to and increasing the risk of flooding.
- 5.12 However, the site lies wholly within Flood Zone 1 – indicating a low probability of flooding. Further, on discussion with internal Drainage Engineers, it is considered that, subject conditions requesting the submission of a detailed Surface Water Drainage Plan and an associated maintenance plan, the proposal would not increase the risk of flooding to the surrounding area and proposed units would not be susceptible to such risks. Subject to the imposition of this requested condition, and as there is no objection from the Environment Agency, the proposal would be acceptable in this regard.

(iv) Affordable Housing and Contributions

- 5.13 Policy CS7 states that development of four or more dwellings should provide an element of affordable housing and Policy CS2 seeks to secure appropriate contributions.
- 5.14 The applicant has agreed to provide 35% affordable housing (7 affordable units) through a unilateral undertaking. Further to this, the Strategic Housing Market Assessment (SHMA) has a tenure split requirement from sites meeting the affordable housing threshold as being 73% affordable rent and 27% intermediate tenure. The applicant has also agreed to provide 5 units of affordable rent and 2 units of intermediate tenure in line with the SHMA. As such, subject to an appropriate legal agreement, the development is acceptable in this regard.
- 5.15 It is noted that the Parish Council has requested financial contributions for various local projects.
- 5.16 Community Infrastructure Levy (CIL) Regulation 122 states that planning obligations must be necessary, directly related, and fairly and reasonably related in scale and kind to the development in question. Further, CIL Regulation 123 prohibits the pooling of 5 or more contributions towards a single project.
- 5.17 No other financial contributions have been requested from relevant consultees and no projects have been identified to which contributions may be 'pooled'. For these reasons, the request by the Parish Council would not comply with the CIL Regulations and it is not considered reasonable to request additional contributions from the applicant.

(v) Contaminated Land

- 5.18 Given the existing agricultural use of the site, on discussion with Public Protection it is considered that there may be some risk to human health through ground contamination. As such, it is recommended that a condition is imposed requiring the developer to keep a watching brief during constructions. Subject to the imposition of this condition, any unexpected contamination can be reported and appropriately remediated.

Other Matters

- 5.19 It should also be noted that this application site has progressed to the next round of consultations under the emerging Local Plan. Though the Council cannot comment on how likely it is that this site would form an allocated site under this emerging Plan, the chance of this occurring has increased.
- 5.20 Notwithstanding the above, given the early stage of this emerging Local Plan, limited weight is afforded to this document in the determination of this application. Further, each site is to be assessed upon its own individual merits.

6. Overall Planning Balance

- 6.15 The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.
- 6.16 It is acknowledged that there would be some harm to the landscape character. However, when considered in the round, the development represents a logical expansion to the settlement and would contribute significantly to the economic and social dimensions of sustainability.
- 6.17 In the overall balancing exercise required, the identified harm and conflict with the Development Plan, would be significantly out-weighed by the benefits of this scheme, particularly when assessed against the Framework as a whole.

Recommendation:

That Outline Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS

- 1 Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; Site Location Plan (scale of 1:1250 & 3206_DR_001 Rev. F).

Reason: To identify the approved plans and to avoid doubt.
- 5 The development shall not commence until a Construction Management Plan has been submitted to and approved, in writing, by the Local Planning

Authority. The statement shall include:

- i) waste management measures;
- ii) details of site compounds, offices and areas to be used for the storage of materials;
- iii) methods and details of dust suppression during construction;
- iv) proposals to minimise harm and disruption to the adjacent local area from ground works, construction noise and site traffic.
- v) construction traffic routes

The development shall be carried out in accordance with the details so approved.

Reason: In the interest of highway safety and the living conditions of surrounding properties.

- 6 The dwellings hereby approved shall not be occupied until details of the bin storage areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with details approved in this regard.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS14, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 7 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 7 & 11, NPPF)

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Classes A and B shall take place.

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the character of the area, in accordance with Policies CS14, DM3 and DM4 of the Core Strategy and Development Management Policies 2009.

- 9 Prior to the commencement of the development hereby approved full engineering details of the proposed 5.5m wide access road junction with Clophill Road as shown indicatively on the submitted plans shall be

submitted to and approved by the Local Planning Authority and no dwelling shall be occupied until the junction has been constructed in accordance with the approved details.

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

- 10 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include plans and sections of the proposed access road(s), footways, cycleways, turning areas, etc. to accord with the Council's published standards.

Reason: To ensure a satisfactory means of access between the proposed dwellings and the public highway and to ensure that the proposed dwellings can be properly serviced.

- 11 No dwelling shall be occupied until a 2.0m wide footway has been constructed on the northern side of Clophill Road between the proposed site access and the bus stop at the eastern end of the site frontage in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.

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

- 12 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a scheme for the provision of off-street parking and cycle storage in accordance with the Council's published standards.

Reason: To enable vehicles to draw off and park clear of the highway, thus minimising conditions of danger, obstruction, and inconvenience to users of the highway and of the premises and to ensure cycle parking is appropriate.

- 13 All ecological measures and/or works shall not be carried out other than in accordance with the details contained in the October 2016 Ecological Appraisal and drawing no. 3206_DR_001 Rev. F.

Reason: In the interest of biodiversity, in accordance Policy CS18 of the Core Strategy and Development Management Policies 2009.

- 14 No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (Rev B Jan 2015) and Drainage Strategy Report (Rev A – Dec 2015) has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and restriction in run-off rates and volumes to at or below greenfield, using suitable drainage principles. The scheme shall include details of a site specific ground investigation report (in accordance with BRE 365 standards) to determine the infiltration capacity of the underlying geology and the ground water level, as well as details of how

the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion. The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance shall be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).

The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.

- 15 Prior to the first occupation of the dwellinghouses hereby approved, a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, shall be submitted to and approved in writing by the local planning authority. The development shall be in accordance with this approved plan.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 16 During any ground works on the site a Watching Brief shall be kept to monitor any potentially contaminated material. Should any such material be encountered, the development must cease immediately and the Council must be informed without delay and an appropriate course of action agreed in writing. Subsequently, the development shall continue in accordance with this agreed course of action until completed.

Reason: To minimise the risk to human health through ground contamination.

- 17 The number of dwellinghouses approved shall not exceed 21.

Reason: To appropriately manage the scale of the development at the site, in accordance with Policies CS14, DM3 and DM4 of the Core Strategy and Development Management Policies 2009.

INFORMATIVE NOTES TO APPLICANT

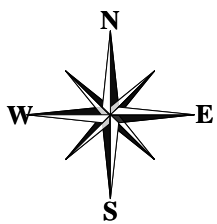
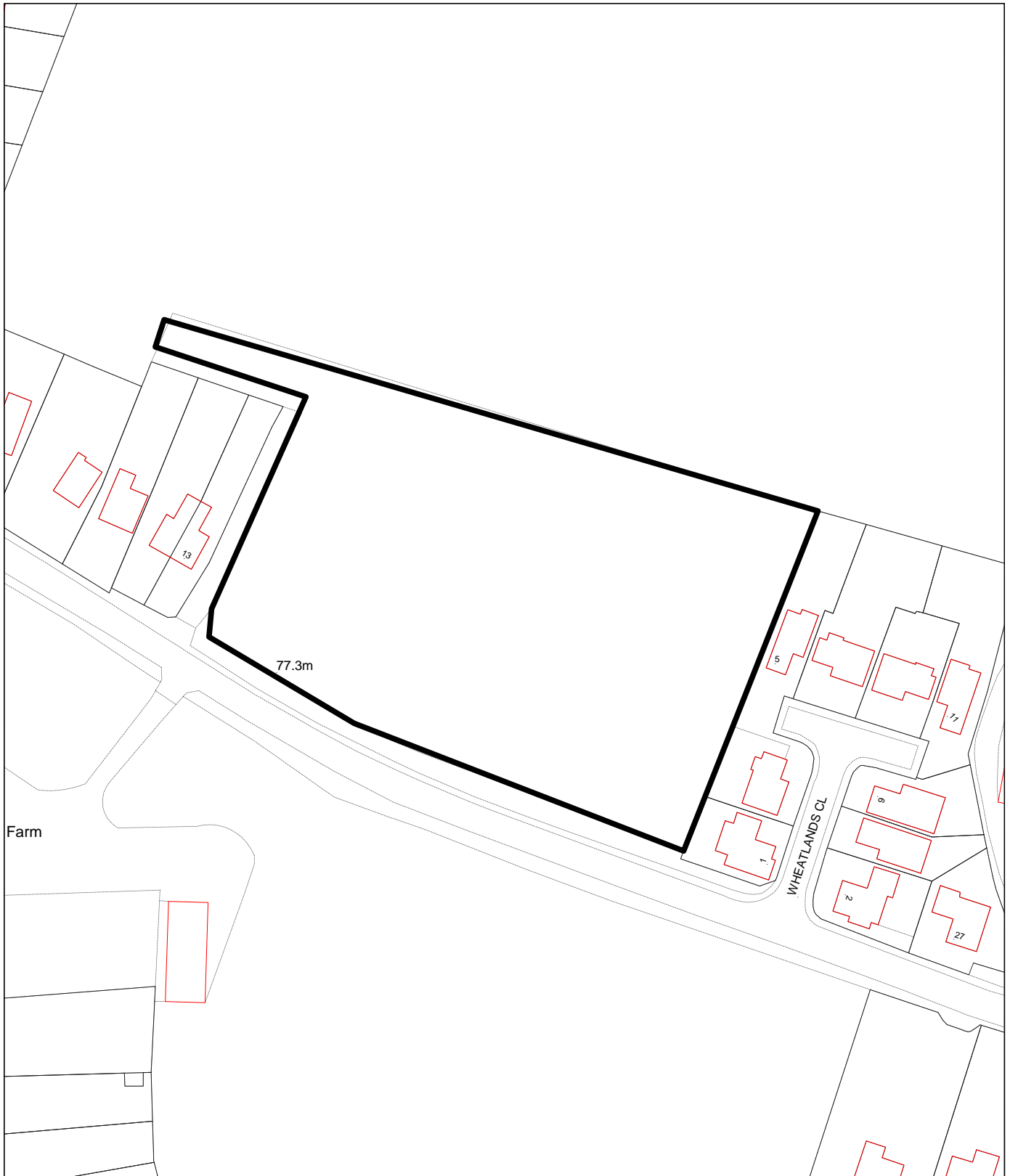
1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

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

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 15:January:2018
Grid Ref: 506025; 237780

Application No.
CB/17/01156/OUT

Scale: 1:1250

Land East of No. 13 Clophill Road, Maulden, Bedford, MK45 2AQ

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Item No. 8

APPLICATION NUMBER	CB/17/1156/OUT
LOCATION	Land East of No. 13 Clophill Road, Maulden, MK45 2AQ
PROPOSAL	Outline: Residential development including other associated works
PARISH	Maulden
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Matthew Heron
DATE REGISTERED	08 March 2017
EXPIRY DATE	07 June 2017
APPLICANT	Aldbury Homes
AGENT	David Coles Architects
REASON FOR COMMITTEE TO DETERMINE	Objection from Maulden Parish Council to a major application
RECOMMENDED DECISION	Outline application – Recommended for approval subject to satisfactory completion of legal agreement

Summary of Recommendation

The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.

It is acknowledged that there would be some harm to the landscape character. However, when considered in the round, the development represents a logical expansion to the settlement and would contribute significantly to the economic and social dimensions of sustainability.

In the overall balancing exercise required, the identified harm and conflict with the Development Plan would be significantly out-weighted by the benefits of this scheme, particularly when assessed against the National Planning Policy Framework as a whole.

Site Location:

The application site is located to the east of Maulden and comprises a rectangular arable field accessed off Clophill Road to the south.

The site is bound to the north by agricultural land and to the east and west by residential form.

The Application:

This application seeks outline planning permission, with all matters except access reserved, for the construction of 14 residential units.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies - North 2009

Policy CS1 – Development Strategy

Policy CS2 – Developer Contributions

Policy CS7 – Affordable Housing

Policy CS13 – Climate Change

Policy CS14 – High Quality Development

Policy CS16 – Landscape and Woodland

Policy CS18 – Biodiversity and Geological Conservation

Policy DM2 – Sustainable Construction of New Buildings

Policy DM3 – High Quality development

Policy DM4 – Development Within and Beyond Settlement Envelopes

Policy DM10 – Housing Mix

Policy DM14 – Landscape and Woodland

Policy DM15 – Biodiversity

Local Plan

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

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

None relevant.

Consultees:

Maulden Parish Council

Initial Comment

Maulden Parish Council strongly object to this application on the following grounds:

- *Outside the Maulden Settlement Envelope*
- *Significant harm to the village character.*
- *The village school is at breaking point and no meaningful school provision has been or can be provided by the addition of this quantity of houses.*
- *Draft CBC Local Plan will be published at the end of June and this application*
- *Considering the emerging Maulden Neighbourhood Plan and an emerging desire in the village to be involved in the NP, to build a significant settlement in this part of the village, we feel this application is premature and insufficient.*
- *Loss of green space and visual amenity.*

In addition and without prejudice to the above objection the application makes mention of that the applicants will enter into a S106 Agreement with appropriate contributions towards community facilities and consequently Maulden Parish Council would propose the following provisions to be made and agreed with the developer:

Recreation and Open Strategy

- *Provision of on-site facilities. None are identified in the proposed site plan.*
- *Increase and improvements to the facilities at the existing Brache Recreation Ground to benefit the whole village. New slides and additional facilities for the play area. New bench's to replace the old ones that have had to be removed due to wear and tear.*

Outdoor Sport

As no on-site outdoor sports facilities would be appropriate on this development a contribution towards improvements to the changing rooms at the recreation ground, new toilet block and sports facilities/equipment for outdoor sports

School Places

As mentioned in our objection Maulden School is currently full so there is a need for more school places as a result of a development of this size. This needs to be addressed by the Local Education Authority.

Traffic Calming

Concern over road safety within the village has been expressed for many years by both MPC and local organisations. Vehicles speeding are a problem along Clophill Road in the area of the proposed development and various traffic calming options are being discussed between MPC/CBC. The increased traffic will only add to the problem along Clophill Road and the rest of the village. Therefore a contribution to traffic calming measures in the village and a safe pedestrian crossing point adjacent to the village shop should be included.

Community Benefit Fund

This has been proposed for other developments in the village so the setting up a Community Benefit Fund and a contribution that could be used by MPC to fund local causes such as the extension to the Village Hall.

Subsequent Comments

With reference to the amendments to this application, whilst recognising that the number of dwelling has been reduced from 23 to 14, the revised plan does not overcome the previous objections and consequently Maulden Parish Council strongly object to the amended application on following basis:

** Outside Maulden Settlement Envelope. Settlement envelopes serve to prevent coalescence between settlements and to protect the separate character and identify physical identity of the village.*

** Significant harm to the village character and an unacceptable impact on the settlement envelope.*

** Loss of green space and visual amenity.*

** No community benefit for Maulden*

** CBC "call for sites" assessment has excluded the site (ALP151) in the Draft Local Plan as not suitable for development. CBC comments correspond with MPC view as follows: the site is mostly Grade 2 agricultural land and lies between two distinctly separate settlement envelopes. Development here would fill in a gap in the settlement pattern which is distinctive and unique to the historical pattern of Maulden, development could have an unacceptable impact on the character of the settlement.*

Consultees

Highways Team – No objection subject to relevant conditions.

Landscape Officer

The site contributes to the series of open spaces within Maulden - this site is unusual as there is agricultural land bounded by mature hedgerows to either side of Clophill Road; these make a strong contribution to local landscape character. The DAS illustrates these hedgerows - the photographs also highlight the absence of development to the north and south, which is unusual in a village characterised by linear development and which has been subject to infill.

Although a vision splay is marked on the plan - 43 m in each direction, and the DAS states that the hedgerows are to be conserved, I am not convinced that this important boundary feature would remain as indicated. The indicative site layout also shows a swathe of planting along the eastern boundary, which would help protect the amenity of Wheatfield Close. However, the Application Site is at a higher level and care would need to be taken that the planting does not shade or block views from windows, some of which are at a lower level.

The Site layout shows an inadequate planting scheme on the sensitive northern boundary. The Site is a part of the Greensand Ridge landscape - it is elevated and undulating and links to the small scale arable landscape to the north which forms the wider setting of Maulden Church.

The strategy for the Greensand landscape is to conserve and enhance traditional features ,to strengthen the landscape pattern eg restoring pasture and increasing the area of acidic grassland would be particularly appropriate to this area . The Greensand ridge is a NIA , requiring a nett gain for biodiversity - at the density shown there is little scope to create landscape features to benefit ecology whilst securing visual integration. The Greensand Ridge is a landscape which would be considered as "valued " under the NPPF - this site makes a contribution to the dipslope in the vicinity of landmark features such as Maulden Church.

Development would result in the infill of an open space within Maulden .contrary to the LCA Guidelines which advise against infill which would result in a loss of identity and character. The open qualities within the central part of Maulden and the retention of a farmed landscape is important in terms of character. Urbanisation of the site would introduce built form which would impact on views from the south and from Clophill Road itself; night time impact is also a concern.

Development at this scale would detract from landscape character and as such is contrary to Policy 16 and it is recommended that the Application is refused.

If the Application was minded for approval, it would be important to secure a much more substantial landscape scheme to buffer views from the north , to protect the amenity of the Greensand dipslope and limit views from the higher ground at Maulden Meadow.

A Landscape Management Plan would also be required to ensure the management of the existing hedgerows and maintenance of the boundary hedge at it's current height.

Ecology – No objection subject to relevant conditions.

Looking at the amending site layout, the reduction in dwelling number is welcomed. More open space is provided but the future management of this will be important for it to really deliver a net gain for biodiversity. As this is an outline application it is advised that the ecological assessment is reviewed and used to inform an Ecological Enhancement Strategy which would inform the final layout of the scheme for Reserved Matters. The retention of the existing hedgerow would be expected and this should remain in the public realm rather than forming domestic boundaries. Equally the slither of land to north west could be planted with native species to create some shrubby / scrub habitat with some rough grass as reptile habitat. The central area would benefit from some fruit trees as a community orchard and the Swale could provide semi-wet habitat. Condition follows;

No development shall take place until an Ecological Enhancement Strategy (EES) has been submitted to and approved in writing by the local planning authority. The EES shall include the following.

- a) Purpose and conservation objectives for the proposed works informed by a review of the ecological assessment.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.

f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.

g) Persons responsible for implementing the works.

h) Details of initial aftercare and long-term maintenance.

The EES shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

SuDS – No objection subject to relevant conditions.

We consider that outline planning permission could be granted to the proposed development and the final design and maintenance arrangements for the surface water system agreed at the detailed design stage, if the following recommendations and planning conditions are secured.

- Page 8 infiltration – this contradicts it's self, partial infiltration is achievable in the first paragraph but not in the second. The calculations shown in this document suggest partial use of infiltration is possible. We expect to see a combined system.
- The discharge rate is well above Q_{bar} , this should be addressed, the technology now available will easily allow safe discharge at rates lower than 5l/s.
- Where the use of permeable surfacing is proposed, this should be designed in accordance with the 'CIRIA RP992 The SuDS Manual Update: Paper RP992/28: Design Assessment Checklists for Permeable/Porous Pavement'.
- The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).
- To ensure future homeowners and subsequent homeowners will be aware of any maintenance requirements / responsibilities for surface water drainage; further measures should be proposed by the applicant and may include, for example, information provided to the first purchaser of the property and also designation/registration of the SuDS so that it appears as a Land Charge for the property and as such is identified to subsequent purchasers of the property. Any methods involving designation or registering a Land Charge are to be agreed with the LPA.
- Please note that Land drainage Consent under the Land Drainage Act 1991 must be secured to discharge surface water and details of this provided with the full detailed design. An easement should be provided on the developable side of the watercourse to allow for access for maintenance, this should be 9m but may depend on the maintenance requirements considered appropriate.

- We require detailed plans and drawings showing the proposed drainage system in its entirety, including location, pipe run reference numbers, dimensions, gradients and levels (in metres above Ordinance Datum). This shall include all elements of the system proposed, including exceedance routes, source control, storage, flow control and discharge elements.
- The Council does not, and is not required to, adopt any SuDS feature. It is the responsibility of the applicant to ensure that the surface water drainage system, in its entirety, will be effectively maintained in the long-term. We therefore expect confirmation of the proposed arrangements for maintenance to be provided with the final detailed design, including the future maintenance and operational needs and the responsible bodies for undertaking maintenance (for all public and private drainage components).
- We will expect that any components that require replacement and/or maintenance will be designed to be accessible without undue impact on the drainage system and adjacent structures or infrastructure.

Condition 1 : No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Drainage Strategy (March 2017) and assessment of the hydrological and hydrogeological context of the development and the expected outfall extent, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change). Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included.

The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.

Condition 2: No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

Reason : To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

Bedfordshire and River Ivel Internal Drainage Board – No objection.

Waste Services – No objection.

Environmental Health – No objection subject to relevant conditions.

Fire and Rescue – No objection.

Affordable Housing Officer – No objection.

Education Spending Officers – No contributions requested.

Local Residents

10 letters of objection have been received from surrounding addresses. Comments are summarised as:

- Harm to living conditions, in terms of loss of light, noise and disturbance and overlooking.
- Harm in terms of highway safety.
- Insufficient services within surrounding settlements.
- Insufficient parking provision.
- Insufficient contributions from proposed development to local services.
- Harm to the character of the area.

The above mentioned objections also have regard to the increase in house prices and the loss of views as a result of the development. These are not material planning considerations and are afforded no weight in the determination of this application.

Sewerage capacity has also been questioned. Services for the proposal in this regard will be thoroughly assessed during an application made to comply with Building Control. Objections in this regard carry little weight.

Finally, it is noted that concern has been raised with regards to harm to existing property during construction, harm to road conditions and the restriction of rights of access. These form legal issues and, as such, fall outside of the remit of planning.

Determining Issues:

Background

This application was deferred from a Committee meeting dated 03/01/2018 to allow for full consideration of the emerging Local Plan. A further pre-submission version of this Local Plan was published on 11/01/2018.

The main considerations of the application are;

- The principle of the development
- The quality of the design and the impact upon the character of the area
- The impact upon living conditions
- Highway safety and parking provision
- Other material considerations
 - a. Sustainability
 - b. Ecology
 - c. Flooding and Drainage
 - d. Affordable Housing and Contributions
 - e. Contaminated Land
 - f. Agricultural Land Value

Considerations

1. The principle of the development

- 1.1 The application site is located outside of the defined 'settlement envelopes' of Clophill and Maulden and the Council can currently demonstrate a five year supply of housing land.
- 1.2 It is acknowledged that the approach of Policy DM4 in seeking to control the principle of development beyond settlement boundaries is more restrictive than the balanced, cost/benefit, approach set out in the Framework. The balancing of harm against benefit is a defining characteristic of the Framework's overall approach. However, this policy also seeks to ensure development is channelled to more sustainable settlements, away from isolated rural locations which have limited access to services and facilities. In this respect, Policy DM4 is entirely consistent with the thrust of the Framework which seeks to promote sustainable social, economic and environmental development. Overall, it is considered that weight may still be attributed to this policy in the determination of this application as the Council seeks to deliver planned development in a sustainable manner.
- 1.3 The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.

2. The quality of the design and the impact upon the character of the area

- 2.1 Policies CS14, DM3 and DM4 seeks to ensure proposals are of a high quality of design, respect the local context in which they are in, are appropriate in terms of scale and have an acceptable impact upon the landscape. Chapter 7 of the Framework emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.

- 2.2 The application site comprises an area of open agricultural land, adjacent to built residential form to the east and west, and is accessed off Clophill Road which bounds the site to the south. Though there is established vegetation to the front of the site, views would be available of the proposed development from certain vantage points along Clophill Road.
- 2.3 Under the adopted Development Plan, the site is not an identified 'gap' in policy terms and comprises no discernible landscape features. Given the existence of built residential form immediately adjacent to the site and as a large section of open space would be left within the middle of the site, it is considered that this development proposes a logical expansion to the village.
- 2.4 The units would not be more than two storeys in height and sufficient space would be left about them to ensure that they did not appear cramped upon their plots. Further, a Landscaping Plan could be secured to ensure that built form is appropriately softened and that there is no further fragmentation of existing hedgerows.
- 2.5 Though the extent to which the development would be visible would depend upon details reserved for future determination, and it is anticipated that views of the units would be screened by established and proposed vegetation, it is acknowledged that the final form of the proposal would result in residential development on land predominantly absent of built form. This would not result in the merging of settlements or harm to the wider landscape character, but would add to the erosion of the countryside.
- 2.6 Overall, there would be some visual and landscape harm arising from the loss of the site's open and undeveloped character. However, this could be mitigated, through the appropriate management of elements reserved for future consideration and through conditions. As such, the proposal would not result in significant harm in this regard.

3. The impact upon living conditions

- 3.1 Policy DM3 aims to preserve neighbouring amenity. Furthermore, guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.
- 3.2 Though the detailed layout and overall design of units is reserved for future consideration, it is considered that, given the size of the application site, units could be positioned and designed in such a way as to not result in significant and demonstrable harm to the living conditions of surrounding units. Furthermore, given the existence of surrounding residential units and the scale of the proposal, it is not considered that the access would result in significant harm in terms of increased noise and disturbance from vehicular movements associated with the development.
- 3.3 Furthermore, it is noted that specific concerns have been raised with regards to the impacts of the proposal in terms of noise and disturbance during construction. The construction of units must adhere to environmental health legislation (which, amongst other things, manages the hours of construction to appropriate times)

and it is recommended that a Construction Management Plan is requested through condition. This would ensure that vehicular movements and methods of dust suppression are appropriately managed, in the interest of neighbouring living conditions. Overall, it is not considered that the proposal would result in significant harm in this regard.

4. Highway safety and parking provision

- 4.1 Guidance within the 'Design for Central Bedfordshire: A Guide for Development' states that, generally, one bedroom units will require one parking space, two and three bedroom units will require two parking spaces and four bedroom units will require three spaces.
- 4.2 Though plots seem large enough to accommodate sufficient off-road parking, the overall layout of units is reserved for future consideration. However, a condition requested by Highways Officers would ensure that parking provision is in accordance with the Council's standards applicable at the time of submission.
- 4.3 Turning to highway safety, on discussion with Highways Officers it is considered that the access to the site would be acceptable and that the required visibility splays can be achieved. Subject to relevant conditions no objection has been raised in this regard.

5. Other material considerations

(i) Sustainability

- 5.1 The Framework adopts a broad definition of sustainable development in that it states that the policies in paragraphs 18 – 219, taken as a whole, constitute the Government's view of what sustainable development means in practice. The Framework also establishes that the purpose of the planning system is to contribute to the achievement of sustainable development, which includes economic, social and environmental dimensions.

Social

- 5.2 The proposal would make a small but valuable contribution to the existing housing stock. Given that one of the key aims of the Framework is to significantly boost the supply of housing, the proposal is considered sustainable in this regard and significant weight in favour of the proposal is attached to this factor. Further, it is noted that there has been concern raised with regards to there not being the services within Clophill and Maulden to support this development. However, both settlements are defined as a Large Villages within Policy CS1 and have a number of services and facilities. Taking this into account, and given the statutory duty of relevant bodies to provide services (such as health and education) it is considered that there are sufficient services with the Large Village to accommodate the additional units.

Economic

- 5.3 The proposal would also result in economic benefits, through the purchase of materials and services in connection with the construction of the dwellings and an

increase in local household expenditure. The proposal is considered sustainable in this regard, which again weighs in favour of the grant of permission.

Environmental

- 5.4 It is acknowledged that the proposal would result in some (moderate) harm to the character of the rural setting. However, the proposal is within close proximity to services and facilities and, overall, the development would not be environmentally unsustainable.

(ii) Ecology

- 5.5 The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework (paragraphs 118-119), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 as well as Circular 06/05. Furthermore, Policy CS18 seeks to support the maintenance and enhancement of habitats and states that development that would fragment or prejudice the biodiversity network will not be supported.
- 5.6 The site lies in the Greensand Ridge Nature Improvement Area (NIA) and as such development would be expected to deliver net gains for biodiversity.
- 5.7 To ensure that this gain is secured, Ecology Officers have recommended the imposition of a condition requiring an Ecological Enhancement Strategy. Subject to the imposition of this condition, no objection has been raised by Ecology Officers and the proposal would be acceptable in this regard.

(iii) Flooding and Drainage

- 5.8 Policy CS13 seeks to ensure that proposals incorporate suitable drainage infrastructure. It is acknowledged that concern has been raised with regards to the proposal being susceptible to and increasing the risk of flooding.
- 5.9 However, the site lies wholly within Flood Zone 1 – indicating a low probability of flooding. Further, on discussion with internal Drainage Engineers, it is considered that, subject conditions requesting the submission of a detailed Surface Water Drainage Plan and an associated maintenance plan, the proposal would not increase the risk of flooding to the surrounding area and proposed units would not be susceptible to such risks. Subject to the imposition of this requested condition, the proposal would be acceptable in this regard.

(iv) Affordable Housing and Contributions

- 5.10 Policy CS7 states that development of four or more dwellings should provide an element of affordable housing and Policy CS2 seeks to secure appropriate contributions.
- 5.11 The applicant has agreed to provide five affordable units (four affordable rent and one unit of intermediate tenure) in line with policy requirements. At present, there is no legal agreement to secure this. As such, this application is presented to the

Committee for approval subject to securing this appropriate agreement in due course.

- 5.12 It is noted that the Parish Council has requested financial contributions for various local projects.
- 5.13 Community Infrastructure Levy (CIL) Regulation 122 states that planning obligations must be necessary, directly related, and fairly and reasonably related in scale and kind to the development in question. Further, CIL Regulation 123 prohibits the pooling of 5 or more contributions towards a single project.
- 5.14 No other financial contributions have been requested from relevant consultees and no projects have been identified to which contributions may be 'pooled'. For these reasons, the request by the Parish Council would not comply with the CIL Regulations and it is not considered reasonable to request additional contributions from the applicant.

(v) Contaminated Land

- 5.15 Given the existing agricultural use of the site, on discussion with Public Protection it is considered that there may be some risk to human health through ground contamination. As such, it is recommended that a condition is imposed requiring the developer to keep a watching brief during constructions. Subject to the imposition of this condition, any unexpected contamination can be reported and appropriately remediated.

(vi) Agricultural Land Value

- 5.16 It is noted that there are concerns with regards to the loss of agricultural land. The land at the site is identified as being Grade 2 in quality. In line with Annex 2 of the Framework, this is considered 'best and most versatile' land.
- 5.17 The Framework, at paragraph 112, states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. However, the application has demonstrated that this land is not farmed intensively. As such, it is not considered reasonable to refuse the application on the loss of Grade 2 agricultural grounds alone.

Other Matters

- 5.18 It is acknowledged that this application site has been advanced for allocation through the emerging local plan but has not progressed beyond an initial stage of consultation.
- 5.19 Firstly, it should be noted that each site is assessed on its own individual merits (whether it is likely to be allocated, forms an allocated site or is not allocated).
- 5.20 Additionally, given the early stage of this emerging Local Plan, limited weight is afforded to it in any event. This Local Plan process therefore should not be seen as definitive in this balancing exercise.

- 5.21 Notwithstanding the above, this site did not progress beyond this very high level Local Plan assessment as it was considered that wholesale development of this site could result in the merging of two settlement 'envelopes'.
- 5.22 The applicant has worked, over a substantial period of time, with Officers which has resulted in a reduction in the number of units and a revised indicative layout. This layout shows a considerable piece of open space towards the front of the site. As such, it is considered that this smaller scheme would preserve the historic character of the village and would not result in harm through the visual 'merging' of the two envelopes.

6. Overall Planning Balance

- 6.15 The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.
- 6.16 It is acknowledged that there would be some harm to the landscape character. However, when considered in the round, the development represents a logical expansion to the settlement and would contribute significantly to the economic and social dimensions of sustainability.
- 6.17 In the overall balancing exercise required, the identified harm and conflict with the Development Plan, would be significantly out-weighed by the benefits of this scheme, particularly when assessed against the Framework as a whole.

Recommendation:

That Outline Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS

- 1 Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act

1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; 16216 (D) 001 & 16216 (D) 002 Rev. C

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

- 5 The development shall not commence until a Construction Management Plan has been submitted to and approved, in writing, by the Local Planning Authority. The statement shall include:

- i) waste management measures;
- ii) details of site compounds, offices and areas to be used for the storage of materials;
- iii) methods and details of dust suppression during construction;
- iv) proposals to minimise harm and disruption to the adjacent local area from ground works, construction noise and site traffic.
- v) construction traffic routes

The development shall be carried out in accordance with the details so approved.

Reason: In the interest of highway safety and the living conditions of surrounding properties.

- 6 The dwellings hereby approved shall not be occupied until details of the bin storage areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with details approved in this regard.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS14, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 7 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 7 & 11, NPPF)

- 8 No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and

Drainage Strategy (March 2017) and assessment of the hydrological and hydrogeological context of the development and the expected outfall extent, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change). Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included.

The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.

- 9 Prior to the first occupation of the dwellinghouses hereby approved, a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, shall be submitted to and approved in writing by the local planning authority. The development shall be in accordance with this approved plan.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 10 During any ground works on the site a Watching Brief shall be kept to monitor any potentially contaminated material. Should any such material be encountered, the development must cease immediately and the Council must be informed without delay and an appropriate course of action agreed in writing. Subsequently, the development shall continue in accordance with this agreed course of action until completed.

Reason: To minimise the risk to human health through ground contamination.

- 11 No development shall take place until an Ecological Enhancement Strategy (EES) has been submitted to and approved in writing by the local planning authority. The EES shall include the following:

- a) Purpose and conservation objectives for the proposed works informed by a review of the ecological assessment.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.

- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.

The EES shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interest of biodiversity, in accordance Policy CS18 of the Core Strategy and Development Management Policies 2009.

- 12 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include plans and sections of the proposed access road(s), footways, cycleways, turning areas, street lighting, etc. to accord with the Council's published standards.

Reason: To ensure a satisfactory means of access between the proposed dwellings and the public highway and to ensure that the proposed dwellings can be properly serviced.

- 13 No dwelling shall be occupied until a 2.0m wide footway has been constructed on the northern side of Clophill Road across the whole of the site frontage in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority. Such details shall include new street lighting. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.

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

- 14 No dwelling shall be occupied until visibility splays have been provided on each side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel of the public highway and 59m measured from the centre line of the proposed estate road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be kept free of any obstruction.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it.

- 15 Before the new road access junction is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

- 16 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a scheme for the provision

of off-street parking and cycle parking in accordance with the Council's published standards.

Reason: To enable vehicles to draw off and park clear of the highway, thus minimising conditions of danger, obstruction, and inconvenience to users of the highway and of the premises.

- 17 The supporting documentation to be submitted for approval of reserved matters in connection with this development shall include a construction method statement which incorporates details of:

- Parking of vehicles for site operatives and visitors;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- Construction traffic routes; and
- Details of the responsible person who can be contacted in the event of a complaint.

All works shall be undertaken in accordance with the approved details.

Reason: To ensure the safe operation of the surrounding road network during the construction period.

- 18 The number of dwellinghouses approved shall not exceed 14.

Reason: To appropriately manage the scale of the development at the site, in accordance with Policies CS14, DM3 and DM4 of the Core Strategy and Development Management Policies 2009.

INFORMATIVE NOTES TO APPLICANT

1. 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 Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049.
2. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Highways Agreements Officer, Highways Contract Team, Community Services,, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.
3. The applicant is advised that in order to comply with the Conditions 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. Further details can be obtained from the Highways Agreements Officer, Highways Contract Team,

Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. Tel., 0300 300 5268 *May need to be amended to suit decision notice.

4. 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.

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

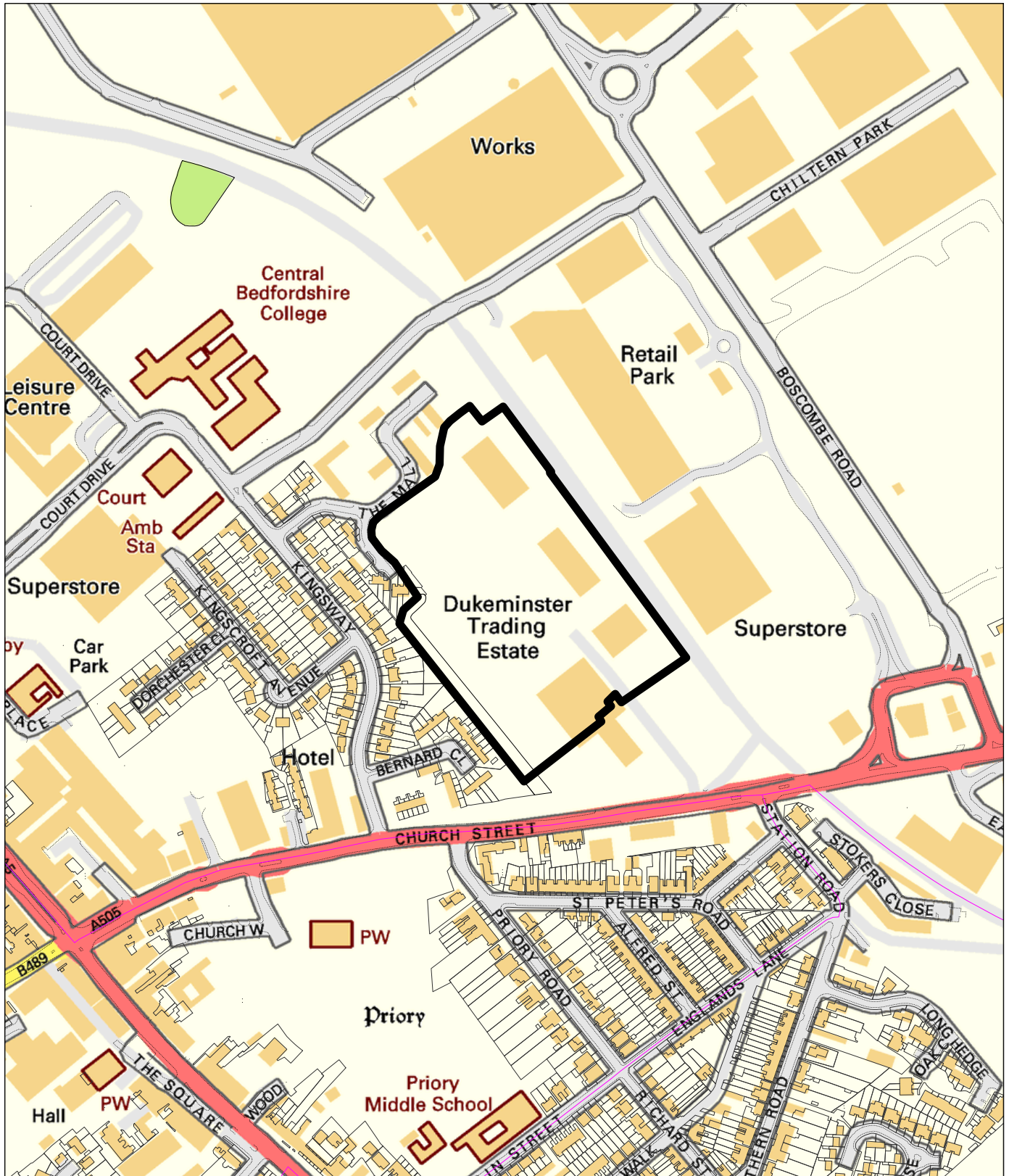
The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

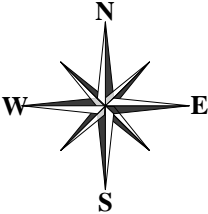
DECISION

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	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No. CB/16/02972/FULL
	Date: 05:May:2017 Grid Ref: 502298; 222178	
Scale: 1:5000	Former Dukeminster Estate, Church Street, Dunstable	

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Item No. 9

APPLICATION NUMBER	CB/16/02972/FULL
LOCATION	Former Dukeminster Estate, Church Street, Dunstable
PROPOSAL	Erection of 270 dwellings with parking and associated works.
PARISH	Dunstable
WARD	Dunstable Icknield
WARD COUNCILLORS	Cllrs McVicar & Chatterley
CASE OFFICER	Donna Lavender
DATE REGISTERED	18 July 2016
EXPIRY DATE	25 November 2016
APPLICANT	Persimmon Homes North London
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Major Application that is a departure from the Development Plan
RECOMMENDED DECISION	Full Application – Recommendation for Approval subject to the completion of a 106 agreement

Reason for Recommendation

The proposed development would result in the efficient re-use of previously developed land and is considered to be in accordance with local and national policy and there are no matters of detail that weigh against the grant of planning permission. The submitted viability assessment fully demonstrates that the development cannot deliver full contributions due to viability issues and given those constraints an acceptable level of affordable housing and proportionate contributions have been secured. The proposal would have an impact on the character and appearance of the area however this impact is not considered to be demonstrably harmful. The proposal is also considered to be acceptable in terms of highway safety and neighbouring amenity and therefore accords with Policy BE8 of the South Bedfordshire Local Plan Review and the Council's adopted Design Guidance (2014).

Update to Committee

This application was previously considered by the Development Management Committee on 16th August 2017. The resolution of the committee was that the application be approved subject to the completion of a Section 106 agreement. The Section 106 agreement was to include an obligation to secure provision of on-site affordable housing as resolved at the committee with a mixture of 10% shared ownership and 5% starter homes. The committee is asked to reconsider the application on the basis of the updated information in respect of this matter as referenced below.

Since the previous resolution the developer has advised us that they have been unable to deliver on the Starter Homes provision and has therefore requested a change in the Heads of Terms in respect of the Affordable Housing mix. The Developer has reconsidered their viability to see if an alternative affordable housing mix could be realised that would allow for 15% affordable housing provision as

previously agreed upon. Following the consideration of the updated viability it was found that 15% shared ownership would be the only comparable affordable housing mix that is relative to the cost implications of the original mix proposed. As such, given that this mix is comparative in terms of value to that previously agreed upon, it is considered appropriate and reasonable to accept this variation in the heads of terms to ensure that 15% affordable housing on the site can be achieved.

The Officers report herein has been updated to reflect the revised affordable housing mix and the revised education contributions that were included on the late sheet of the last committee. The report also includes the one further representation which has been received from a local resident. In addition, any amended or added conditions which were included on the late sheet of the previous committee resolution have been updated. Lastly the plan condition which includes the affordable housing mix schedule and plan has been updated on this report.

Site Location:

This site comprises the 4.65 ha. central and northern part of the 6.5 ha. Dukeminster Estate together with the estate road to Church Street (0.35ha.). This was until recently a commercial enclave on a rectangle of land half a mile east of Dunstable town centre with a long history of commercial use.

The Estate sits off the northern side of Church Street and the land was levelled in the past by forming embankments up to 5m high to part of the north and west sides. The embankments were planted resulting in a mature wooded bank on these frontages overlooking flats and houses in The Mall, Kingsway and Bernards Close. Part of the eastern boundary has an area of undergrowth, with young trees on a bank falling to the Busway. The White Lion Retail Park and Sainsburys superstore lie beyond to the east. To the south, the main site adjoins a care home and an Extra Care scheme. Access to the application site is off Church Street which runs between these two developments.

All the commercial buildings which stood on the site have now been demolished. The 1973 Tree Preservation Orders protect (a) trees in an Area which includes the bank towards the NW corner of the site and (b) individual trees at the foot of the bank to the rear of Scott's Court, Kingsway, and Earls Court, The Mall.

The Application:

The application represents an amendment to a previously approved scheme for the erection of 170 dwellings. The proposed scheme is described as 277 units; however the total number of dwellings would be 321 if permission was granted. The apparent discrepancy reflects the nature of the application which seeks to amend only parts of the approved scheme resulting in 44 units from the approved scheme being retained.

The revised scheme has changed the mix of units away from a house led scheme with a modest number of flats to a flat led scheme with a number of dwellings. The dwelling mix has moved away from larger units to a focus on smaller units. The proposed dwelling mix would be 120 houses and 201 flats. The flats are either 2 or 3 bedroom units with the houses being 2 or 3 bedroom units.

The general road layout and open space provision reflects that of the previously approved scheme although there have been a number of amendments made to

respond to comments from consultees and local residents.

The application is supported by a comprehensive suite of documents including:

- Geotechnical Ground Investigation
- Street scenes
- Sustainability report
- Environmental Noise Assessment
- Residential Travel Plan
- Transport Assessment
- Design and Access Statement
- Planning Statement
- Statement of Community Involvement
- Landscape Management Plan
- Ecology Statement
- Financial Viability Assessment
- Road Safety Assessment

RELEVANT POLICIES:

National Planning Policy Framework (March 2012) & National Planning Practice Guidance (November 2016)

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 8 - Promoting healthy communities

Section 10 - Meeting the challenge of climate change, flooding and coastal change

Section 11 - Conserving and enhancing the natural environment.

South Bedfordshire Local Plan Review Policies

BE8 Design Considerations

E1 Main Employment Areas

H2 Making provision for housing via 'Fall-in' sites

H3 Local housing needs

H4 Providing Affordable Housing

R10 Children's play area standard

R11 New urban open space

T4 Public transport services along the former Luton/Dunstable rail line

T10 Controlling parking in new developments

SD1 Keynote sustainability policy.

(Due weight can be given to relevant policies in existing plans according to their degree of consistency with the NPPF. It is considered that Policy BE8 is consistent with the Framework and carries significant weight. However, Policy T10 carries less weight.)

Local Plan

The Council is currently consulting on its Draft Local Plan (Regulation 19). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy

Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Supplementary Planning Guidance and other documents

1. Central Bedfordshire Design Guide (September 2014)
2. Dunstable Town Centre Masterplan, May 2011
3. Managing waste in new developments SPD

Other relevant documents

- Luton to Dunstable Railway CWS
- Borough of Dunstable Tree Preservation Order No.1 1973
- Borough of Dunstable Tree Preservation Order No.2 1973

Relevant Planning History:

CB/15/03052/RM	Application for approval of reserved matters for the development of 170 dwellings with car parking including garages, internal access roads, public open space including play areas, landscaping, drainage and other related infrastructure pursuant to outline planning permission CB/13/01368/OUT. The outline planning application was not EIA and was not accompanied by an Environmental Statement.
CB/13/01368/OUT	Permission. The demolition of all buildings on the site and redevelopment for up to 170 residential dwellings together with improvements to the existing access road, associated vehicular parking and landscaped areas.
SB/OUT/06/0884	Appeal permission expired - Residential development for up to a maximum of 458 dwellings (85 dwellings per hectare maximum) with associated parking and open space and up to a maximum of 300m ² of Class A1 floorspace and up to a maximum of 520m ² of Class D1 floorspace.
CB/11/02380/FULL	Resolved to Grant - Demolition of all existing buildings and redevelopment for up to 172 residential dwellings together with 300m ² (gfa) of Class A1 retail space and 513m ² (gfa) of Class D1 accommodation. Section 106 Agreement not signed.
CB/11/03053/DEM	Demolition consent for removal of buildings.
CB/11/04497/OUT	Resolved to Grant - Demolition of all buildings on the site and redevelopment for a mixed use scheme for up to 203 residential dwellings together with a 75 bed care home, 568m ² (gfa) Class A1 retail space, 505m ² (gfa) Class A2 financial and professional services or Class 3 restaurants and cafe space, 555m ² (gfa) Class D1 non residential institutions space, 783m ² (gfa) Class B1 business space together with associated vehicular parking and landscaping areas. Section 106 Agreement not signed.

CB/12/01114/SCN Screening Opinion for current proposal - Not EIA Development.

CB/13/00710/FULL Permission - New build Class C2 care home facility and upgrade of existing access road.
[land to south-east of site]

CB/13/01276/FULL Permission. Demolition of all existing buildings on the site and redevelopment for the construction of 83 Extra Care Flats for Older Persons with communal areas, support facilities and retail unit.
[land to south of site]

Town Council:

Dunstable Town Council (31/08/17) (*Verbatim*) - Members were satisfied with the overall layout of the estate including the number of parking spaces and the number and type of properties. Members expressed concern about the single vehicle access arrangements to the site from Church St and in particular questioned the capacity and vehicle control arrangements taking account of the increased number of vehicles associated with the development alongside the existing vehicle volumes associated with the Priory View care home. Members asked that CBC be requested to review the suitability of these access arrangements at the Church St junction entrance.

Members suggested that a footpath link be created near or adjacent to the L.E.A.P. to provide access to the guided busway and the nearby local bus stop.

Previous comments made regarding the landscaping proposals contained within the outline planning application CB/15/03052/RM remain unchanged where still relevant.

Internal Consultees:

CBC Housing Development Officer (09/08/16, 06/12/16, 23/05/17 & 21/11/17) Application now proposes an element of affordable housing through intermediate tenures (shared ownership and starter homes) despite submission of viability demonstrating zero affordable housing can be provided on site. The submitted viability was independently assessed and verified which broadly agreed with the findings from the submitted viability. Whilst the addition of an element of affordable housing has been incorporated into the scheme, am not inclined to offer support to the revised application. The intermediate tenure units will not be providing affordable units for those in the greatest housing need. The Strategic Housing Market Assessment indicates the overarching requirement in Central Bedfordshire is for affordable rented housing (73% of all affordable

units from qualifying sites). It would be preferable for the scheme to incorporate the provision of less affordable units than the quantum proposed through intermediate tenures with the provision of affordable rented housing, which will provide affordable housing for those in the greatest housing need.

Further to the revision of the affordable housing mix to provide 15% shared ownership, the Housing Development Officer has advised that this proposal still remains to fail to provide for policy compliant affordable housing provision however acknowledges that the 15% shared ownership costs to the scheme would be broadly similar to the previous costs of the mix of 10% shared ownership and 5% starter homes previously agreed upon.

CBC Integrated Transport
(21/11/16) -

No comment

CBC Ecology (05/12/16 ,
31/08/16, 20/04/17 &
25.05.17) -

No objection. Welcome references to biodiversity and the need to give consideration to bats and birds when undertaking works. Also welcome the planting/seed mix.

Amended proposals: Having looked at the new landscape drawings, concerned about the wet pour ground treatment for the LEAP in the NE corner of the site. Not clear if this is the new artificial sett or the original main sett. Intensified Scheme Ecology Letter is dated June 2016 so is almost 1 year old and hence does not relate to the current situation on site. Understand the NE licence has been extended but no information relating to this extension has been provided. Equally no method statement has been submitted to evidence how works will proceed without causing harm to the badgers on site. Given the protracted process of this application and the fluid nature of badger habitation would expect an updated assessment of badger activity and potential impacts to be provided.

CBC Highways Officer
(30/09/17, 11/10/16,
27/03/17 & 26.05.17)

Recommendations made for the commissioning of a safety audit which should inform any appropriate amendments to the access to the site and any highway safety mitigation.

On receipt of the safety audit and on the advice of the Councils Highways Officer, a revised access plan demonstrated more appropriate alignment, visibility and pedestrian refuge points were supplied.

Within the revised drawing number 14.100.1.101.2 Rev12 there is an additional 19 spaces provided which now means that there is a total under provision of 23 spaces.

While there could be an argument for general under provision and this could be supported by the residential parking research document produced by Community and Local Government, I would not support an application where there is an under provision of visitor spaces to this level.

While in the location I would be willing to support an application that does not meet the authority standard; in relation to visitor spaces the applicant should be urged to make alterations to provide additional visitor spaces to meet the authority standards,

In relation to the other minor alterations within the reconsultation; these matters do not relate to highway matters.

Accept the proposals shown on drawing number 17178-002 Rev. A subject to a Road Safety Audit.

CBC Strategic Landscape
(16/08/16,07/12/16,
09/12/16, 22/03/17 &
24/05/17)

No Objection, however offered recommendations. The visitor parking bays at the main access to the development would benefit from the inclusion of street tree / trees within a build out to define the parking area, assist in traffic calming and also contribute to a landscape / green 'gateway' to the site.

The higher density housing to the southwest of the site appears to include very limited communal green space therefore it is recommended that more opportunities for additional 'community greens / pockets parks' with attractive landscaping and seating in this area of the development be considered.

A footpath and cycle access at the northern point of the site would increase permeability of the development and offer residents access to the bus way and wider 'green' public open spaces, promoting recreation opportunities and health.

In addition a request was made for a landscape management plan which was received on 02.05.17.

No additional comments on the amended plans.

CBC Public Art (27/07/16 & Central Bedfordshire Council actively encourages the

09/12/16) - inclusion of Public Art in new developments and looks to developers / promoters of sites to take responsibility for funding and managing the implementation of Public Art either directly or through specialist advisers and in consultation with Town and Parish Councils and Central Bedfordshire Council.

If the application were to be approved it is requested a Condition be applied to secure a public art plan.

CBC Sustainable Growth
(15/08/17,28/11/16,
09/03/17 & 12/05/17) -

Additional information was requested on how sustainability standards required by policy would be met. A sustainability statement was supplied on 02.05.17 for consideration.

The submitted Energy Statement proposes 10% emission rate improvement over current Building Regulation Standards. This approach is acceptable and the following planning conditions should be attached:

- 10% energy demand of the development to be delivered from renewable or low carbon sources;
- Water efficiency to achieve water standard of 110 litres per person per day.

CBC Trees and Landscape
(06/12/16, 10/04/17 &
15/05/17) –

No objection to the application on the provision that tree protection conditions are imposed. The areas of "No Dig" construction, being used for pathways and other hard standing areas, should be based on a three dimensional cellular confinement system, and fully supported by an Arboricultural Method Statement, and an amended "Tree Protection Removal Plan". This will ensure that the fibrous rooting system and rooting medium of these trees are fully protected from excavation and compaction damage, in order to ensure their long-term health and stability.

CBC Sustainable Transport
- Travel Plan Officer
(10/08/16) -

There are some amendments required. It would also be useful to see a plan of the proposed direct pedestrian/ cyclist access to the busway as this will be a key component to the success of the measures put lined in the plan.

The plan, as per the previous application will need ongoing implementation and monitoring secured via an appropriate condition.

Urban Design Consultant
(02/12/16 & 17/03/17) -

Lack of street trees, particularly in front of apartment blocks 12 (plots 445-461) (plots 410-424, 383-397)

Ground floor garden spaces should not be provided on the street frontage. Private garden space should be provided to the rear of the building. An alternative to private gardens would be an area of communal space.

Bin/cycle stores and undercroft parking provide inactive ground floor frontages to the street within the apartment blocks.

Recessed or cantilevered balconies (rather than those supported by an external frame) would add more interest to the apartment elevations.

The relationship of apartment blocks 5, 9 and 8 to adjoining dwellings needs addressing. They should step down from four to three storeys where they adjoin 2 storey dwellings.

Flat blocks 8 and 9 frame the main square, which is a key space within the scheme should be brick rather than render. Buildings should animate the square but the central part of the elevation is weak with an inactive ground floor.

CBC Waste Services
(07/12/16 & 24/03/17) -

Raise no objection in principle but give detailed advice on the required level of bin provision and requirements for storage and collection points which could be secured through condition.

CBC Green Infrastructure
(15/06/17) -

The levels of open space provision on the development site should be checked against the Leisure Strategy standards. We would expect that the development delivers the required quantity of open space on site in the first instance. If this is not possible, contributions would be required to enhance or extend existing open spaces. N.B. Refer to S106 obligations.

CBC SuDS Team
(21/03/17) -

We are unable to recommend the application CB/13/01368/OUT for approval until details have been received to demonstrate that condition 12 and 13 of CB/15/03052/RM have been satisfied.

Details to discharge the conditions under the RM application were submitted to support this application on 02.05.17.

CBC Countryside Services
(26/08/16 & 19/12/16) -

Concerns expressed over the lack of open space provision and the a direct impact on existing Countryside Sites, it is just over 1000mtrs to Walk/Cycle to Houghton Hall Park to engage in educational/countryside activities. it is also noted that

the Residential Travel Plan makes no reference to visiting the nearest park space at Houghton Hall Park. Furthermore concerns expressed about the visual view of the landscape in particular to the north east boundary overlooking the Guided Busway.

CBC MANOP (Meeting the Needs of Older People) Officer (19/08/16) - Request that the needs of older people are addressed and considered in the assessment of the application.

CBC Pollution Officer (12/08/16, 02/12/16 & 25/05/17)- No Objection, subject to the imposition of conditions to secure a phase 4 validation report in respect of remediation and an updated noise mitigation scheme.

CBC Public Sector Housing (05/05/17) No comments to make.

External Consultees:

Natural England (05/08/16 & 18/05/17) -

Statutory nature conservation sites – no objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. Landscape enhancements.

Highways England (15/08/16 & 05/05/17) -

No objection

Anglian Water (06/09/16) -

Raise no objection subject to the imposition of conditions to secure a foul water strategy and surface water management.

Environment Agency (18/08/16) -

The proposed development site appears to have been the subject of past industrial activity which poses a high risk of pollution to controlled waters and as such planning conditions may be deemed necessary by the Local Lead Flood Authority and/or CBC Pollution Team in terms of mitigating any risk of contamination to controlled waters.

Sports England (29/07/16 & 09/05/17) -

No Comments

106 Sustainability Mitigation Obligations:

CBC Education Officer (08/03/17)-

Has requested contributions towards the delivery of additional education facilities arising from the

development.

CBC Leisure Officer
(23/09/16 , 19/12/16 &
13/04/17) -

The development generates a requirement to provide on and off site open space totalling 5.4ha. Both Countryside Recreation and Informal Recreation would be made off the development site in the form of creation or improvements to existing facilities.

Children's Play/Teenagers - a development of this size should provide on-site play provision of: 1 NEAP play area plus 2 LEAP / LAP combined play areas. The proposed onsite LEAP and 2 LAP play areas falls below the standard required for the development, and the equipment proposed previously (below) is unsuitable.

As an alternative to onsite play facilities the developer may wish to provide a contribution toward enhancement of existing play facilities locally.

As no onsite outdoor sport would be appropriate on this development, a contribution of £86,627 is sought toward Dunstable Town Council's project to upgrade the sports changing pavilion at Kingsbury Park, which accommodates football and bowls pitches/facilities, based on the Sport England Playing Pitch Calculator. In addition a £70,000 contribution towards an offsite NEAP.

Other Representations:

Neighbours

One letter has been received from a resident of Priory View which raises no objection to the application.

54 letters have been received from residents of **Priory View, Bernard Close and Kingsway** which raise objection on the following grounds to the original and amended proposals (in summary):

- Overlooking
- Invasion of privacy
- Extra traffic /pollution onto an already very congested road
- Loss of trees
- Boundary fences which are in a poor state of repair
- Existing health problems would be exacerbated by construction works and increased pollution
- 600 extra cars, vans, lorries would travel up and down

the access road.

- Miss selling of property
- Over Development
- Site is much higher than Kingsway
- High rise buildings should be located away from existing dwellings
- Site hoarding should be retained to provide privacy
- Branches have already been removed from protected trees
- Junction with Church Street would be over capacity with associated severe congestion and highway danger;
- Loss of light
- Adverse impact on the gardens to Priory View
- Disturbance during construction works
- Too many new homes are being built in the area
- Nobody will want to live in Priory View after the new development is carried out

Additional comments received on amended plans:

- Amended flat blocks 1 and 2 will still remain 4 and 5 storey respectively when you include the height of the gable roof and will still cause overlooking, loss of daylight, not just in the mornings and evenings and loss of privacy.
- Limited sunlight will have an adverse effect on quality of life and health, particularly those with vitamin deficiencies and depression. Many residents are unable to travel from the Priory View garden area which would no longer be therapeutic and is a focal point for the community.
- Still object to the scale and mass of the development at the rear of Priory View.
- Highways report does not take account of increased volume in traffic.

- How can the builders know what they are building if the plans keep changing?
- Blocks 1 and 2 should be replaced with housing.
- Detrimental impact on air quality from additional traffic.
- The CB Design Guide at para 5.02.03 explicitly refers to two storey structures and suggests that three storey and above heights would require an increase in distance which will not overcome overlooking if 4 storey.
- It is misleading to directly compare 'pitched roof' structures with those having 'flat roofs'.

A petition of objection signed by 71 residents and 7 visitors to Priory View has been received which raises objection on grounds of

- Loss of light
- Overlooking
- Shading of landscaped garden
- Increased noise
- Increased traffic volumes adding to existing levels of congestion
- Increased pollution
- Severe disruption to residents
- A northern exit road should be created
- Taller dwellings should be located away from existing dwellings; the layout plans should be turned around

Additional comments on changes to the affordable housing mix:

115 Priory View received 09.01.18 (*Verbatim*):

"We are of the opinion that 'affordable housing' should not be further subsidised by the Council through any extension of a shared ownership scheme. This would just add to the financial burden of CBC - to be passed on – i.e.

Council Taxes?

We feel that the Messrs Persimmon, the developer, should be held to the original agreed terms of supplying affordable housing as required by contract and Government direction."

Determining Issues:

The main considerations of the application are;

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

Considerations

1. Principle of the Development

NPPF paragraph 49 states that 'housing applications should be considered in the context of the presumption in favour of sustainable development'. In the local context, the site falls within the town of Dunstable. Dunstable is designated as a town which is considered to be a sustainable location for planning purposes and wherein the principle of new development is considered acceptable.

The principle of development for residential on this site was established with the grant of Outline planning permission, and subsequent approval of reserved matters for the demolition of all buildings on the site and re-development for 170 dwellings. This planning permission remains extant and as such is material to the consideration of this application.

Since the original grant of planning permission the NPPF has been published and there have been other changes such as the CIL Regulations; however, none of these changes mitigate against the principle of a residential development on this site.

Accordingly there is no objection to the principle of residential development on this site. A residential reuse would make a positive contribution towards urban regeneration and the supply of land for housing with effective use of the available land and is therefore considered acceptable in principle and accords with national advice and Local Plan housing policies. It is also accepted and agreed that the site is previously developed land and so the principle of the use of the site for residential development is therefore acceptable, subject to other considerations such as design, amenity and highway which are considered later in this report.

This full planning application has been considered in relation to the EIA Regulations (2011) as amended March 2014 and it is felt that no further information is required to be submitted in this respect.

2. Affect on the Character and Appearance of the Area

Appearance and Scale

The scale of development has increased significantly since the original approval; however, this has also reflected a change in the mix of proposed dwellings with a much greater emphasis on flats. The change in mix and numbers has also resulted in an increase in the height of the development with several four storey flat blocks included.

There is a mix of terraced units with some semi-detached properties and a significant presence of flats proposed. Building materials are mainly brick with some render and timber cladding used to create interest and variety. The materials generally reflect those found in the new developments to the south of the site.

In terms of overall scale, the development would not be out of character with the care home and extra care building which are two and a maximum of five storeys high respectively. The heights of the buildings vary within the development and amendments have been made to ensure that there is a progressive transition between the different building heights to create an interesting but balanced street scene.

There have been other revisions to the development to remove areas of undercroft parking and replacement with flats to animate the street frontage. The materials treatment of the proposed blocks has been revised to create more visual interest and break up the mass and bulk of the flat blocks. The proposed layout conforms to established good principles of design by respecting key groupings of buildings, street design, set backs, boundary treatments, parking typologies and materials.

As such, following the revisions to the scheme, it is considered that, the development would complement the character and appearance of the surrounding area.

Layout & Legibility

With regards to pedestrian access, a network of footpaths would be constructed within the site and linkages would be provided through the north eastern and north western boundaries to the busway and The Mall respectively as with approved scheme.

The majority of private outdoor space for flats is provided as balconies with limited communal garden space and houses would be served by rear gardens which, in most cases, comply with the CBC Design Guide. Given the site's proximity to public open spaces within walking distance of the Priory Gardens and the Grove park and the on site play area provision (detailed below); it is considered that the amenity space provided would be acceptable.

Landscaping

To soften the appearance of the development within the site, trees would be planted on the sides of roads. Additional planting would be introduced along the north eastern boundary to provide a buffer with the busway. A detailed landscape strategy covers the whole site and includes two Local Areas for Play (LAP) one situated at the site entrance and another on the north western edge of

the site. In addition, a LEAP would be provided on the north eastern corner of the site. The details of landscaping submitted are considered acceptable.

Subject to appropriate conditions, the proposed development would therefore make a positive contribution to the locality and hence would not conflict with the aspirations of the Outline Planning permission and policies BE8 of the South Bedfordshire Local Plan Review (SBLPR) and national advice within the National Planning Policy Framework (NPPF).

3. Neighbouring Amenity

The objectors have raised a number of issues in their representations; many of the points have been addressed above, however, the following points address some of the specific issues raised regarding amenity.

Concern has been raised over loss of light and overshadowing particularly for the Priory View development; however, the development lies to the north of the Extracare facility and it is unlikely that there would be any overshadowing of properties except at the beginning or end of the day and any impact would be minimal due to the distances involved. The scheme was revised by moving one of the flat blocks further away from the boundary with Priory View and reducing building heights.

The layout of the flats, position of windows and their balconies to the rear of the Extracare facility has been amended to reduce the likely impact of any overlooking. Concerns were expressed by residents that block 1 would result in overbearing impact on Priory View due to its proximity to the shared boundaries. However this block in terms of its siting and up to a height of three storey (with pitched roof) was approved under the previous reserved matters application. The revisions secured during the life of the application, reduced the proposed four storey nature of this block 1 building back down to three storey (with pitched roof) adjacent to the shared boundaries which is consistent with their previous and extant permission. As such, it is considered that the impact of this proposed development would be no greater than the previously approved and extant permission.

Concerns of residents of Priory View were also raised in respect of flat block 2 due to its proximity to the boundary resulting in overbearing impact and due to its overall height and position of windows and balconies having the potential to result in mutual overlooking concerns. Amendments were secured during the life of the application which removed the arched entrance to the parking which contained flats above and all windows and balconies have been removed from the rear elevation facing Priory View.

A minimum separation of 29 metres is now proposed between the flat block 2 and Priory View buildings which is the distance between the western ends of both buildings. This separation distance increases to 33 metres at the eastern end of block 2 (with two storey element) and 35 metres around the middle of the block where it is four storey in height (with pitched roof). The Councils Technical Design Guidance recommends a 21 metre separation distance to prevent mutual overlooking but this relates to two storey height dwellings only. The Guidance states that “three storeys and above heights” require an increase in distance if the basic standard is applied but does not recommend an appropriate

distance.

Concern has also been raised by residents of Priory View about the heights of the buildings proposed. Priory View is a flat roof building which has a 5-storey 'drum' near the junction of the estate road with Church Street, from which radiate 2 wings of decreasing height. The wing facing proposed flat block 2 is part four and part three storey. The applicant has provided marked up drawings of Blocks 1 and 2 which shows that Block 2 (mainly four storey) would be 10.8 metres to the eaves and a maximum 14.03 metres to the ridge.

It is acknowledged that there would be some degree of impact on amenity from the proposed flat block 2 but given the additional distance proposed (minimum 29 metres) and the location of flat block 2 to the north of the Priory View properties it is not considered that there would be significant harm.

An approximate 10 metre depth buffer surrounds the north and western boundaries shared with other additional residential properties in Bernard Close, Kingsway and The Mall. This separation, including the rear garden spaces of the existing properties adjacent to the shared boundaries with the site, which are excess of 10 metres in depth, makes for an adequate separation that would not give rise in amenity concerns in terms of mutual overlooking or overbearing impact to this local residents.

Concern has been expressed about health impacts arising from the development. The issues raised around dust and noise will relate to the construction phase of the development and will greatly reduce once the development is fully occupied. The greatest impact will, therefore, be relatively short lived. Any nuisance that may arise would be covered by other regulations and addressed by the Councils Public Protection Team. Whilst the concerns raised by the objectors are fully understood they do not represent grounds to resist the current revised scheme and furthermore some of these concerns can be addressed through a Construction Management Plan condition.

The Councils Public Protection Officer acknowledges that dwellinghouses have been sited in order to minimise noise disturbance however the original noise report was conducted in 2011 prior to the busway becoming operational and prior to changes on the White Lion Retail Park and no noise attenuation scheme has been updated and supplied with the application and therefore this would need to be secured through condition.

A bin collection scheme in terms of storage and collection points have not been supplied for consideration however there is sufficient space within the layout to allow for these provisions and as such this matter can also be secured through condition.

In terms of amenity space for future occupiers, each bedroom space meets either the minimum standards which are conveyed within the Central Bedfordshire Design Guide or statutory limitations under the Housing Act. Furthermore, the garden space for each dwellinghouse would meet external standards conveyed within the same technical planning guidance. There is a 20 metre or more in some instances, separation between the back to back of each dwellinghouse to ensure that the development would not result in mutual

overlooking concerns. Therefore the proposal would conform with policies BE8, the Central Bedfordshire Design Guide and section 7 of the NPPF requiring good design.

4. Highway Considerations

Access onto the site comes off Church Street and was established by the Outline permission, although this was for a lesser number of dwellings. The layout of the dwellings follows the road design which was previously approved and comprises two inter-linked loops which terminate in cul-de-sacs in the north eastern and north western parts of the site. Amendments have been made to this access in terms of its alignment and width to improve visibility and pedestrian access in accordance with the conclusions of a safety audit supplied during the course of the application.

A total of 576 parking spaces including garages would be provided against the CBC requirement of 578 spaces. 54 of these would be for visitors which is 23 short of the standard for visitor spaces. Given the proximity of the site to the town centre, busway and pedestrian/cycle routes this provision is considered acceptable.

The traffic assessment and comments from the highway officer confirm that whilst there would be an increase this would not be to a level that would be unacceptable or warrant refusal of planning permission.

The Highways Officer has not wished to raise an objection to the granting of this approval subject to the imposition of conditions. Therefore it is considered that the application would conform with policy T10 of the South Bedfordshire Local Plan Review and the Central Bedfordshire Design Guide.

5. Other Considerations

Affordable Housing Provision

Affordable housing provision was secured through the original outline planning permission for that number of units, in the form of Priory View. A viability report has accompanied this revised full planning application which concluded that this scheme, despite the increase in unit numbers, was considered to be unviable due to the construction costs in relation to flat blocks and due to the unsuspected additional ground construction works. As such no affordable housing provision was offered on the outset of this application.

However notwithstanding the conclusions of the viability report an element of affordable housing has been proposed as the viability report over estimated the likely S106 contributions. 15% shared ownership has been agreed upon by the developer for the additional units proposed by this application which is considered acceptable in light of the viability conclusions. The proposal therefore is in accordance with Section 6 of the NPPF which requires the delivery of a sustainable, inclusive and wider choice of high quality homes.

Contamination

The remediation strategy submitted in pursuit of discharge of condition 11 of permission number CB/13/01368 covers this entire site and as such covers this application and was included as part of this application submission. The Council's Pollution Officer raises no objections to the proposed development

subject to the imposition of a condition to secure a phase 4 report demonstrating the effectiveness of the remediation strategy and a condition that if any unsuspected contamination found through site investigation, excavation, engineering or construction works to ensure this is identified and remediated.

Ecology

The Councils Ecologist and Natural England have both concluded that the proposal is unlikely to affect any statutorily protected sites or landscapes. Section 11 of the NPPF calls for a net gain in biodiversity. The references to biodiversity is welcomed including the planting/seed mix. The Councils Ecologist has recommended the provision of bat/bird boxes into the built fabric of dwellings which could be secured through condition.

An artificial badger set has already been provided to replace the original one which was closed due to its proximity to the guided busway. The Council's ecologist has asked for an update on badger activity on site and this should help inform other works which will be required.

No further objections have been raised by the Councils Ecologist or Natural England. The proposal therefore is considered to be in accordance with the NPPF.

106 Obligations

Significant weight should be given to the National Planning Policy Framework, which calls for the achievement of the three dimensions of sustainable development: economic, social and environmental. This states that developers are required to make appropriate contributions as necessary to offset the cost of providing new physical, social, community and environmental proposals. The applicant has (as stated previously) submitted a viability report to demonstrate that it is not financially viable to provide a policy compliant scheme for affordable housing. This report has been independently reviewed and whilst there have been revisions to the applicant's assessment this has not materially changed the conclusion that the development was in deficit in relation to residual land value.

Spending Officers were consulted and comments returned from Education and the Councils Leisure team whereby contributions were requested. Notwithstanding the conclusions of the viability report full education and leisure S106 contributions can be secured in addition to the affordable housing (as explored in section 5.1) the S106 package shall include:

- Education contribution (for additional 148 units): £354,327.69
- NEAP play area £70,000
- Upgrade the sports changing pavilion at Kingsbury Park: £86,627

which would form heads of terms for the legal agreement that would be required if Members resolve to approve.

Property Miss selling

Property miss selling has been raised; however, this is not a material planning consideration.

Sustainable Growth

Paragraph 6 of the NPPF states that the purpose of the planning system is to

contribute to the achievement of Sustainable Development, requiring a Sustainability Statement to be submitted with applications demonstrating a developments contribution to Sustainable Development through energy efficiency, biodiversity net gain (which is covered above) water efficiency and landscaping opportunities. This statement was submitted for consideration as part of this application. The Councils Sustainability Officer is satisfied that the development can contribute to Sustainable Development and has recommended conditions to secure its commitment and as such the development is in accordance with the NPPF in this regard.

SuDs

The original outline planning permission for this site, required that a 'Surface Water Drainage Strategy which would set out the appropriateness of SuDS to manage surface water run off, including the provision of the maintenance for the lifetime of the development which they serve would be discharged by way of condition prior to the commencement of works. However as this proposal is a standalone application, an updated drainage statement was supplied with this application. Subject to the Councils SuDs Engineer being satisfied with the content of this report which will be updated to the committee on the late sheet, it is considered that the proposal accords with section 10 of the NPPF.

Human Rights issues:

The proposal raises no Human Rights issues.

Equality Act 2010:

The proposal raises no Equality issues.

Recommendation:

That Planning Permission be **APPROVED** subject to the completion of a Section 106 Agreement and the following conditions:

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 No building shall be occupied until a phase 4 Validation report demonstrating the effectiveness of the remediation strategy, presented in the BRD 'Additional Contamination Assessment and Remediation Strategy' document (Report Ref: BRD2297-OR2-B) dated October 2015, has been submitted and approved in writing by the Local Planning Authority. Any such validation report shall include responses to any unexpected contamination discovered during works.

If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified shall be remediated to the satisfaction of the Local Planning Authority to

ensure that the site is made suitable for its end use.

Reason: To protect human health and the environment.
(Policy BE8 SBLPR and the provisions of the NPPF)

- 3 **No development shall take place until a scheme for protecting the proposed dwellings from noise has been submitted to and approved in writing by the local planning authority. The scheme shall follow the recommendations identified in the noise.co.uk report (Ref: 16065A-1) dated 24th October 2016. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.**

**Reason: This is a pre-commencement condition as the materials and other methods of noise mitigation are required to be pre-ordered prior to construction and to protect the residential amenity of any future occupiers.
(Policy BE8 SBLPR and the provisions of the NPPF)**

- 4 **Prior to the commencement of development, including demolition, all tree protection barriers shall be erected and positioned in strict accordance with the "Tree Protection Removal Plan" drawings (Dwg No's 710 Rev E and 711 Rev E), in full compliance with the appropriate build specification as being shown on the drawings. The tree protection barriers shall then remain securely in position throughout the entire course of development.**

**Reason: This is a pre-commencement condition as protection for pre-existing trees must be erected prior to construction to secure the protection of the rooting system, rooting medium and natural canopy spread of retained trees from all development activity, so as to maintain their good health in the interests of securing visual amenity
(Policy BE8 SBLPR and the provisions of the NPPF)**

- 5 During the course of development, all hand excavation and root pruning being undertaken in the areas indicated as such on the "Tree Protection Removal Plan" drawings (Dwg No's 710 Rev E and 711 Rev E), shall be carried out under the direct supervision of a qualified arboriculturist, appointed by the developer to oversee these operations, in full compliance with good arboricultural practice.

Reason: To ensure compliance with good arboricultural practice and to minimise damage to tree roots caused by construction operations being required within the designated Root Protection Area's of the retained trees, so as to maintain their good health, in the interests of securing visual amenity.
(Policy BE8 SBLPR and the provisions of the NPPF)

- 6 No part of the development shall be occupied prior to implementation of those parts identified in the travel plan that are capable of implementation prior to occupation. Those parts of the approved Travel Plan that are identified as being capable of implementation after occupation shall be

implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In the interest of promoting sustainable transport.
(Policy BE8 SBLPR and the provisions of the NPPF)

- 7 **No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.**

Reason: This is a pre-commencement condition as ground works in relation to Foul Water will be required to be completed before the foundations and building of the units to prevent environmental and amenity problems arising from flooding.
(Policy BE8 SBLPR and the provisions of the NPPF).

- 8 No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.
(Policy BE8 SBLPR and the provisions of the NPPF)

- 9 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.
(Section 4, NPPF)

- 10 **Notwithstanding the details supplied with this application, no development shall take place, until details of the materials to be used for the external walls and roofs (including the provision of birds/bat boxes) of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: This condition is pre-commencement as materials are ordered prior to construction and to control the appearance of the building in the interests of the visual amenities of the locality and in the interest of ensuring a net gain in biodiversity.
(Policy BE8 SBLPR and Sections 7 & 11, NPPF)

- 11 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: This condition is pre-commencement as ground levels must be agreed on site prior to construction to ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.

(Policy BE8 SBLPR and Section 7, NPPF)

- 12 The dwellings hereby approved shall not be occupied until details of the bin storage & collection areas have been submitted to and approved in writing by the Local Planning Authority and the bin storage/collection areas have been implemented in accordance with the approved details. The bin storage & collection areas shall be retained thereafter.

Reason: In the interest of amenity.

(Policy BE8 SBLPR and Section 7, NPPF)

- 13 The planting and landscaping scheme shown on approved drawings 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 shall mean the period from October to March) and shall be maintained in accordance with the approved landscape management plan. The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season with others of a similar size and species.

Reason: To ensure an acceptable standard of landscaping.

(Policy BE8 SBLPR and Sections 7 & 11, NPPF)

- 14 No part of the development hereby approved shall be brought into use until a Public Art Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall address suitable themes and artistic opportunities; strategies for pupil involvement as appropriate; timescales for implementation of the strategy; and project management and long-term maintenance arrangements. The Public Art Strategy shall then be implemented in full as approved unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting local distinctiveness and creating a sense of place, in accordance with Policy BE8 SBLPR and the Central Bedfordshire Design Guide.

- 15 **No development shall take place until a Construction Management/Method Plan and Statement with respect to the construction phase of the development have been submitted to and**

approved in writing by the Local Planning Authority. Development works shall be undertaken in accordance with the approved Construction Management/Method Statement/Plan. The details shall include, amongst other things, access arrangements for construction vehicles; compounds, including storage of plant and materials; details of how the road shall be kept clear of mud deposit or other extraneous material; loading and unloading areas and construction workers parking arrangements.

Reason: This condition is pre-commencement as the method of management of construction traffic and/or materials on site is required before works begin, in the interest of safeguarding the local residential amenity.

(Policy BE8 SBLPR and Section 4, 7 and 13 of the NPPF)

- 16 No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing how renewable and low energy sources would generate 10% of the energy needs of the development and also showing water efficiency measures achieving 110 litres per person per day. The works shall then be carried out in accordance with the approved details.

Reason: This condition is pre-commencement as the details and materials used in construction must be ordered in advance of construction and in the interests of sustainability.

(Section 10 of the NPPF)

- 17 No development shall commence until a detailed surface water drainage scheme for the site and an assessment of the hydrological and hydrogeological context of the development, including a plan for long term maintenance and management, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details of how the system has been calculated as well as how it will be constructed, including any phasing, and how it will be managed and maintained after completion. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: This condition is pre-commencement as the surface water drainage scheme will require ground works to be carried out prior to construction, to ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 of the NPPF.

- 18 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 38992/001 rev B Drainage Layout Sheet 1 of 2, 38992_002 E Proposed Drainage Layout Sheet 2 of 2, Drainage Strategy (38992-004) received 02.05.17, 14.100.1.100.1 rev 32 Site Layout Coloured, 14.100.100.1.SH rev 32 Storey Height Plan, 14.100.1.100.MAT rev 32

Wall & Roof Materials, 14.100.1.101 Rev A Site Location Plan, 14.100.1.101.2 rev 22 Site layout (with altered area), 14.100.1.200 rev - Single Garage, 14.100.1.201 rev -Double Garage, 14.100.1.A01 rev D Bickleigh House Type, 14.100.1.A02 rev B Bickleigh House Type (Contemporary), 14.100.1.B01 rev D Hanbury House Type, 14.100.1.B02 rev C Hanbury House Type (Contemporary), 14.100.1.C01 rev C Hatfield House Type, 14.100.1.C02 rev - Hatfield House Type (Contemporary), 14.100.1.D01 rev D Alnwick House Type, 14.100.1.D02 rev C Alnwick House Type (Contemporary), 14.100.1.E01 rev C Leicester House Type (Elevations), 14.100.1.E02 rev B Leicester House Type (Plans), 14.100.1.F01 rev D Moseley House Type, 14.100.1.F02 rev B Moseley House Type (Contemporary), 14.100.FL.01 rev E Flat Block 1 Plans, 14.100.FL.01.1 rev C Flat Block 1 Elevations, 14.100.1.FL.02 rev C Flat Block 2 (Plans), 14.100.1.FL.02.1 rev C Flat Block 2 (Elevations), 14.100.1.FL.03 rev C Flat Block 3 (Plans), 14.100.1.FL.03.1 rev C Flat Block 3 (Elevations), 14.100.1.FL.04 rev D Flat Block 4 (Plans), 14.100.1.FL.04.1 rev D Flat Block 4 (Elevations), 14.100.FL.05 rev E Flat Block 5 (Plans), 14.100.FL.05.1 rev E Flat Block 5 (Elevations), 14.100.1.FL.06 rev C Flat Block 6 (Plans), 14.100.1.FL.06.1 rev C Flat Block 6 (Elevations), 14.100.1.FL.07 rev C Flat Block 7 (Plans), 14.100.1.FL.07.1 rev C Flat Block 7 (Elevations), 14.100.1.FL.08 rev C Flat Block 8 (Plans), 14.100.1.FL.08.1 rev C Flat Block 8 (Elevations), 14.100.1.FL.09 rev C Flat Block 9 (Plans), 14.100.1.FL.09.1 rev C Flat Block 9 (Elevations), 14.100.1.FL.10 rev C Flat Block 10 (Plans), 14.100.1.FL.10.1 rev C Flat Block 10 (Elevations), 14.100.1.FL.11 rev C Flat Block 11 (Plans), 14.100.1.FL.11.1 rev C Flat Block 11 (Elevations), 14.100.1.FL.12 rev C Flat Block 12 (Plans), 14.100.1.FL.12.1 rev C Flat Block 12 (Elevations), 14.100.1.H01 rev – Lumley House Types (Contemporary – Plans), 14.100.1.H02 rev – Lumley House Types (Contemporary – Elevations), 14.100.1.J02 rev B Rockingham House Type (Contemporary), 14.100.1.K01 rev A – Greyfriars House Type, 14.100.1.SS.01 rev H Street Scenes 1, 14.100.1.SS.02 rev H Street Scenes 2, 14.100.1.SS.03 rev H Street Scenes 3, 14.100.1.101.3 rev 32 Cycle Parking, 054-FPD-AHS Affordable Housing, JSL2463 110 rev F Landscape Strategy, JSL2463 111 rev E Landscape Management Zones, JSL2463 210 rev D Hard Landscape, JSL2463 300 rev A Illustrative sections, JSL2463 510 rev D Soft Landscape Planting Plan 1 of 2, JSL2463 511 rev D Soft Landscape Planting Plan 2 of 2, JSL2463 550 rev G Tree and shrub palette, JSL2463 570 rev E Landscape Management Plan, JSL2463 705 rev D Tree Constraints & Shade Analysis, JSL2463 710 rev C Tree Protection Removal Plan 1 of 2, JSL2463 711 rev C Tree Protection Removal Plan 2 of 2, 17380/CHUR/5/500 rev E Refuse Vehicle Tracking, JSL2463 873 Ecology Statement, Energy Statement (May 2017), 16065A-1 Noise Assessment, 37341/5501 Rev A Residential Travel Plan, 37341/5501 Rev A Transport Assessment, Site Safety Assessment 1687C Jan 2017, 17078/002 Rev A (Access), BRD2297-0R2-B Contamination Assessment and Remediation Strategy (Oct 2015) & QTS Enviro Report 14-27284.

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

- 19 **Prior to the commencement of works an updated assessment of badger activity on site shall be submitted to and approved by the Local Planning Authority. This should inform a method statement detailing how ground works will proceed in preparing the LEAP and ongoing management of the area post construction to prevent disturbance to badgers.**

Reason: This condition is pre-commencement as updated assessment will inform other details to be approved under this permission and to ensure proper consideration of the impact of the development on ecology in accordance with the NPPF.

- 20 **Development shall not begin until details of the improvements to the junction between the proposed estate road and the highway have been submitted to and approved in writing by the Local Planning Authority and no building shall be occupied until the subject junction has been constructed in accordance with the approved details.**

Reason: This condition is pre-commencement to ensure appropriate access can be provided before the construction phased, in order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road. (Policies BE8 & T10 S.B.L.P.R and Section 7 of the NPPF)

- 21 **Development shall not begin until details to include up to 5 additional unallocated parking spaces within the site have been submitted to and approved by the Local Planning Authority and no building shall be occupied until those parking spaces have been constructed in accordance with the approved details and retained thereafter.**

REASON: This condition is pre-commencement to ensure appropriate parking can be facilitated in the site, In order to minimise danger, obstruction and inconvenience to users of the highway. (Policies BE8 & T10 S.B.L.P.R and Section 7 of the NPPF)

- 22 **No dwelling shall be occupied until triangular vision splays have been provided on each side of all accesses on to the new roads. Such vision splays shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's / developer's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.**

Reason: To provide adequate visibility between the existing highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them. (Policies BE8 & T10 S.B.L.P.R and Section 7 of the NPPF)

- 23 **Development shall not commence until details of a scheme for the parking of cycles on the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before each phase of the development hereby permitted**

is first occupied or brought into use and thereafter retained for this purpose.

Reason: This condition is pre-commencement to ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport can be facilitated within the site. (Policy BE8 S.B.L.P.R and Section 7 of the NPPF)

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 and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.

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

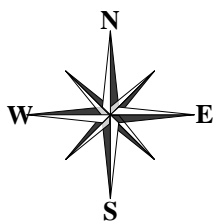
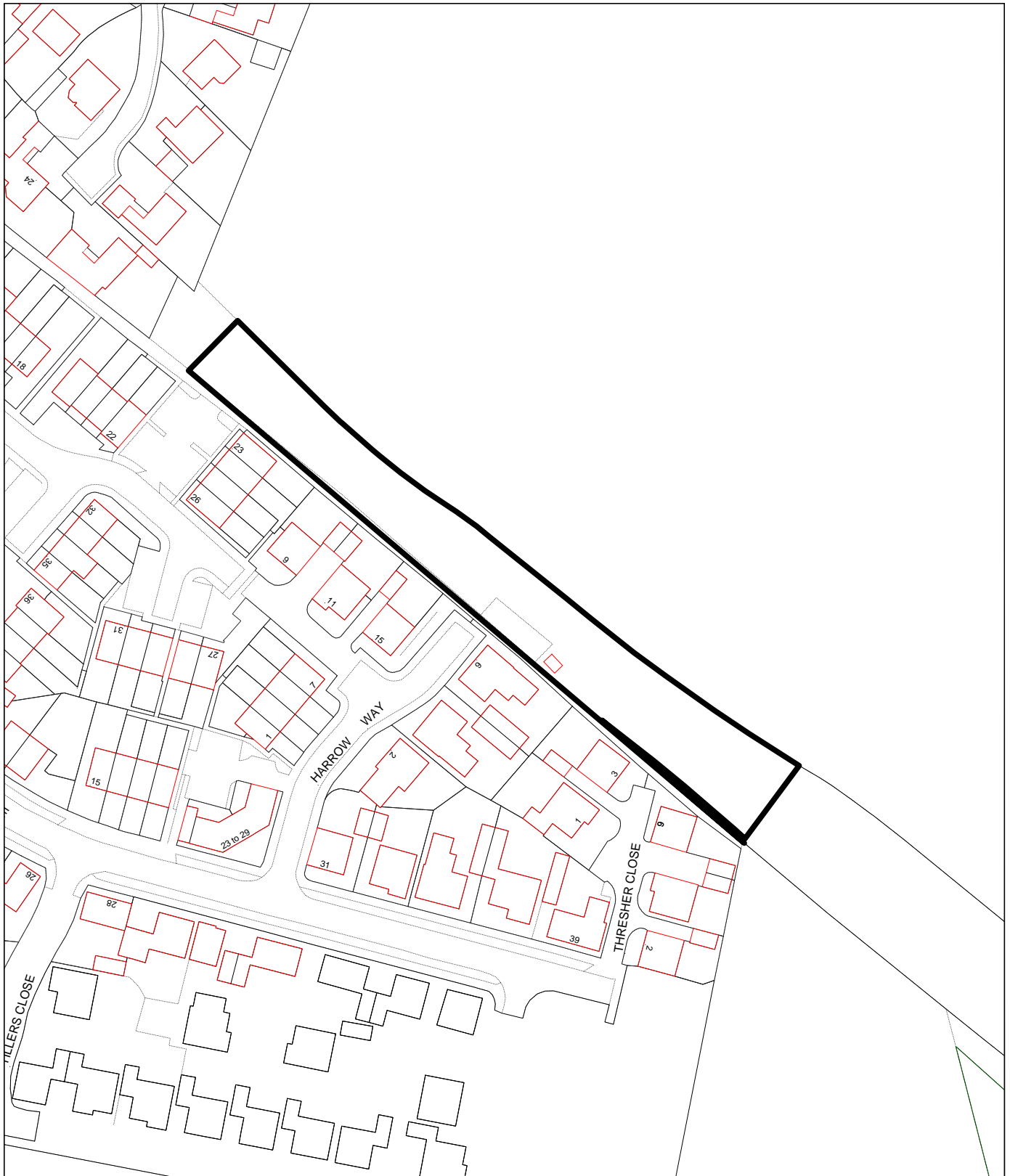
The Council acted pro-actively through engagement with the applicant at pre-application stage and during the application process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework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

DECISION

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Date: 15:January:2018

Grie Ref: 514736; 238434

Application No.
CB/16/05852/FULL

Scale: 1:1250

Land off Harrow Way, Shefford

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Item No. 10

APPLICATION NUMBER	CB/16/05852/FULL
LOCATION	Land off Harrow Way, Shefford
PROPOSAL	Construction of six new dwellings
PARISH	Shefford
WARD	Shefford
WARD COUNCILLORS	Cllrs Liddiard & Brown
CASE OFFICER	Lisa Newlands
DATE REGISTERED	10 March 2017
EXPIRY DATE	05 May 2017
APPLICANT	Warden Developments Limited
AGENT	Phillips Planning Services Limited
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Brown on the following grounds: <ul style="list-style-type: none">• due to the rising height of the plot from the house (23 Queen Elizabeth Close) the house on plot 1 would be extremely overbearing• turn the house on plot 1 through 90 degrees to prevent overlooking on 23 Queen Elizabeth Close.
RECOMMENDED DECISION	Full Application – Recommended for Approval

Summary of recommendation

The site is outside of the defined settlement 'envelope' for Shefford but bounded on two sides by residential development and therefore would be contrary to Policy DM4. However, there is no significant identified harm raised by the proposal.

The proposal has been assessed in terms of its impacts upon the character of the area, the living conditions of surrounding residential units, highway safety and on other relevant material considerations. Subject to the imposition of identified conditions, the proposal is considered acceptable in this regard.

Overall, the proposal represents sustainable social, economic and environmental development is considered an appropriate form of development. In terms of the planning balance, it is considered that there is no demonstrable harm raised by the development that would outweigh the benefits of the scheme. It is therefore recommended that planning permission be approved.

Site Location:

The application site is outside of the settlement envelope of Shefford and is therefore considered to be within open countryside.

The site is broadly rectangular in shape and has previously been cleared and therefore comprises bare ground. To the north-west are the residential properties within Queen Elizabeth Close, to the north-east is open farmland and the Shefford Football Club ground beyond.

The site would be accessed via Harrow Way, a residential road, recently developed as part of a residential allocation (MA6) on land at Bridge Farm, Ivel Road.

The site is therefore bounded on two sides by existing residential development.

The Application:

Full planning permission is sought for the construction of 6 new houses with associated garages and gardens, and landscape works.

The site comprises just under 0.3 hectares of land and therefore 6 dwellings would result in a density of approximately 21 dwellings per hectare.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

- 4: Promoting sustainable transport
- 6: Delivering a wide choice of high quality homes
- 7: Requiring good design
- 11: Conserving and enhancing the natural environment

Core Strategy and Development Management Policies - North 2009

- CS1 Development Strategy
- CS3 Healthy & Sustainable Communities
- CS4 Linking Communities - Accessibility & Transport
- CS5 Providing Homes
- CS14 High Quality Development
- CS16 Landscape & Woodland
- CS17 Green Infrastructure
- CS18 Biodiversity & Geological Conservation

Local Plan

The Council has consulted on its Draft Local Plan (Regulation 18) and has recently started consultation of the Regulation 19 version of the Draft Local Plan. The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

None

Consultees:

Parish/Town Council	Objection on the following grounds: Over development of the site 21 bedroom development - means family accommodation hence more children needing education and the schools are already full.
Highways	No objection subject to conditions. The means of access and off-street parking provision are deemed acceptable - it is considered that the development can be satisfactorily accommodated on the local road network and the proposal is unlikely to have any adverse highway impact, once completed.
Housing Development Officer	<p>On 13th May 2016 the government won a legal challenge against a High Court ruling that quashed a national planning policy intended to exempt small sites from affordable housing obligations. This ruling has been reflected in the National Planning Practice Guidance setting out the Government's position that affordable housing and tariff-style planning obligations should not be sought for certain small developments (10 dwellings or less or 1,000 square metres of gross floor space). This is a material consideration to be taken into account in decision-making on planning applications. The weight given to this material consideration will need to be considered on a case-by-case basis and in relation to the weight of the existing Development Plan policies, which remain the starting point for consideration in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004.</p> <p>In light of this, we would not seek affordable housing on this site.</p>
Sustainability	The proposed development is below threshold of 10 houses and therefore the development management policies DM1 and DM2 in regard sustainability and renewable energy standards do not apply. However, it is strongly recommend that the houses meet the policy requirements and achieve high energy and water efficiency standards: deliver 10% of energy demand from renewable or low carbon sources and achieve water efficiency standard of 110 litres per person per day. These standards will reduce use of natural resources and also utility bills of future householders. The developer should design dwellings with future climate changes in

mind (e.g. increase in temperatures and rainfall insensitivity) and reduce risk of summer overheating and risk of flooding. For more information on sustainability design issues please refer to the Central Bedfordshire Design Guide.

Landscape Officer

There are no landscape objections to this scheme, but a detailed landscape scheme based on trees typical of the Ivel valley are required.
A management plan for the adjacent planting will also be required.

Archaeology

The proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of the archaeological heritage assets. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development; the post-excavation analysis of any archive material generated and the publication of a report on the works. If planning permission is to be approved, please condition this requirement.

Ecology

The ecological appraisal was undertaken in September 2015 and refers to the site area as bare ground though this is no longer the case in June 2017. The existing hedgerow is proposed for retention which is welcomed but otherwise the proposal does not identify additional opportunities for enhancement. The EA suggests supplementary planting to provide a net gain in scrub/hedgerow habitat and a wildlife corridor, ensuring connectivity to the disused railway embankment though the constraints of this proposal would make that difficult. I would suggest that a native, nectar and berry rich species list is used for landscaping and that integrated bat and bird boxes are incorporated into the new builds at a ratio of 1 per dwelling.

IDB

No comment to make.

Other Representations:

Neighbours

Objections have been received from 8 residents raising the following issues:

- overlooking (15 Harrow Way)
- the ground is at a higher level than our properties
- will feel constantly overlooked (15 Harrow Way)

- compromising sense of security as a young family (15 Harrow Way)
- loss of privacy
- overbearing view - the plot is not big enough. Severely alter views - will now see houses rather than fields.
- obstruction of light - detrimental effect amount of light currently enjoyed.(15 Harrow Way)
- These houses will be so close to the boundaries and sitting on raised land, this will completely enclose and suffocate the privacy and sense of security our family has.(15 Harrow Way)
- Bovis told us that this strip of land was a wildlife buffer and protected with plans to develop the large field beyond this strip - at no point was there any talk of this land being developed - later found out this was private land and original copse that was there when moved in was destroyed/ flattened.
- no public consultation in regard to this site
- Plot 4 will overlook and will be 2.5 storey, with a dormer window looking across our garden - extra height overbearing and invade privacy (3 Thresher Close)
- plot 5 will also overlook our garden and block sun to the rear garden which is already limited due to gardens orientation (3 Thresher Close)
- the MA6 houses have a good spacing between them - these appear close to boundaries.
- Plot 6 will look directly into main bedroom window and block light (3 Thresher Close)
- additional noise and traffic - traffic is already a problem in terms of getting out of the estate.
- further homes talked about behind this site bringing more traffic through a small residential area - unacceptable highway impact and increased noise.
- infrastructure -doctors/ dentist already stretched
- boundary hedge to the west - expect this to be retained
- appropriate scale is questionable
- extension of existing building work
- there has been enough building work on the site over the last 3 years
- the main access is already dangerous in the sense of on street parking and speeding cars
- noise from construction traffic
- lack of detailed drawings and specific measurements in relation to 23 Queen Elizabeth Close.
- Our house (23 Queen Elizabeth Close) is not on the site plan - the site section is ridiculously small
- the site section does not show sufficient measurements
- concern over issue of levels in terms of heights of

dwellings and drainage

- the existing 7m tree - no existing trees will obscure the view between our house and the proposed house.
- Plot 1 is now only 3 bedroom with only frosted bathroom and the room in the roof has now been removed - which on paper should be acceptable however, the bricked up window recess could be opened up, and with a projecting flat roof ground element could open up the opportunity for a balcony - which would be an invasion on privacy. (23 Queen Elizabeth Close)
- Why would a 3 bedroom property (plot 1) require a double garage -the garage adds to the imposing nature of the property.
- the proposed dwelling will block natural light into our property (23 Queen Elizabeth Close) especially when the winter sun is lower - why can't it be a bungalow.
- plot 1 should be turned 90 degrees so that our property (23 Queen Elizabeth Close) is not overlooked
- impact of noise and disturbance resulting from use
- concerned about drainage and run-off water
- concern about lack of pedestrian paths within the development
- concern about position of street lamps

1 comment has been received raising the following:

- concerned about yet more houses in Shefford - given inadequate services
- concern further exacerbated by already large amount of housing that has been erected in last 2-3 years at this end of Shefford.
- Encouraging that previous agreement to access land behind Queen Elizabeth Close via the road within the new Bovis development has been adhered to.
- The small development is made of housing commensurate with that which is already in existence.

1 letter of support:

- plans in line with previous agreements with the Council planners that access to the land for development to the east of Queen Elizabeth Close is via the Bovis Site on Ivel Road. It is assumed any further development on this land will continue to be via Harrow Way and /or Hitchin Road.

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. Neighbouring Amenity

4. Highway Considerations
5. Other Considerations

Considerations

1. Principle

- 1.1 The site lies outside of the settlement envelope of Shefford and is located in land regarded as open countryside. The adopted policies within the Core strategy and Development Management Policies 2009 limit new housing development on unallocated sites to within settlement envelopes (Policy DM4). Shefford is identified as a minor service centre. On the basis of Policy DM4 a residential proposal outside of the settlement envelope would be regarded as contrary to policy. However it is necessary for the Council to consider whether material considerations outweigh the non-compliance with Policy.
- 1.2 As a minor service centre Shefford is considered to be a sustainable location. The land in question would be considered to be a small-scale development, bounded on two sides by existing residential development and would not result in a further intrusion into the open countryside. Whilst the proposal would extend the built form into the rectangular piece of land, it would not break through an existing hedgerow boundary which separates this piece of land with the surrounding fields.
- 1.3 The National Planning Policy Framework carries a presumption in favour of Sustainable Development. There are three dimensions to sustainable development which require consideration such as economic, social and environmental roles. Paragraph 9 of the NPPF states that these roles are mutually inclusive and as such in order to achieve sustainable development all three of the dimensions should be sought simultaneously.
- 1.4 Economic
The NPPF makes it clear that planning policies should aim to minimise journey lengths for employment, shopping and other activities, therefore planning decisions should ensure developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes maximised. It is acknowledged that the construction of 6 houses would support a limited level of employment, with associated benefits to the local economy, within the local area on a temporary basis during the construction period which could be expected to last no longer than one year. Shefford provides access to a range of facilities and services which would provide local employment opportunities and is considered to be a sustainable location.
- 1.5 Social
The provision of housing is a benefit of the scheme which should be given some weight however on the basis that the development would be small scale, it would not constitute a significant contribution to our 5 year housing supply and therefore is not given significant weight. Shefford is classified as a Minor Service Centre under Policy CS1 of the Core Strategy for the North with access to a variety of community facilities which is iterated in the above paragraph. Therefore it can be regarded as a sustainable location and it is considered that the settlement offers services and facilities that can help to accommodate the

growth resultant from this scheme. Nearby services are considered to be accessible for new residents. .

1.6 Environmental

The NPPF states that opportunities should be taken to protect and enhance the natural environment and to improve biodiversity. The Councils Ecologist has raised no objection to the application. The encroachment of built development beyond the settlement envelope results in a loss of open countryside which is a negative impact of the proposal. The site abuts residential development on two sides and is not considered to be an isolated site. Furthermore the site is currently demarcated by an existing hedgerow which would be retained and enhanced without wider impact on the landscaping directly adjacent to site which constitutes agricultural land. The impact of developing this site adjacent to existing residential properties is therefore not considered to result in significant and demonstrable harm.

1.7 As such given the above appraisal it is considered that the proposal would represent an appropriate scale of development bound by existing development and that, given alongside the presumption in favour of Sustainable Development outweighs any identified harm in terms of the loss of open countryside. The proposal therefore would accord with Sections 1 and 6 of the NPPF.

2. Affect on the Character and Appearance of the Area

2.1 The site is a rectangular stretch of land which is adjacent to an existing residential development, and would be bound on two sides by residential properties. The existing hedgerow separating the site from the wider fields is to be retained.

2.2 The Landscape Officer has raised no objection to the application subject to conditions regarding landscaping and boundary treatments. Given the siting of the proposal, it is not considered that it would have a detrimental impact on the landscape character of the area.

2.3 The dwelling houses would involve a bungalow (plot 3), 2.5 storey (plot 4), with the remaining plots being 2 storey. The design of the dwellings takes on board the design of the existing estate and would not be out of keeping with the existing dwellings.

2.4 It is considered that the proposal would not have a detrimental impact on the character and appearance of the area, and would comply with Policies CS14 and DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North), the Central Bedfordshire Design Guide and Section 7 of the NPPF.

3. Neighbouring Amenity

3.1 Existing residents

The dwellings have been sited to ensure that there is sufficient separation distance between the existing dwellinghouses in accordance with the accepted distances contained within the Councils adopted design guidance. As such, it is concluded that on the basis of these distances, despite concerns raised by a number of residents, that the proposed development would unlikely give rise to an unacceptable loss of privacy to existing residents in terms of overlooking.

- 3.2 In terms of separation distances referred to above. The rear elevation of plot 1 would be some 30m from the rear elevation of 23 Queen Elizabeth Close. The side elevation of the garage to plot 1 would be some 1m from the boundary of the site. The side elevation of plot 2 would be some 14m from the rear elevation of 9 Harrow Way. Plot 3 would be a bungalow and would be set some 1m from the side boundary of the site and some 12m from the rear elevation of 15 Harrow Way. The garage of plot 4 would be some 5m from the side elevation of 6 Harrow Way, with the main dwelling side elevation being some 8m. Plot 5 would be some 4 metres from the boundary of the site and some 5.5m from the side elevation of 3 Thresher Close. Plot 6 would be some 2m from the boundary of the site and some 5m from the closest point of 6 Thresher Close, which is the corner of the side elevation/ rear elevation and set at an angle. The side elevation of plot 6 sits alongside the angled side elevation of 6 Thresher Close. The only back to back distance with existing properties is that of plot 1 with 23 Queen Elizabeth Close and this is some 30m.
- 3.3 Given the above relationships and separations it is considered that the proposal would not have a detrimental impact on any existing residential property and would meet the guidelines set out within the design guide.
- 3.4 Residents have raised concern regarding noise and disturbance in relation to the new development, however, it is not considered that the addition of 6 dwellings would result in a significant increase in noise and disturbance.
- 3.5 Concern has been raised by occupiers of 23 Queen Elizabeth Close in relation to additional windows in the rear elevation to plot 1 and the possibility of a balcony above the single storey rear projection. To ensure there would be no loss of privacy in this instance, it would be acceptable to condition no balconies and no additional windows on rear elevation.
- 3.6 Future Occupiers
The dwellinghouses have been sited such that there would be no resultant impact on future occupiers in terms of loss of light/ overshadowing nor privacy concerns. The layout plan demonstrates that an adequate level of private amenity has been provided for future occupiers in accordance with the Central Bedfordshire Design Guide.
- 3.7 The proposal is considered to conform with policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North), the Central Bedfordshire Design Guide and Section 7 of the NPPF.

4. Highway Considerations

- 4.1 The means of access and off-street parking provision are deemed acceptable and it is considered that the development can be satisfactorily accommodated on the local road network and the proposal is unlikely to have any adverse highway impact, once completed.
- 4.2 The proposal would comply with the Councils Parking standards. The Highways Officer has raised no objection to the proposal subject to conditions.
- 4.3 Therefore, it is considered that the proposal would be in accordance with Policy

DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North), the Central Bedfordshire Design Guide and Section 4 of the NPPF.

5. Other Considerations

5.1 Biodiversity

The Councils Ecologist has raised no objection to the proposed development and acknowledged the retention of the existing boundary hedgerow. The NPPF calls for development to deliver a net gain for biodiversity and therefore the Ecologist has recommended a condition for the provision of a scheme for the inclusion of integrated bat/ bird boxes at a ration of 1 per dwelling.

5.2 Drainage/ Flood Risk

Whilst concerns have been raised regarding drainage and flood risk, the IDB have not objected to the application and it would be the developers responsibility to connect into the existing drainage network through discussion with Anglian Water. As such it is considered that the proposal accords with Section 10 of the NPPF.

5.3 Affordable Housing Provision

In May 2016 the government won a legal challenge against a High Court ruling that quashed a national planning policy intended to exempt small sites from affordable housing obligations. This ruling has been reflected in the National Planning Practice Guidance setting out the Government's position that affordable housing and tariff-style planning obligations should not be sought for certain small developments (10 dwellings or less or 1,000 square metres of gross floor space). In light of this, the Councils Housing Development Officer has concluded that Affordable Housing Provision need not be secured for this development.

5.4 Human Rights issues:

The proposal raises no Human Rights issues

5.5 Equality Act 2010:

The proposal raises no Equality issues

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 No development shall take place on the external walls/ roof, notwithstanding the details submitted with the application, until details of the materials to be

used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Section 7, NPPF)

- 3 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.
(Section 7, NPPF)**

- 4 A scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme [before the use hereby permitted is commenced / before the building(s) is/are occupied] and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Section 7, NPPF)

- 5 **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 7 & 11, NPPF)**

- 6 **No development shall take place until details of the method of disposal of foul and surface water drainage have been submitted to and agreed in writing by the Local Planning Authority, including any land drainage system. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been**

implemented.

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

(Section 10, NPPF)

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows shall be inserted into the rear elevation of Plot 1, without the grant of further specific planning permission from the Local Planning Authority.

Reason: To protect the privacy of neighbouring residents.

(Section 7, NPPF)

- 8 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, (including any Order amending, revoking or re-enacting that Order, with or without modification) no balustrading, or similar means of enclosing any part of the roof area (including any roof void) of the rear single storey projection on plot 1 hereby permitted, shall be installed, nor shall any part of the said roof area be used as a balcony, roof garden, or similar amenity area without the grant of a further specific planning permission from the Local Planning Authority.

Reason: To protect the privacy of the occupiers of adjoining properties.

(Section 7, NPPF)

- 9 **No development shall take place until a written scheme of archaeological investigation; that includes provision for post excavation analysis and publication has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved scheme.**

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the NPPF. To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development (and to secure that protection and management of archaeological remains preserved in situ within the development).

(Section 7, NPPF)

- 10 No dwelling shall be occupied until the means of access, garages, car ports, parking areas and turning areas shown on drawing number 16745-PL02-Rev H have been laid out, drained and surfaced in accordance with details previously submitted to and approved in writing by the Local Planning Authority and those areas shall not thereafter be used for any other purpose.

Reason: To provide a satisfactory means of access and to enable vehicles to draw off, park and turn clear of the highway in order to minimise conditions of danger, obstruction and inconvenience to users of the adjoining

highway.(Policy DM3, CSDM)

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), any garage, car port or parking space hereby permitted shall be kept permanently available for the parking of motor vehicles.

Reason: To ensure that off-street parking is retained in the interests of highway safety.
(Section 4, NPPF)

- 12 **In the absence of any detailed information submitted with the planning application relating to construction, no development shall be commenced until a construction method statement has been submitted to and approved in writing by the local planning authority. The approved statement shall include:**

- **The hours of construction work and deliveries;**
- **Parking of vehicles for site operatives and visitors;**
- **Loading and unloading of plant and materials;**
- **Storage of plant and materials used in constructing the development;**
- **Wheel washing facilities;**
- **Construction traffic routes; and**
- **Details of the responsible person who can be contacted in the event of a complaint.**

and all works shall be undertaken in accordance with the approved details.

Reason: To ensure the safe operation of the surrounding road network during the construction period. (Section 4, NPPF)

- 13 No development shall commence on the external surfaces of the dwellings hereby approved, until a scheme for the provision of integrated bat and bird boxes at a ratio of 1 per dwelling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full in accordance with the approved details.

Reason: To ensure a net gain in biodiversity (Section 11, NPPF)

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 16745-PL01-Rev A; 16745-PL02-Rev H; 16745-PL03-Rev H; 16745-PL04-Rev D; 16745-PL05-Rev D; 16745-PL06-Rev C; 16745-PL07-Rev C; 16745-PL08-Rev C; 16745-PL09; 16745-PL10 Rev A; 16745-PL11 Rev B

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

INFORMATIVE NOTES TO APPLICANT

1. 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.
2. 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 National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
3. 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 Agreement officer Tel: 0300 300 5268 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.
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 Central Bedfordshire Council's Highways Helpdesk Tel: 0300 300 8049
5. 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".
6. The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.

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

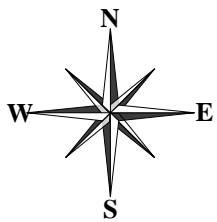
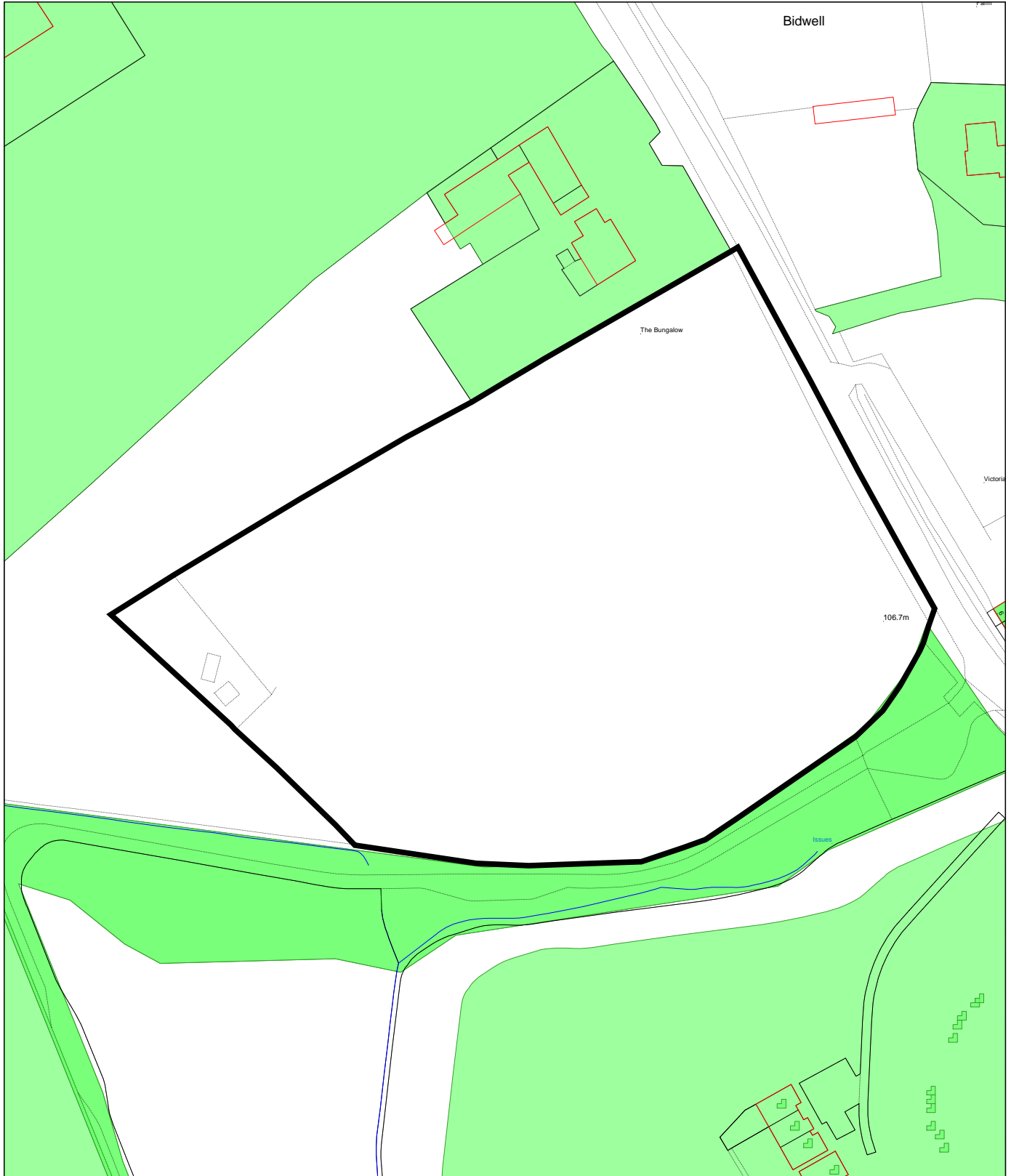
Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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Date: 15:January:2018

Map Sheet No

Application No.
CB/17/02512/OUT

Scale: 1:1250

Land South of the Bungalow, Bedford Road, Houghton Regis, LU5 6JS

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Item No. 11

APPLICATION NUMBER	CB/17/02512/OUT
LOCATION	Land South of the bungalow, Bedford Road, Houghton Regis, Dunstable, LU5 6JS
PROPOSAL	Outline Application: Residential development of up to 1.03ha of the site with formation of two accesses, sustainable urban drainage and associated landscaping
PARISH	Houghton Regis
WARD	Houghton Hall
WARD COUNCILLORS	Cllrs Mrs Goodchild & Kane
CASE OFFICER	Alex Harrison
DATE REGISTERED	03 July 2017
EXPIRY DATE	02 October 2017
APPLICANT	Haut Limited
AGENT	Optimis Consulting
REASON FOR COMMITTEE TO DETERMINE	Town Council objection to a major application Departure from the Development Plan
RECOMMENDED DECISION	Outline Application - Recommended for Approval

Reason for recommendation

The application site lies within Green Belt land and the provision of housing is regarded as inappropriate in the eyes of the National Planning Policy Framework (NPPF). However in this instance very special circumstances can be demonstrated that mean this form of inappropriate Green Belt development does not harm the character or purposes of the Green Belt. The application has been amended to propose a suitable development which ensures the provision of acceptable green infrastructure in which is a principal goal of the Houghton Regis Development framework. The existing right of way will be safeguarded and enhanced and the green infrastructure proposals can be considered a significant benefit to the development. The provision of significant green infrastructure means development of this site would not harm the character of Bidwell hamlet which is important as it is necessary to reflect the rural identity of this area. Development of this site coupled with the infrastructure provision proposed and secured through S106 agreement make this an acceptable scheme in planning terms.

Site Location:

The application site is an undeveloped 1.5ha field located in the open countryside north of Houghton Regis. It sits within the hamlet of Bidwell which is a scattering of homes primarily accessed from Bedford Road.

The site is located within the Green Belt and has a public right of way, FP11, running through it from east to west but this is physically blocked and the site is inaccessible aside from a field gate to the southeastern corner.

The Application:

Outline planning permission is sought to develop the site for residential purposes including the formation of two vehicular accesses onto Bedford Road. No quantum of residential units has been proposed under the application. An area of 1.03ha is shown for development.

The scheme has been amended twice since its original submission following concerns raised in relation to the scale of development, provision of green infrastructure and the effect on the route of the public footpath.

The scheme for determination shows an illustrative masterplan which indicates a development of 35 dwellings. The site is served by a principal access from Bedford Road with a secondary access also proposed serving 4 homes separately. The route of the existing public right of way is retained and is subject to an enhancement scheme also forming part of an area of public open space. The layout also shows the provision of a footway along Bedford Road and screen planting to the boundaries of the site. The existing hedgerow to Bedford Road is to be retained as much as possible although it is acknowledged that some removal would be required to create the accesses.

RELEVANT POLICIES:**National Planning Policy Framework (NPPF) (March 2012)**

Section 4: Promoting sustainable transport
 Section 6: Delivering a wide choice of high quality homes
 Section 7: Requiring good design
 Section 8: Promoting healthy communities
 Section 9: Protecting Green Belt land
 Section 11: Conserving and enhancing the natural environment

South Bedfordshire Local Plan Review

Policy SD1 Sustainability Key Note Policy

Policy GB3 Green Belt Villages

Policy BE8 Design Considerations

Policy E2 Control of Development on Employment Land outside Main Employment Areas

Policy T10 Controlling Parking in New Developments

Policy H4 Providing Affordable Housing

Policy H3 Meeting Local Housing Needs

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review, due weight can be given to relevant policies in existing plans according to their degree of consistency with the framework. It is considered that Policies SD1, GB3, E2, BE8 and H3 are broadly consistent with the Framework and carry significant weight. Policies T10 and H4 carry less weight but are considered relevant to this proposal

Local Plan

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

Supplementary Planning Guidance/Other Documents

Houghton Regis North Development Framework (October 2012)
Central Bedfordshire Design Guide (March 2014)
Affordable Housing Guidance Note (Endorsed 5th April 2016)
Sustainable Drainage Guidance (May 2015)

Relevant Planning History:

None at this site.

Consultees:

Houghton Regis Town Council Object to the application, including the amendments, on the following grounds:

- Density is too high;
- Parking provision is insufficient;
- Ratio of affordable housing needs to be higher;
- The indicative plan shows affordable housing clumped together at the front of the site with its own access point, therefore the design is not inclusive. HRTC would like to see a more suitable distribution of affordable housing throughout the site;
- No pre application advice has been sought.
- It appears that desktop studies have been poached from HRN2 and not provided as independent studies;
- There needs to be an investigation to confirm whether there is any contamination of the land from outflow from Blue Waters;
- The application provides that the site will utilise the adjacent developments pumping station. It is queried whether this has sufficient capacity. It is suggested that it may be more suitable to seek to use the HRN2 pumping station provision.
- That there were no exceptional circumstances demonstrated to allow for the loss of Green Belt land.
- The land should remain as is to allow for some

form of green lung/corridor separating both adjacent developments.

Highways		<p>Raised no objections to the access proposal subject to conditions.</p> <p>Comments made in relation to detailed layout but it was acknowledged that it is a reserved matter.</p>
SUDs Team	Management	Raised no objections subject to conditions.
Internal Drainage Board		Had no comments to make.
Pollution Team		Raised no objections subject to conditions relating to noise impact and an informative relating to contaminated land.
Housing Officer	Development	Noted that the amount of affordable housing proposed is not stated and that a provision of 30% is expected.
Tree Officer		Originally raised concerns over proposals to remove existing hedgerow adjacent to Bedford Road and the location of dwellings to the northern boundary making screen planting difficult.
Waste Services		Raised no objections and provided waste collection details.
Archaeology		Raised no objection subject to the applicant confirming that the trial trench evaluation for the site as set out in the supporting information has been commissioned and the timetable for the works.
Ecology		Raised no objections to the amended scheme for determination subject to a condition relating to mitigation and enhancement proposals. Stressed the importance for boundary treatments to be retained and enhanced.
Landscape		<p>Raised no objections adding the following points:</p> <ul style="list-style-type: none"> • Location of the pumping station is unfortunate • Opportunities for meadow/wild flower planting in the open space. • Hedgerow removal should be kept to a minimum.
Sustainable Growth		Raised no objections subject to conditions relating to energy efficiency.
Public Art		Raised no objections subject to a condition.
Green Infrastructure		Previously raised concerns over an initial proposal for the footpath realignment and its relationship with a proposed SUDs basin.

Rights Of Way Officer	Originally raised concerns over the initial proposal to re-route the footpath. Raised no objections subject to conditions on the plans for consideration.
Chilterns Society	<p>Object to the application on the grounds of reduction of green space in what will be a built up area. Originally objected to the proposed re-route of the public footpath.</p> <p>Notes the amended scheme leaves the footpath on its current line and meets the Society's aim to provide a pleasant and convenient route from Bedford Road to the west.</p>

Other Representations:

Neighbours	<p>2 letters received raising the following objection.</p> <ul style="list-style-type: none">• Application fails to acknowledge the Right of Way through the site and this should be shown on the scheme.
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Determining Issues:

The main considerations of the application are;

1. Principle and The Green Belt
2. Affect on the Character and Appearance of the Area
3. The Historic Environment
4. Neighbouring Amenity
5. Highway Considerations
6. Whether the proposal is sustainable development

Considerations

1. Principle of development and The Green Belt

- 1.1 Policy GB1 of the South Bedfordshire Local Plan Review which provided the principle criteria for assessing new developments in the Green Belt was deleted and in effect has been replaced by national guidance now contained in the National Planning Policy Framework (NPPF). This national advice states that the construction of new buildings is inappropriate in the Green Belt. Exceptions to this are listed in paragraphs 89 and 90 of the NPPF. If the development is considered inappropriate, paragraph 87 of the NPPF states that it is, by definition harmful to the Green Belt and should only be approved in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations (paragraph 88). In accordance with these paragraphs the development is considered to be inappropriate.
- 1.2 The site lies within the red line area of Houghton Regis North Development Framework. The purpose of the Framework Plan is to provide broad structure of the essential supporting elements of the proposed strategic allocation. The Framework Diagram indicates that the site lies outside of the areas shown for development, as is the hamlet of Bidwell in its entirety. The site is therefore not identified for development in the Framework Plan.

- 1.3 As the site is located in the Green Belt, 'very special circumstances' (VSCs) need to be demonstrated in accordance with the NPPF, para 88. This paragraph requires substantial weight to be given to any harm to the Green Belt. VSCs will not exist unless the potential harm to the Green Belt by reason of inappropriateness is clearly outweighed by other considerations. The planning application was accompanied by a statement aiming to demonstrate VSCs.
- 1.4 The countryside around the site has already been encroached upon and the built up area will surround this site. Therefore the site does not fulfil its Green Belt functions.
- 1.5 The principle of development can therefore be considered. The Council considers the development of land in and around Bidwell needs to be done in a coordinated manner to ensure the comprehensive development of the area as a whole and in the interests of protecting the character of the hamlet where possible. While not identified in the framework as an area to be built on the development of this site and any other in Bidwell would be expected to adhere to the framework plan within which it sits including the provision of significant and well planned green infrastructure and connectivity. These impacts are considered as part of the merits of the case further in this report and the report shows that there would be some harm through the loss of open countryside as a result of this proposal.
- 1.6 The applicant has offered the following points to demonstrate VSCs:
 1. The site is part of a wider allocation
 2. The site has been promoted in emerging development plans for a number of years.
 3. Ecological benefits
 4. The scheme includes sustainable urban drainage features.
 5. Provision of affordable housing.
 6. The site is a sustainable location.
 7. The site is surrounded by land that has outline planning permission for over 7200 dwellings and therefore development does not amount to further encroachment or coalescence. There is no special character to the site.
- 1.7 A number of these points do not amount to VSCs. As per para 1.2 the site lies within the framework area but is not 'allocated' as a development site. The provision of biodiversity gains, sustainable drainage and affordable housing are policy requirements necessary to make a scheme acceptable in planning terms and do not constitute VSCs either individually or taken together. The fact that a site is close to services and is considered sustainable is the same for any Green Belt site adjacent or close to an existing settlement and does not constitute VSCs given that a role of Green Belt is to stop countryside encroachment. It is therefore considered that points 1 and 3-6 inclusive do not constitute VSCs individually or collectively.
- 1.6 Point 7 is considered differently. It is correct that the site is closely related to consented development which includes areas of strategic housing growth. To the immediate south is a recently completed scheme on land previously associated with the Old Red Lion public house. Southeast is a Taylor Wimpey Development currently under construction and to the north and west is that area

known as Bidwell West which has outline planning permission to provide, among other things, up to 1850 new dwellings. There is undeveloped land in the area of the Bidwell hamlet but the Bidwell West approval runs north and west of the appeal site up to the A5-M1 link road. Its relationship with surrounding sites means declassification of the site from Green Belt is more likely than if the aforementioned development was not apparent. The previous promotion of the site through the plan process would contribute towards this also (point 2).

- 1.7 Paragraph 80 of the NPPF details the 5 purposes of the Green Belt. These include purposes to check the unrestricted sprawl of large built up areas and to assist in safeguarding the countryside from encroachment. The consented developments adjacent to and around the application site are such that, if this site were to be developed, even though it is Green Belt land it would not cause harm against these two purposes. The other three purposes relate to preventing the merging of neighbouring towns, preserving the setting and character of historic towns and assisting urban regeneration which are not applicable here. As a result the principle of development can be considered acceptable.

2. Affect on the Character and Appearance of the Area

- 2.1 The wider character of the area is undergoing significant change that will continue for a number of years to come. Bidwell is excluded as a development area of the Framework in the interests of its character as a hamlet. It is considered that Bidwell's character needs to be retained within the larger development of Houghton Regis North. Piecemeal development outside of the Framework Plan area would potentially erode the character of Bidwell. It is the Council's view that development of the land in the Bidwell area should be done in a joined up and holistic manner to avoid the piecemeal erosion and to secure the best development possible in the interests of the character of Bidwell.
- 2.2 This proposal is not part of a joined up approach however the application is required to be determined on its individual merits. As stated earlier the scheme has been amended twice. The scale of built development has been reduced and a greater area of open space proposed. The open space was initially located to the western end of the site, constituting the SUDs basin and footpath link and the proposal for determination has placed a far greater emphasis on the provision of green infrastructure, with a larger open space incorporating play areas, sustainable drainage, a right of way enhancement and path links to the south. This also provides opportunities for biodiversity gains. The open space provision when considered in the context of the right of way FP53 running south of the application site and the open space from the Old Red Lion development provides a significant corridor of Green Infrastructure which is reflective of the goals of the Framework. This can therefore be considered a significant benefit to the development.
- 2.3 The illustrative layout shows that the majority of the existing established hedgerow on the eastern boundary will be retained as part of the scheme, this hedgerow is characteristic of the Bedford road streetscene and is considered positive. Furthermore the plan shows strong landscaping screens to the other boundaries which would be achieved through both retention of existing planting and provision of new species. Development would provide a soft edge at the boundaries which is appropriate for a rural character. This would be sought to be secured through reserved matters and an acceptable scheme would retain much

of this within the public realm to better safeguard its long term vitality.

- 2.4 With regards to the residential scheme, detailed design considerations will be left for any subsequent reserved matters layout. A revised indicative layout was submitted which shows the development providing a mix of dwelling types within the site. Little weight is given to this layout with this outline application but it does indicate that the site could accommodate the quantum of development proposed along with robust landscaping. The layout suggests a quantum of 35 dwellings can be accommodated and it is acknowledged that garden sizes may not be adequate in some instances. It would be necessary to limit the number of dwellings to a maximum and the 35 units as shown is considered to be an appropriate density of development for this site given the extent of open space proposed and rural character of this area. Any reserved matters proposed would expect to provide a high quality development that is designed in accordance with the Council's adopted design guide and this would likely affect the indicative layout as garden and parking standards are taken account of.

3. Neighbouring Amenity

- 3.1 Detailed design considerations are a reserved matter and this makes it difficult to ascertain specific impacts on neighbouring properties. It is considered that any subsequent reserved matters application could provide a scheme that takes account of neighbouring properties to ensure there would be no harmful impact to existing residents.
- 3.2 The location of the site and the indicative layout show that a proposal could be designed that does not harm the amenity of neighbouring residents. The closest adjacent dwelling would be immediately north and the layout shows dwellings close to this to be side on which should not have a harmful impact in principle. The Council would ensure that there would be no harmful amenity impacts to neighbours. On this basis it is considered that the site can be developed without adversely affecting the amenity of existing residents.
- 3.3 In terms of providing a suitable level of amenity for potential occupiers, any detailed scheme would be expected to be designed in accordance with the Council's adopted Design Guide and this guide includes recommendations to ensure suitable amenity levels are provided. Therefore it is considered that the adopted policy can ensure that a suitable level of amenity could be provided for new residents.
- 3.4 As a result of the above consideration the proposal is considered to not have an adverse amenity impact that would justify a reason to refuse planning permission.

4. Highway Considerations

- 4.1 No objection has been raised by the Highways Officer to the scheme. Comments were made over the internal layout and widths of roads but it is acknowledged that this is an issue to be addressed at reserved matters stage. The proposal for two accesses points onto Bedford Road is considered to be acceptable from a technical perspective and the existing highway network is considered to be able to accommodate the capacity generated from this scheme in principle. Additional traffic will place demands on the road infrastructure in the area and a financial contribution will be sought towards highway improvements as a result.

- 4.2 The application includes the provision of a footway along the Bedford Road frontage. Such provision has been secured at other developments on this road and is considered to be required to provide foot and cycle links to Houghton Regis. This is therefore considered acceptable in principle and will be secured through the S106 agreement.
- 4.3 In terms of parking the residential scheme will be required to meet the Design Guide parking standards for both residents and visitors but this is a design detail that would be considered at reserved matters stage. The indicative layout indicates that suitable parking arrangements can be achieved.
- 4.4 As a result there are no objections on the grounds of highway safety and convenience.

5. Other issues

5.1 Drainage

In terms of drainage, if a scheme were considered acceptable in principle it would be subject to ensuring details of suitable drainage systems are proposed and in place to accommodate drainage impacts. The application included details of sustainable urban drainage details and there are no objections to this in principle. It is necessary to condition the approval of drainage details on the outline consent to ensure the specifics of a scheme are acceptable in accordance with the Council's adopted Sustainable Drainage SPD and to ensure appropriate management and maintenance is secured. In terms of sewerage Anglian Water have raised no objections, going so far to say that the system will be able to accommodate the development.

5.2 S106 agreement

Spending Officers were consulted and the following contributions are requested and shall form heads of terms for the legal agreement that would be required if Members resolve to grant consent.

Education

Financial contributions sought for all tiers calculated via formulae dependent on the final number of dwellings proposed.

Community Uses

Financial contribution sought via formula dependent on the final number of dwellings proposed. Monies would be used towards identified projects for Bedford Sq Community Centre, Memorial Hall, Tithe Farm Pavilion and the new Houghton Hall Park.

Highways

Provision of footway/cycleway along Bedford Road.

Financial contribution towards highway improvement of roads in the HRN2 area and Woodside Link.

Affordable housing

Secure 30% policy compliant affordable housing.

These contributions are considered to be reasonable and necessary to make the scheme acceptable in planning terms. Members will be updated via the late sheet if any further contributions are sought.

6. Whether the scheme amounts to sustainable development

6.1 At the time of writing the Council considers that it can comfortably demonstrate such a supply of 5.94 years. This position has been held up at two recent appeals. Paragraph 14 of the NPPF still applies and states that the presumption in favour of sustainable development is at the heart of the NPPF, for decision-making this means:

- *approving development proposals that accord with the development plan without delay*

Paragraph 7 of the NPPF sets out the three dimensions to sustainable development; economic, social and environmental.

6.2 Environmental

The encroachment of built development beyond the settlement envelope results in a loss of open countryside however as discussed this is not a negative impact given the consented development in the area. The development provides significant environmental benefits through right of way enhancement and green infrastructure. It is considered to be acceptable in light of the environmental strand. The originally proposed extent of green infrastructure was not acceptable and the reduction in development area to provide these environmental benefits is given significant weight when considering the merits of this case. The Council's position is clear that development in the Bidwell area must deliver significant benefits that ensure development respects the existing character of the area and enhances where possible.

6.3 Social

The provision of housing, including affordable housing, is a benefit to the scheme which should be given some weight although it is noted that it is a policy requirement to provide the level of affordable housing proposed.

Subject to the applicant agreeing a S106 agreement with the Council for infrastructure contributions/obligations the application is considered acceptable in light of the social strand.

6.4 Economic

The economic benefits of construction employment are noted although no proposal specific benefits are apparent that would not be pertinent for any application for residential development on any scale in the village.

6.5 The amended proposal is therefore considered to amount to sustainable development.

Recommendation:

That Outline Planning Permission be granted subject to the completion of a S106 agreement and the following:

RECOMMENDED CONDITIONS / REASONS

- 1 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 Any subsequent applications for reserved matters shall include details of the existing and final ground, ridge and slab levels of the development hereby approved. Such details shall include sections through both the site and the adjoining properties. Thereafter the site shall be developed in accordance with the approved details.

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with policy Policy BE8 of the South Bedfordshire Local Plan Review.

- 5 Prior to first occupation of the development hereby approved, details of hard and soft landscaping (including details of robust planting schemes at the southern and northern boundaries, boundary treatments and public amenity open space, Local Equipped Areas of Play and Local Areas of Play) together with a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.

Reason: To ensure that the appearance of the development would be acceptable in accordance with
Policy BE8 of the South Bedfordshire Local Plan Review.

- 6 Prior to first occupation of the development hereby approved, a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 5 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 5.

Reason: To ensure that the appearance of the site would be acceptable in accordance with Policy DM3 of the Core Strategy and Development

- 7 Any subsequent reserved matters application shall include the following;
- Estate roads designed and constructed to a standard appropriate for adoption as public highway.
 - The provision of a footway on the west side of Bedford Road along the entire highway frontage of the site.
 - Vehicle parking and garaging in accordance with the councils standards applicable at the time of submission.
 - Cycle parking and storage in accordance with the councils standards applicable at the time of submission.

The works shall then be carried out in accordance with the approved details.

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times. Policy BE8 of the South Bedfordshire Local Plan Review.

- 8 **No development shall take place until an ecological design strategy (EDS) addressing mitigation and enhancement, as detailed in Part 5 of the May 2017 Preliminary Ecological Appraisal, has been submitted to and approved in writing by the local planning authority. The EDS shall include the following.**

- a) **Purpose and conservation objectives for the proposed works.**
- b) **Review of site potential and constraints, including a badger survey 6 weeks prior to site clearance.**
- c) **Detailed design(s) and/or working method(s) to achieve stated objectives.**
- d) **Extent and location/area of proposed works on appropriate scale maps and plans.**
- e) **Type and source of materials to be used where appropriate, e.g. native species of local provenance.**
- f) **Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.**
- g) **Persons responsible for implementing the works.**
- h) **Details of initial aftercare and long-term maintenance.**
- i) **Details for monitoring and remedial measures.**
- j) **Details for disposal of any wastes arising from works.**

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: to ensure development provides a net gain in biodiversity and the developmet provides acceptable mitigation and enhancement scheme in the interests of Section 7 of the NPPF.

- 9 The details required by Condition 2 of this permission shall include a scheme of measures to mitigate the impacts of climate change and deliver sustainable and resource efficient development including opportunities to meet higher water efficiency standards and building design, layout and orientation, natural features and landscaping to maximise natural ventilation, cooling and solar gain. The scheme shall then be carried out in full in

accordance with the approved scheme.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF.

- 10 Any subsequent application for reserved matters shall include a scheme for protecting the proposed dwellings from road and commercial noise sources. No development shall commence until such has been submitted to and approved in writing by the local planning authority. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

Reason: To protect the amenity of future residential occupiers from the impacts of noise arising from road traffic in the interests of Section 7 of the NPPF.

- 11 **No development shall take place until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Drainage Strategy (May 2017), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and a restriction in run-off rates to that outlined by the IDB. Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.

- 12 No building/dwelling hereby approved shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 13 **No development shall take place until a scheme for the provision of public footpath no. 11 has been submitted to and approved in writing by Central Bedfordshire Council to include:**

- the design of access and public footpath no.11 (to include landscaping, width and surfacing)
- proposals for the diversion of public footpath no. 11 and other public rights of way (where necessary)
- the temporary closure and alternative route provision (where necessary) of public footpath no. 11 or another existing public right of way to allow construction, tree root protection fencing or any other advance works.

The public rights of way scheme submitted should be in accordance with the Council's approved Rights of Way Standards and Guidance.

Reasons: In the interests of the amenity of pedestrians and other non motorised users to ensure safety of users is not compromised by the traffic associated with the development in the interests of Section 7 of the NPPF

- 14 There shall be no more than 36 residential units at the site.

Reason: To ensure that the site is not overdeveloped in the interests of Section 7 of the NPPF.

- 15 **No development shall take place until an Environmental Construction Management Plan detailing access arrangements including hours of construction vehicles, on-site parking, loading and unloading areas, materials storage areas and dust management shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved Environmental Construction Management Plan.**

Reason: In the interest of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Policy BE8 of the South Bedfordshire Local Plan Review

- 16 **Notwithstanding the details in the approved plans, any subsequent reserved matters application shall include an Arboricultural Method Statement which details the retained parts of existing boundary hedgerows and trees at the site and details how these are to be protected during construction and shall also detail methodology for protection of existing trees adjacent to the site during construction. The works shall then be carried out in accordance with the approved details.**

Reason: To ensure the retention of existing landscape features in the interests of establishing a rural character to this edge of settlement location in the interests of Section 7 of the NPPF.

- 17 Prior to the occupation of any dwelling on the site, a scheme for the provision of waste receptacles for each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The receptacles shall be provided before occupation takes place.

Reason: In the interest of residential amenity and to reduce waste

generation in accordance with the Councils's Minerals and Waste Local Plan 2014, Policy WSP5 and the adopted SPD "Managing Waste in New Developments" (2006).

- 18 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CSA/3237/103, CSA/3237/101 E, CSA/3237/102 D, BE5191M-001 A and BE5191M-003.

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

INFORMATIVE NOTES TO APPLICANT

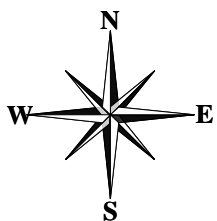
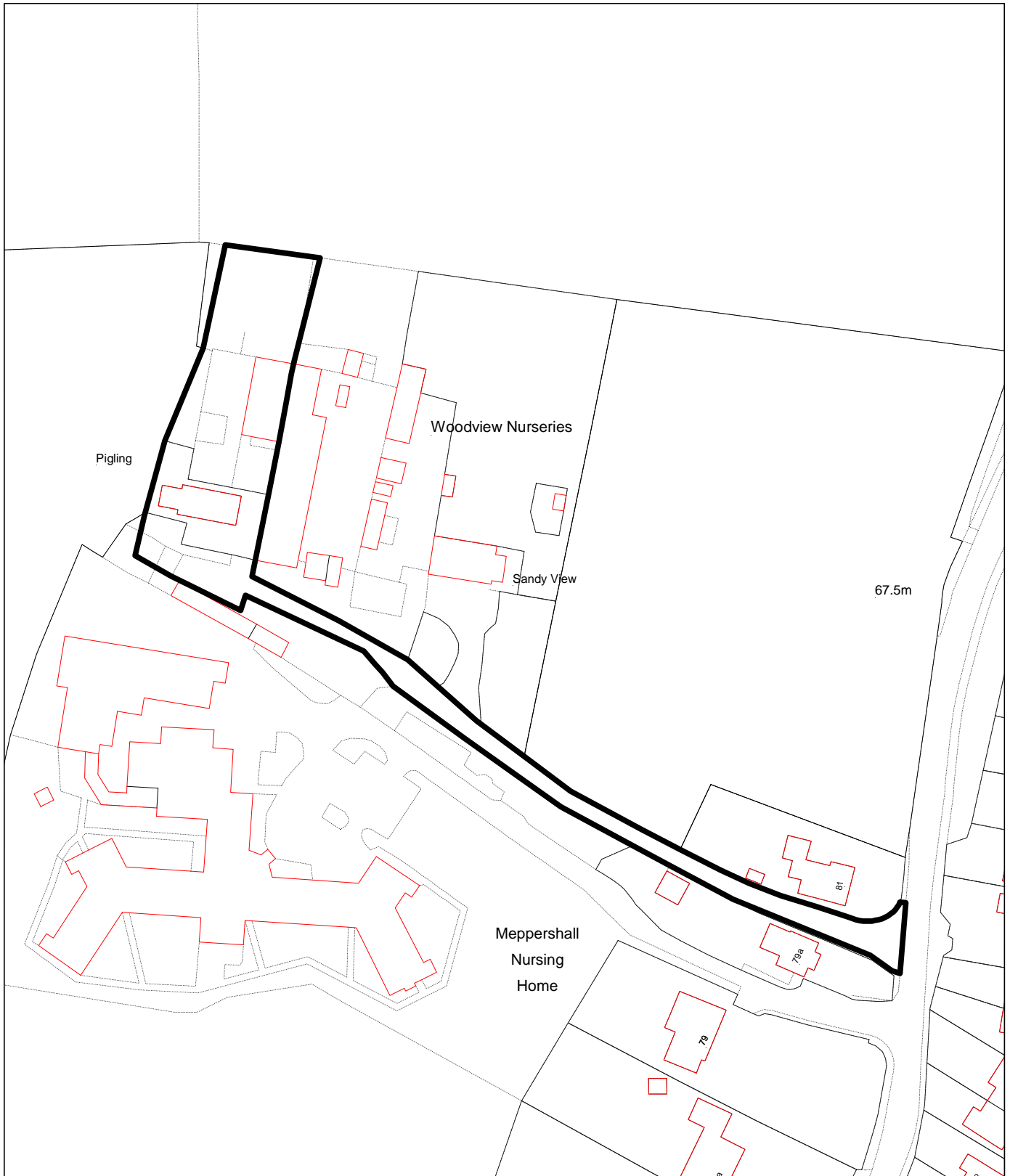
1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicant is advised that while the Council has no reason to believe this site is contaminated, and is not aware of any potentially contaminative past use on site, it is the developer's responsibility to ensure that final ground conditions are fit for the end use of the site. If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.
3. The applicant is advised to ensure that the definitive legal line of any public right of way is mapped at the earliest opportunity and that no development should take place on or near a public right of way unless the necessary statutory legal process (where necessary) has been completed in accordance with:-
 1. An order made, confirmed and certified under the provisions of Section 257 of the Town and Country Planning Act 1990
 2. An order made, confirmed and certified under the provisions of the Highways Act 1980
 3. An order made under any other relevant legislation concerning the modification, creation, diversion or extinguishment of a right of way.

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 15:January:2018
Grid Ref: 514352; 237478

Application No.
CB/17/05425/FULL

Scale: 1:1250

The Pigling, Woodview Nurseries, Shefford Road,
Meppershall, Shefford, SG17 5LL

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Item No. 12

APPLICATION NUMBER	CB/17/05425/FULL
LOCATION	The Pigling, Woodview Nurseries, Shefford Road, Meppershall, Shefford, SG17 5LL
PROPOSAL	Replace existing mobile home with a single storey two bedroom permanent dwelling
PARISH	Meppershall
WARD	Shefford
WARD COUNCILLORS	Cllrs Liddiard & Brown
CASE OFFICER	Dee Walker
DATE REGISTERED	09 November 2017
EXPIRY DATE	04 January 2018
APPLICANT	Mrs D Hinton
AGENT	Planning Initiatives Limited
REASON FOR COMMITTEE TO DETERMINE	Ward Cllr call in on grounds of the impact on the landscape as the site is outside the settlement envelope
RECOMMENDED DECISION	Full Application – Recommended for Approval

Reason for Recommendation:

The proposal for residential development is outside but nearby to the settlement envelope for Meppershall, which is considered to be a sustainable location for planning purposes. The proposal would have some impact on the character and appearance of the area however this impact is not considered to be harmful given the recent appeal decision on the adjacent land. The proposal is also considered to be acceptable in terms of highway safety and residential amenity and therefore accords with Policy DM3 of the Core Strategy and Development Management Policies Document (2009) and the Council's adopted Design Guidance (2014).

Site Location:

The application site is located within Woodside Nurseries and currently accommodates a mobile home and conservatory with an expired temporary permission. The site is accessed via a private driveway serving neighbouring properties as well as The Pigling.

The Application:

The application seeks permission for the replacement of the existing mobile home with a single storey two bedroom permanent dwelling.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

7 Requiring good design

Central Bedfordshire Council's Core Strategy and Development Management Policies 2009

- CS1 Development Strategy
- DM3 High quality development
- DM4 Development Within and Beyond Settlement Envelopes

Local Plan

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

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

- 1 Placemaking in Central Bedfordshire
- 5 Residential development

Relevant Planning History:

Application Number	MB/09/00545
Description	Change of use of land to residential use, retention of mobile home and conservatory (Retrospective)
Decision	Decline to Determine
Decision Date	03/07/2009
Application Number	MB/06/00526
Description	Occupation of dwelling without compliance with agricultural occupancy condition
Decision	Lawful Dev – Existing – Granted
Decision Date	20/07/2006
Application Number	MB/99/00257
Description	Retention of mobile home
Decision	Full Application – Refused
Decision Date	17/05/1999
Appeal Decision	Dismissed
Application Number	MB/95/00897
Description	Retention of mobile home
Decision	Full Application – Refused
Decision Date	15/08/1995
Appeal Decision	Dismissed

Application Number MB/87/01241
Description Agricultural workers bungalow
Decision Full Application – Granted
Decision Date 22/10/1987

Application Number MB/86/00843
Description One agricultural workers bungalow
Decision Outline Application – Granted
Decision Date 28/05/1987

Consultees:

Parish/Town Council No comments received to date, any response will be included within the late sheet or reported verbally to Committee

CBC Ecology No objections
CBC Flood Risk Team No objections
CBC Pollution Team No objection subject to relevant condition being attached to any permission granted

CBC Tree Officer No objections
I.D.B No comment
RSPB No comments received to date, any response will be included within the late sheet or reported verbally to Committee

Butterfly Conservation No comments received to date, any response will be included within the late sheet or reported verbally to Committee

Beds Fire Service No objections, notes for applicant to be included with any permission granted

Other Representations:

Neighbours Two representations received one objection and one with comments.
One objection on grounds of:

- Unwelcome over development of the area adjacent to Nunswood;
- Unsustainable as infrequent and unsuitable public transport from Meppershall;
- The granting of the lease to The Pigling by CBC represents no precedent, this was a very specific one-off case

Comments regarding:

- Polehanger Farms Ltd have right of access to Nunswood, it is not adequate for the applicant to maintain that vehicles and other things could be moved 'on request' is access was needed;
- Applicant has erected a gate into the fence at the field in order to access Polehanger Farms Ltd permissive path;

- The site is adjacent to a private ancient woodland known as 'Nunswood', which is owned and managed by Polehanger Farms Ltd, statements made in Section 13 of the application are incorrect;
- Should permission be granted a condition is requested that appropriate fencing be required to create a solid boundary treatment without any gates or stiles in order to protect the ancient woodland.

Determining Issues:

The main considerations of the application are;

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

Considerations

1. Background

- 1.1 The site has a significant planning history dating back to 1994 when the Council first became aware of the mobile home on the site. Subsequent planning applications were refused; subsequent enforcement notices and planning appeals were all upheld that the mobile home should not be on site. A planning application was submitted in 2009 (MB/09/00545/FULL) for the change of use of land to residential use, retention of mobile home and conservatory (Retrospective) but the Council declined to determine on the grounds that *'the application was viewed by the Local Planning Authority as an attempt to exert pressure by submitting repeated similar applications and considers that this is not a genuine attempt to take into account objections to the recent enforcement appeal.'* As such, the mobile home and conservatory has been remained on site with no formal regularised planning permission.
- 1.2 Notwithstanding the site history, the application under consideration now is for the permanent single storey residential dwelling on this site that is 134m², some 18m² larger than the existing mobile home.

2. Principle of Development

- 2.1 The site lies outside of the settlement envelope of Meppershall and is therefore located on land regarded as open countryside. It is acknowledged that there are other dwellings in the area however they are all regarded as being in the open countryside. Notwithstanding this, the location of the site would not appear as an isolated from existing villages or towns.
- 2.2 Policy DM4 of the Core Strategy and Development Management Policies limits the extent of development allowed within and outside of settlement envelopes. The policy does not allow for new residential development in the open countryside and therefore the proposal would be contrary to this policy.

- 2.3 A recent appeal decision at Land adjacent to Sandy View, Meppershall, which is directly next to the application site, saw the Inspector allow a new dwelling with associated works as the Council could not demonstrate a robust 5 year housing land supply. However, the Inspector found the development to be sustainable as it was sited within an accessible location, with a bus stop a short distance away and services and facilities required for daily living including a public house, village hall, convenience store, post office, school, church and bakery all within walking distance from the site. It is considered that this appeal decision and the dwelling allowed by the Inspector will have the effect of shaping the character of the area to the extent that a modest property at The Pigling is no longer unacceptable.
- 2.4 At the time of writing this Committee report, the Council is able to demonstrate a 5 year supply of deliverable housing, and the Inspector appointed for the recent appeal decision at 64 Biggleswade Road, Potton concluded that Council can demonstrate a five year supply of deliverable housing sites. As such it is reasonable to afford a proportionate level of weight to Policy DM4 when considering the planning balance.
- 2.5 As previously identified and concluded by the Planning Inspector, The Pigling is not considered to be an isolated development within the countryside, as the site is adjoined by existing residential dwellings and a substantial care home to the south. Furthermore, the site is accessible in relation to local services and facilities required for daily living. It would also be accessible by sustainable modes of transport to the higher order services and facilities in larger towns nearby.
- 2.6 Although the proposal is contrary to Policy DM4 in relation to development in the countryside, it would not undermine the purposes of this policy which aims to maintain and sustain rural communities, ensure that development takes place in locations served by services, facilities and public transport and to protect the character and appearance of the countryside.

3. Affect on the Character and Appearance of the Area

- 3.1 The supporting text to Policy CS16 (Landscape and Woodland) sets out that the countryside outside settlements is a highly valued resource for agriculture, recreation, landscape and wildlife. The Council will protect the countryside for its own sake, safeguarding it from the increasing pressures of development. Policy DM3 (High Quality Development) sets out that the development should be designed as a sensitive response to the site and its setting with consideration to longer views.
- 3.2 The site is located at the end of a private drive and has built development to the south and following the new dwelling allowed on appeal on the adjoining plot of land directly to the east, the replacement single storey dwelling of modest proportions would not have a significant detrimental affect on the character and appearance of the area.

4. Neighbouring Amenity

- 4.1 The proposed dwelling is some 4.5m from the shared boundary with Sandy View and be of a single storey nature of the building; as such there would be no adverse impact on the residential amenity of neighbouring properties (including

the dwelling allowed on the adjoining site) by reason of loss of light, privacy or overbearing impact.

5. Highways Considerations

- 5.1 This is an existing private road serving three dwellings and a nursery, with a wide junction taking access from a 30mph road. Visibility from the junction with Shefford Road is adequate given the existing use of the site, although some vegetative growth to the north may need to be trimmed back.
- 5.2 The proposal is to demolish the existing buildings/parking area on the site and construct a four bedroom dwelling with 2 parking spaces; however the current guidance requires no less than 3 parking spaces for a 4 bedroom dwelling. A revised plan was received during the life of the application which addresses this matter.
- 5.3 The proposal will not adversely affect the public highway and therefore the Highways Officer has raised no objection to the granting of this permission. As such it is considered that the proposal would not be prejudicial to highway safety and would conform to policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 4 of the NPPF in this respect.

6. Other Considerations

- 6.1 There are no further considerations to this application.
- 6.2 Human Rights issues
It is the officers understanding that the proposal would raise no Human Rights issues.
- 6.3 Equality Act 2010
It is the officers understanding that the proposal would raise no issues under the Equality Act 2010.

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 **No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: To control the appearance of the building in the interests of the visual amenities of the locality. (Section 7, NPPF)

- 3 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas. (Section 7, NPPF)

- 4 **No development shall take place until a hard and soft landscaping scheme, including all boundary treatments, has been submitted to and approved in writing by the local planning authority. The scheme shall include details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping. All planting within the approved scheme shall be carried out before the end of the first planting and seeding season, following occupation of any part of the buildings or completion of the development, whichever is sooner. The development shall be implemented in accordance with the approved details and retained as such thereafter.**

If, within a period of 5 years from the date of planting, the trees (or any trees planted in replacement) or shrubs to be planted as part of the approved landscaping scheme is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the local planning authority gives its written consent to any variation.

Reason: To ensure an acceptable standard of landscaping. (Sections 7 & 11, NPPF)

- 5 **In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.**

Reason: To ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990. (Section 7, NPPF)

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2017/01, 2017/02, 2017/03, 2017/04.

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

INFORMATIVE NOTES TO APPLICANT

1. 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.
2. 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 National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.

3. Comments from the Council's SuDS Management Team:
We expect all drainage to be compliant with the Central Bedfordshire Sustainable Drainage Guidance (CBC, Adopted April 2014 Updated May 2015), the Non-statutory technical standards for sustainable drainage systems (Defra, 2015), and industry best practise such as the SuDS Manual C753 (CIRIA, 2016).

We strongly recommend that areas proposed for block paving, principally patio areas or driveways utilise permeable or porous surfacing to provide surface water drainage. Water re-use or harvesting should also be considered as part of the design to maximise efficiency. Where permeable surfacing is proposed, this should be designed in accordance with the 'CIRIA SuDS Manual Update: Paper RP992/28: Design Assessment Checklists for Permeable/Porous Pavement'.

The on going management and maintenance responsibilities for the drainage should be made clear through the approval process and any subsequent responsible parties made aware of the required maintenance and management.

4. You are advised to note the comments of the Bedfordshire Fire and Rescue Service as set out in the enclosed letter.

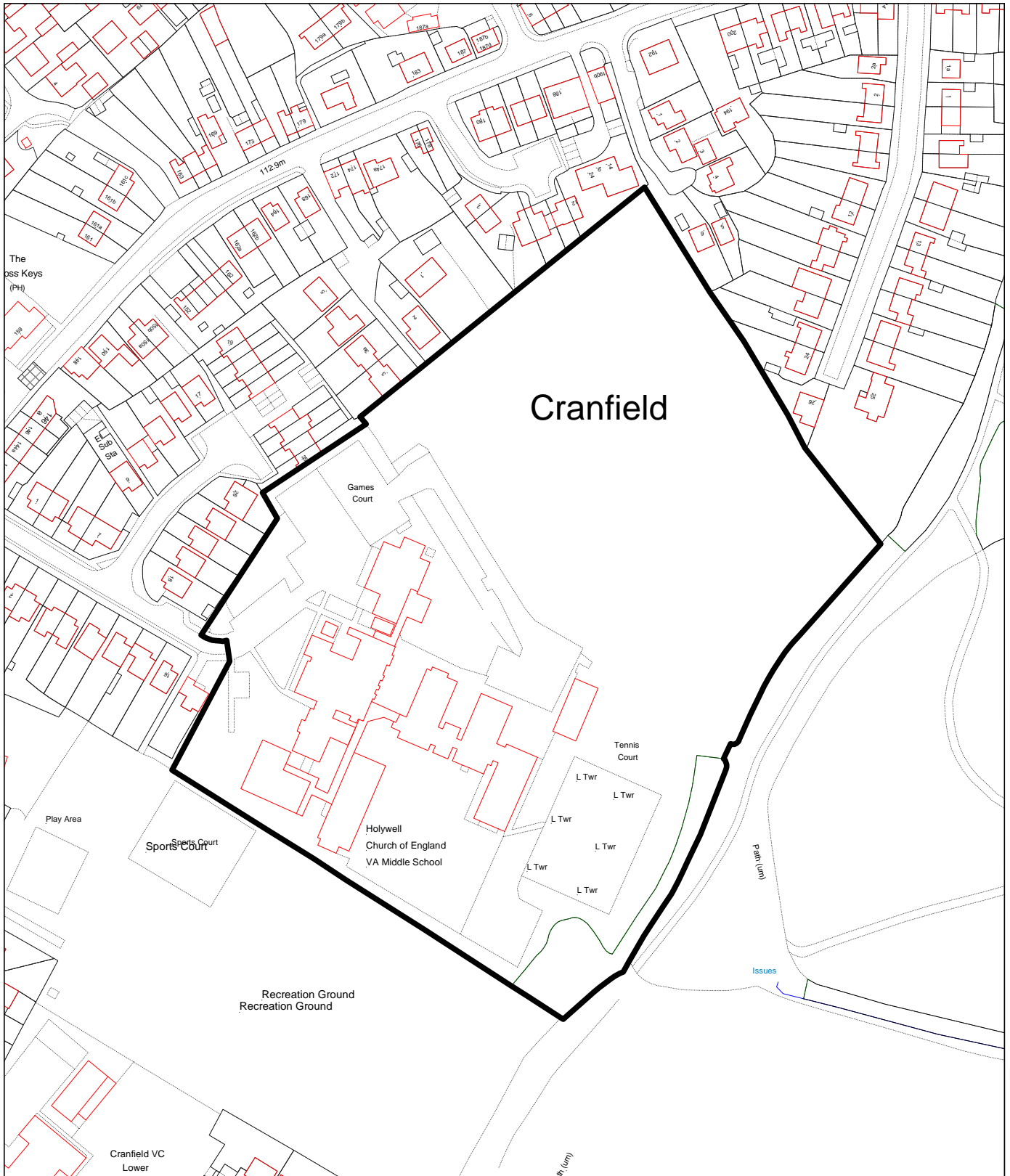
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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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	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No. CB/17/04050/FULL
	Date: 15:January:2018 Grid Ref: 495815; 242309	
Scale: 1:2000	Holywell Middle School, Red Lion Close, Cranfield, Bedford, MK43 0JA	

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Item No. 13

APPLICATION NUMBER	CB/17/4050/FULL
LOCATION	Holywell Middle School, Red Lion Close, Bedford, MK43 0JA
PROPOSAL	Extension to reception area, new 7 classroom teaching block, new 3 court sports hall and teaching area.
PARISH	Cranfield
WARD	Cranfield and Marston Moretaine
WARD COUNCILLORS	Cllrs Morris, Matthews and Clark
CASE OFFICER	Matthew Heron
DATE REGISTERED	22 August 2017
EXPIRY DATE	28 November 2017
APPLICANT	Ellis Williams Architects
AGENT	EWA
REASON FOR COMMITTEE TO DETERMINE	Objection from Cranfield Parish Council to a major development
RECOMMENDED DECISION	Full Application - Recommended for Approval

Summary of Recommendation

The development would upgrade the existing teaching environment and would offer significant benefits to the development of sport at the school. The development complies with Policies CS3 and DM4 in this regard and, in accordance with the Framework, great weight in favour is afforded to the expansion of Holywell Middle School

Further, the loss of pitches as a result of the proposal would be replaced by better, indoor, provision (in terms of quantity and quality) in a suitable location. As such, the relevant criteria of Policy DM5 and paragraph 74 of the Framework would be met and the development is considered acceptable in this regard.

The proposal has also been assessed in terms of its impact upon; the character of the area, the living conditions of surrounding properties, highway safety, flooding and drainage and other relevant material considerations. The development is considered acceptable in this regard.

Overall, the proposal would provide considerable social benefits, including the community use of the sports hall, and is considered to represent sustainable development. Accordingly, the development complies with the Development Plan and the Framework when assessed as a whole.

Site Location:

The application site comprises a series of educational buildings at Holywell Middle School, positioned towards the eastern edge of Cranfield. The school has recently been expanded and now has 610 pupils and 80 members of staff in total.

The Application:

This application seeks full planning permission for the construction of seven additional classrooms and ancillary space in a new building, an extension to the entrance to the school and a new three court sports hall.

This development will increase the pupil yield to approximately 720 pupils and it is anticipated that an additional 8.5 teaching staff would be required.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies - North 2009

Policy CS1 – Development Strategy

Policy CS2 – Developer Contributions

Policy CS3 – Healthy and Sustainable Communities

Policy CS13 – Climate Change

Policy CS14 – High Quality Development

Policy CS16 – Landscape and Woodland

Policy CS18 – Biodiversity and Geological Conservation

Policy DM2 – Sustainable Construction of New Buildings

Policy DM3 – High Quality development

Policy DM4 – Development Within and Beyond Settlement Envelopes

Policy DM5 – Important Open Space within Settlement Envelopes

Policy DM14 – Landscape and Woodland

Policy DM15 – Biodiversity

Local Plan

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

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application:	Planning	Number:	CB/16/01869/FULL
Validated:	13/05/2016	Type:	Full Application
Status:	Decided	Date:	05/07/2016
Summary:		Decision:	Full Application - Granted
Description:	Single storey side extension for Holywell Middle School.		

Application:	Planning	Number:	CB/14/03648/FULL
Validated:	30/09/2014	Type:	Full Application
Status:	Decided	Date:	30/09/2014
Summary:		Decision:	Not Proceeded With
Description:	Installation of a 40 foot container (12.2m long, 2.45m wide) for use as storage facility and for a site office for the school's site agents.		

Consultees:

Cranfield Parish Council

"The Council objects on the basis that the school travel plan is not sufficiently robust enough to mitigate the additional traffic and pedestrian movements that will be generated by this expansion of the school.

The Council feels that the school travel plan has weaknesses that need to be addressed;

1. the suggestion that parking is available nearby in residential streets is not appropriate as residents such as in Red Lion Close face inconsiderate and dangerous parking and excessive vehicular movements at the start and end of the school day

2. The suggestion that parents in cars drop off and collect their children from the Cross Keys public house car park is not seen as a long term or reliable provision because the car park is private land, not highway land and this facility could be withdrawn at any time (which it has in the past)

3. More provision and encouragement for walking to school should be provided. For example, pupils living in the Home Farm development do not have the option of walking on a footpath to the village and existing walkways such as the bridleway from Flitt Leys to the High Street is not surfaced."

Consultees

Highways Team – No objection subject to relevant conditions

Drawing no. AG(9-)-01 Revision A, AG(0-)-10 Revision A, 05, AE90-)-01, 106250-02

The proposal is for an additional 7 classrooms, extended entrance hall and 3 court sports hall extension at an existing school. Access is taken from a cul-de-sac via the High Street, with a turning head suitable for a car, located prior to the school entrance; all properties appear to have an access and on site parking provision.

The existing school currently has 610 pupils and 80 members of staff, with 71 on site parking spaces and 40 cycle parking spaces. The school is mostly utilised by pupils from 10km away, with up to 5 double decker buses serving the school and bringing

to/taking from the majority of the pupils.

There is no on site parent drop off area, other than on street parking at Red Lion Close. The school state the pub (The Crosskeys) on the High Street is also used to drop off/pick up pupils by parents, but this does not appear to be a legal agreement and therefore should be discounted as this provision could cease at any time. (There is a footpath running from opposite the pub into Red Lion Close and a pedestrian crossing that can be used to access this).

The applicant has submitted a Transport Statement with the proposal which states the proposal will increase the pupil numbers by an additional 110 and an increase of 11 staff.

The on site parking provision will be increased to provide additional parking for the staff and up to 2 additional double decker buses will cater for the increase in pupils.

Using the assessment surveys of the modes of transport of pupils using the school, it is assumed that the majority of the 110 pupils will use the school buses provided, and there will be 10 additional parent vehicles for the pupil increase. Whilst all the information provided is helpful in assessing the site, there is no information regarding how existing issues, which will be exacerbated by the proposal, are going to be addressed. The school has incremental pupil increases which, is just continually adding to the issues of on street parent parking along a residential cul-de-sac to the detriment of residents, highway users and access to/from the site by the school buses.

I would suggest (and expect something along these lines) that 'H' bars are provided at the residential accesses/drop kerbs along Red Lion Close from the High Street junction to the school gates (not including the part of Red Lion Close that is a spur to the north). The turning area adjacent to the school gates should have keep clear hatching to allow vehicles (cars) to turn and leave the close in forward gear; it is currently used for parking.

A TRO of waiting restrictions at peak school times should be provided at the south side of the radii of the junction with the High Street. The same should apply on the north side and continue to the school gates along the north side of Red Lion Close. This should also include the radii of the north spur of Red Lion Close.

This will provide residents access into/from their drives during school time and turning within the allotted turning area. On street parking along the south side of Red Lion Close only, with gapping where residential accesses are to allow for vehicles to pass each other. This should provide a clear route for the school busses to enter/exit the site. **As the waiting restriction will only be at peak school times it should not impact on residents during other times or weekends.**

The applicant has provided a plan and information regarding where buses park within the site, offload and turn within the site. This shows a crossed hatched area for turning, and an area where up to 3 busses can stack and unload/load children. The tracking diagrams show that 2 vehicles can pass each other where the busses are stacked, and with better positioning of busses at the east waiting area, cars can pass the waiting busses to access the parking spaces.

This stacking and bus parking does not affect the public highway as vehicles can enter,

turn and leave in forward gear. However the waiting of busses between the parking bays is not ideal, or the reversing of buses with children on board. I realise that provision is required for only an additional 2 busses on site, (the 5 using the site already exist). The internal parking layout may be better suited with the relocation of the 'lone' 2 parking spaces elsewhere within the site. The area (north) behind the existing parking bays on entering the site, used as an additional bus stacking area (this could also include an informal 'zebra' type pedestrian crossing from this area to the entrance pathway) or a allocated parking area for 2 busses (or more) taken from the new internal access for the additional parking area. A condition has been included for this, but is left at your discretion to consider its inclusion?

Note: I am not requesting that the speed limit be reduced to 20mph along Red Lion Close, as the on street parking during peak school times will self regulate the speeds of vehicles using the cul-de-sac.

Please include the following in any permission issued:

- Prior to the development being brought into use the additional on site car parking and access thereto, shall be constructed in accordance with the approved drawing no. AG(9-01A

Reason For the avoidance of doubt and to provide adequate on site vehicle and cycle parking provision

- Details of a waiting/parking area for at least 2 busses shall be submitted to and approved in writing by the local planning authority and the development shall not be brought into use until the busses waiting/parking area has been constructed in accordance with the approved details

Reason To provide bus parking/waiting area clear of parked and manoeuvring vehicles within the site and to avoid vehicle/pedestrian conflict

- Before the development is brought into use all on site vehicular areas shall be surfaced in a stable and durable materials in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits

- Prior to the development being brought into use details of the additional secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason To ensure the provision of adequate cycle parking to meet the needs of

occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- No development shall commence until details of measures to improve safety in the vicinity of the school such as keep clear markings and parking and waiting restrictions have been submitted to and approved by the local planning authority, and the development shall not be brought into use until funding for the safety improvements has been secured

Reason To avoid obstruction to traffic using the public highway, the site and residential properties

- Prior to development a Construction Traffic Management Plan (CTMP), including the following, shall be submitted to and approved in writing by the local planning authority. The approved details for the CTMP will be implemented at the start of the demolition/construction phase and continue until the development is completed
- Site parking for construction workers, deliveries, loading and unloading areas
- Materials storage area
- Wheel cleaning facility
- Details of any traffic management/signage within the public highway
- Deliveries outside of peak times

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

Archaeology – No objection

Thank you for the opportunity to comment on this application. It has been noted that Archaeology Team previously made comments to pre-application enquiry (CB/17/03156/PAPC) concerning the same proposals. The advice remains essentially the same and is as follows:

The proposed development site lies just to the east of the historic core of the settlement of Cranfield, (HER 16931) and within known area of Iron Age and Roman occupation (HER 11866, 13418 and 19791). Under the terms of the National Planning Policy Framework (NPPF) these are the heritage assets with archaeological interest.

The proposed development site has the potential to contain archaeological remains relating to Iron Age and Roman activity as well as to origins of the medieval settlement of Cranfield. However, the proposed locations of the new class rooms and sports hall are likely to have been compromised by the construction of the existing buildings and tennis court. Taking that into account there is unlikely to be a major impact upon any surviving archaeological remains. Consequently, there would be no archaeological objection to this application.

Sport England – No objection, subject to relevant conditions

Summary: Sport England raises <u>no objection</u> to this application as a statutory consultee which is considered to meet exception E5 of our adopted Playing Fields
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Policy and paragraph 74 of the NPPF, subject to two planning condition being imposed relating to a community use agreement and sports hall layout and design specifications as set out in this response. The principle of the application is supported as a non-statutory consultee. An informative is requested to be added in relation to sports facility design.

Sport England –Statutory Role and Policy

It is understood that the site forms part of, or constitutes a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in the light of the National Planning Policy Framework (particularly Para 74) and Sport England's policy on planning applications affecting playing fields 'A Sporting Future for the Playing Fields of England' (see link below): www.sportengland.org/playingfieldspolicy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field, unless one or more of the five exceptions stated in its policy apply.

The Proposal and Impact on Playing Field

The application involves a new classroom block, an extension to the school reception and a sports hall building on Holywell Middle School's site. The classroom block and reception extension would not affect the playing fields or any sports facilities. However, the sports hall would be sited on a substantial part (over a third of the area) of the school's multi-use games area (MUGA) which forms part of the wider playing fields and it is not proposed to be replaced.

Assessment against Sport England Policy

This application relates to the provision of a new indoor sports facility that would be sited on an existing outdoor sports facility at the above site. It therefore needs to be considered against exception E5 of the above policy, which states:

- E5 - The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.

I have therefore assessed the existing and proposed playing fields against the above policy to determine whether the proposals meet exception E5.

Sports Development Benefits

The key potential sports development benefits of the proposed development are set out in the design and access statement and in subsequently submitted information in response to Sport England's queries. In summary, these are considered to be as

follows:

- School Benefits: A three (badminton) court sports hall would be provided. This would provide a modern indoor sports facility for meeting the school's curricular and extra-curricular PE and sport needs. At present, the school uses its dated 1970s gym for indoor sport which was not designed for meeting modern indoor sports use. Furthermore, it was not designed with sufficient capacity to meet the expansion needs of the school as it does not have enough space to allow 3 PE classes to take place at the same time. The proposed sports hall would address the capacity and quality deficiencies of the school hall and provide a modern sports hall. The new changing facilities would offer modern facilities that would help encourage participation in sport and physical activity by students and could also be used for supporting the outdoor sports facilities;
- Community Benefits: While the sports hall has been proposed mainly for meeting the school's needs, it would offer benefits to the community as it would be made available for community use outside of school hours to complement existing and proposed sports halls in the Cranfield area and the school would be willing to complete a community use agreement to secure such use. Central Bedfordshire Council's Leisure Facilities Strategy (2013) assessed community sports facility needs in the area and while it did not identify a need for additional sports halls in this area, policy N3 supported improved public access to existing school sports halls in the western part of Central Bedfordshire which includes Cranfield. The development of a new school sports hall that would be made available for community use would be considered as responding positively to an identified local need for increased community access to school sports hall provision and would help address any unmet demand in the Cranfield area. The proposed size of the sports hall (3 courts) would restrict the range of sports that could be accommodated in the hall but it would still be suitable for use for some of the most popular sports such as badminton.

Impact on Playing Field

In relation to the impact on the games courts, the sports hall building would result in the loss of about a third of the games court area and would reduce the capacity and number of courts that could be accommodated on the residual area. The applicant has explained that other options for siting the sports hall were explored before the siting was confirmed, some of which would have had an impact on the natural turf playing field. The surface of the games courts is understood to be poor which in practice restricts formal sports use to the summer period and other dry periods of the year due to a lack of slip resistance. As part of the development, it is proposed to resurface the residual area to allow it to be fully used for outdoor sports throughout the year. Furthermore, despite the reduction in size the residual area would still have sufficient space for accommodating a netball court or a tennis court which are the most popular courts marked out on school games courts and it would also be possible to transfer some of the sports that are currently played outside to the sports hall which would not have any restrictions on its use in relation to daylight or weather conditions. As set out above, the changing facilities would improve ancillary facilities for the users of the outdoor sports facilities including the playing field and residual games court area.

Conclusions and Recommendation

On the basis of the above assessment, I consider that the potential sports development benefits that the proposed sports hall would offer would clearly outweigh the detriment caused by the impact on the games court area. I therefore consider that the proposal would meet exception E5 of our playing fields policy. This being the case, Sport England **does not wish to raise an objection to this application, subject to the following conditions** being attached to the decision notice should the local planning authority be minded to approve the application:

- Community Use Agreement: A condition requiring a community use agreement for the school's sports facilities to be submitted and approved by the local planning authority (in consultation with Sport England) prior to first occupation of the development in order to ensure that community access to the sports hall and other suitable school sports facilities are secured in practice. A community use agreement sets out a school's policy and arrangements for community use of its sports facilities and covers matters such as hours of use, types of bookings accepted, restrictions on community use etc. The agreement is usually between a school and the relevant local authority (i.e Central Bedfordshire Council). Sport England regularly secures the completion of such agreements through planning conditions on planning permissions for school developments. While it is acknowledged that community access arrangements are already in place for the school's existing sports facilities, such a condition is justified to avoid a scenario where community access (outside of school hours) to the proposed facilities does not take place (or is significantly restricted) following the implementation of the proposed development and to ensure that the community use arrangements are safe and well managed. Without suitable community access being secured over a long term period in practice, one of the principal sports development benefits of the proposals would not be realised. Furthermore, securing community access to the facility would help deliver the Council's leisure facilities strategy. A community use agreement also provides clarity and formalisation with respect to community access arrangements for all parties. Community use agreement templates, examples of completed agreements and further advice can be provided upon request although advice should be sought from both CBC and Sport England before an agreement is prepared.

For information, Sport England's guidance for schools on preparing for and delivering community use is available at <http://www.sportengland.org/facilities-planning/use-our-school/>. Sport England has developed a schedule of model planning conditions for local authorities to use which are on our website at <https://www.sportengland.org/facilities-planning/planning-for-sport/planning-applications/>. The following condition is requested to be imposed to address this which is based on model condition 16 of the schedule:

"No occupation shall commence of the sports hall hereby permitted until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the sports hall, playing fields and games courts and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in

order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement."

*Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy **.*

- Sports Hall Design Specifications: As it has been confirmed by the applicant that the submitted sports hall floor layout is indicative and because technical specifications for the sports hall are not available at this stage, details should be submitted and approved prior to construction of the sports hall to ensure that the design and layout of the sports hall is fit for purpose. The condition should specifically require details to be provided of the sports hall layout and the specifications for the flooring, lighting and court markings. This is justified to ensure that the facility is fit for purpose for meeting school and community needs and to help ensure that it delivers the benefits to sport that would help mitigate the loss of the games court area. **It is requested that the following condition and informative** which is based on model condition 9 of Sport England's model conditions schedule is imposed:

"No development of the sports hall shall commence until details of the layout of the sports hall and the technical specifications of the sports hall including flooring, lighting and court markings have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The sports hall shall not be constructed other than in accordance with the approved details.

*Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy **.*

Informative: The applicant is advised that the design and layout of the sports hall should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport.

If you wish to amend the wording of the conditions or use another mechanism in lieu of the condition, please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments. If your Council decides not to attach the above condition, Sport England would wish to raise an objection to this application. Should the local planning authority be minded to approve this application without the above conditions, then given Sport England's subsequent objection and in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State via the National Planning Casework Unit.

COMMENTS MADE AS A NON-STATUTORY CONSULTEE

As a non-statutory consultee, without prejudice to our position as a statutory consultee set out above, Sport England would wish to make comments on the following issues:

Principle of the Development

Sport England has assessed the application in the light of its Planning for Sport Aims

and Objectives Guide (2013) www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/ which is consistent with the NPPF. Objective 3 of this guide relates to ensuring that the provision of facilities and opportunities for sport and recreation meets the needs of the local community which includes new facilities and the enhancement of existing facilities. The proposed development would provide a new indoor sports facility that would offer potential to make a contribution towards meeting community sports hall needs in the Cranfield area for the reasons set out above. The proposals are considered to meet the above objective therefore. Sport England would therefore wish to confirm its **support** for the principle of the proposed development as a non-statutory consultee.

Facility Design

Detailed attention to facility design can make a significant difference to the utility and quality of a proposed sports facility. To this end, Sport England has developed detailed guidance on expectations for good facility design. Further information on sports hall design issues are detailed on our website at <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/sports-halls/>. In order to help ensure that the detailed elements (such as internal flooring and lighting specifications) of the design of the sports hall are fit for purpose, it is **requested** that an informative be added to a decision notice if the application is approved advising that the sports hall should be designed in accordance with Sport England's relevant design guidance notes.

Informative: The applicant is advised that the design and layout of the sports hall should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to the "Sports Hall Design & Layouts" design guidance note <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/sports-halls/>.

SuDS Officers – No objection subject to relevant conditions.

We consider that planning permission could be granted to the proposed development and the final design and maintenance arrangements for the surface water system agreed at the detailed design stage, if the following recommendations and planning conditions are secured.

Permeable paving is the preferred method of pollution control than an oil interceptor, if the parking areas were to be permeable paving there would be no need for drainage channels on each stretch of parking. This would also provide storage reducing the land take for attenuation.

Where the use of permeable surfacing is proposed, this should be designed in accordance with the 'CIRIA RP992 The SuDS Manual Update: Paper RP992/28: Design Assessment Checklists for Permeable/Porous Pavement'.

We require detailed plans and drawings showing the proposed surface water drainage system in its entirety, including location, pipe run reference numbers, dimensions, gradients and levels (in metres above Ordinance Datum). This shall include all elements of the system proposed, including source control, storage, flow control, discharge and storage elements;

We will expect that any components that require replacement and/or maintenance will be designed to be accessible without undue impact on the drainage system and adjacent structures or infrastructure.

The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).

Land drainage Consent under the Land Drainage Act 1991 must be secured to discharge surface water to an existing watercourse, and details of this provided with the full detailed design. An easement should be provided on the developable side of the watercourse to allow for access for maintenance, this should be 9m but may depend on the maintenance requirements considered appropriate.

Recommended conditions;

Condition 1: No development shall commence until a detailed surface water drainage scheme for the site, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details of how the system will be constructed, including any phasing, and how it will be managed and maintained after completion. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 of the NPPF.

Condition 2: No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

Cranfield Airport – No objection.

Leisure Officers – No objection

Rights of Way Officer – No objections.

Anglian Water – No objection subject to relevant conditions.

Trees and Landscape – No objection subject to relevant conditions.

Environmental Health – No objection.

Local Residents

3 letters of objection have been received from surrounding addresses. Comments are summarised as:

- Loss of a community facility (MUGA).
- Harm in terms of highway safety.
- Detrimental impact upon parking provision.

Letters not expressing objections but instead raising concerns have also been received from surrounding addresses. Concerns include; additional traffic, damage to road surface, impact on parking provision and harm in terms of highway safety.

It should, however, be noted that damage to the surface of the road as a result of the proposal would represent a legal matter. This is therefore outside of the remit of planning and no weight is afforded to this particular concern in this balancing exercise.

Determining Issues:

The main considerations of the application are;

- The principle of the development
- The quality of the design and the impact upon the character of the area
- The impact upon living conditions
- Highway safety and parking provision
- Other material considerations
 - Sustainability – including community use of facility MUGA
 - a. Ecology
 - b. Flooding and Drainage – Anglian conditions
 - c. Rights of Way
 - d. Archaeology

Considerations

1. The principle of the development

The Expansion of the School

1.1 The National Planning Policy Framework (henceforth referred to as the Framework), in paragraph 72 attaches great importance to the ensuring that a sufficient choice of school places is available to meet the needs of existing communities. This paragraph goes on to state that Local Planning Authorities should give great weight to the need to create, expand or alter schools.

- 1.2 Policy CS3 is consistent with the above mentioned national policy and seeks to support the upgrading of education facilities. Further, Policy DM4 seeks to encourage development within settlement envelopes.
- 1.3 The applicant has illustrated that the new teaching spaces are required to upgrade the cramped and unwelcoming teaching environment and to provide extended office space for Administration and the management team. Further, the proposal would provide a covered sports hall and associated changing facilities that are currently not provided at the site.
- 1.4 Taking the above into account, it is considered that the development would upgrade the existing teaching environment and would offer significant benefits to the development of sport at the school. The development complies with Policies CS3 and DM4 in this regard and, in accordance with the Framework, great weight in favour is afforded to the expansion of Holywell Middle School.

Impact on Open Space and Playing Pitches

- 1.5 The development would be constructed on land designated as 'Important Open Space' and the proposed sports hall would be positioned on a substantial part of the existing multi-use games area (MUGA) which forms part of the wider playing fields.
- 1.6 Policies DM5 and DM17 seek to resist the loss of existing green space and Policy DM5 states that partial redevelopment of areas identified as Important Open Space will only be considered favourably:
 - v) *Where proposals would result in enhanced provision in functional terms (both the facility itself and its location).*
 - *Where there are exceptional circumstances resulting in overall community benefit.*
 - *Where there would be no adverse effect on the visual quality of the settlement.*
- 1.7 The Framework, as stated within the Core Planning Principles (paragraph 17), seeks to encourage multiple benefits from the use of land in urban areas, and recognises that some open land can perform many functions (such as for wildlife and recreation). Additionally, the Framework, in paragraph 73, acknowledges that open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.
- 1.8 Furthermore, paragraph 74 of The Framework states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
 - (i) *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - (ii) *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location;*
or

(iii) the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

- 1.9 As illustrated, though broadly consistent with national policy, the criteria of Policy DM5 differs from that identified within paragraph 74 of the Framework. Accordingly, more weight is given to the provisions of the Framework in this regard.
- 1.10 As discussed, the three court sports hall would be positioned on existing playing pitches. However, this would be a modern, high quality, facility for meeting the school's curricular and extra-curricular PE and sport needs. The facility would address the capacity and quality deficiencies of the schools current indoor sporting facility (the school hall) and the changing rooms would offer modern facilities which could support other outdoor sports facilities.
- 1.11 Though the development would reduce the existing games court area, the applicant has illustrated that the surface of the existing MUGA is poor and this restricts formal use in warmer months. As part of this proposal, the remaining MUGA would be resurfaced to allow for year round use. Further, the remaining MUGA would still provide sufficient space for accommodating netball or tennis courts.
- 1.12 Taking all of the above into account, and as the applicant has illustrated that other sites for the sports hall were explored but would have had a detrimental impact upon natural turf playing pitches, it is considered that the loss of pitches as a result of the proposal would be replaced by better, indoor, provision (in terms of quantity and quality) in a suitable location. As such, the relevant criteria of Policy DM5 and paragraph 74 of the Framework would be met and the development is considered acceptable in this regard.
- 1.13 Notwithstanding the above, to ensure that the indoor sports pitches are indeed of a high quality, it is recommended that a condition is imposed requesting specifications of the layout of the sports hall – including flooring, lighting and court markings. Subject to the imposition of this condition, no objection is raised by Sport England.

2. The quality of the design and the impact upon the character of the area

- 2.1 Policies CS14, DM3 and DM4 seeks to ensure proposals are of a high quality of design, respect the local context in which they are in, are appropriate in terms of scale and have an acceptable impact upon the landscape. Chapter 7 of the Framework emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.
- 2.2 The application site is located within the settlement envelope of Cranfield, towards the eastern edge of this village. The site comprises a mix of educational buildings, constructed in a variety of architectural forms, of various ages. Though there is established vegetation adjacent to public rights of way which run adjacent to the southern boundary of the site, views would be available of elements of the

proposed development from certain vantage points along the surrounding footpath network.

- 2.3 The proposed entrance extension would infill an area between existing educational buildings, would be subordinate to the host building and would be framed in render under a flat polymeric covering. Taking this into account, it is not considered that this extension would appear visually prominent or disrupt the rhythm of the existing built form at the site.
- 2.4 The proposed classroom block would be located on the northern side of the existing buildings and would be constructed of facing brickwork and roof tiles to match those of the existing built form. Though two storey in scale, views of this element of the development would be largely restricted from the public domain, and it is not considered that this building would appear visually cramped or dominant at the school site. As such, it would not disrupt the harmony of the existing educational facility.
- 2.5 The proposed sports hall would be located towards the eastern boundary of the site and would be a functional building constructed of metal cladding under a metal profiled roof. Some, restricted, views of this building would be available from certain vantage points along the surrounding footpath network. However, this building is typical in terms of design of a building of this nature and would not appear visually incongruous in this educational setting. As such, and given the development would not appear cramped upon its plot, it is not considered that this element of the development would disrupt the character of the school site.
- 2.6 Taking all of the above in account, it is not considered that the development would result in harm to the character of the immediate setting or the visual interests its surroundings. Accordingly, the scheme complies with identified local and national policy in this regard. Notwithstanding this, to ensure the scheme is of a high quality and that built form is appropriately softened, it is recommended that conditions are imposed requesting the exact specifications of materials to be used for proposed buildings and a Landscaping Plan (including details of any means of enclosure, hardstanding and additional vegetation).

3. The impact upon living conditions

- 3.1 Policy DM3 aims to preserve neighbouring amenity. Furthermore, guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.
- 3.2 The single storey entrance extension would be in excess of 22m away from residential built form to the west of the site and there are no residential properties within close proximity of either the classroom block or the sports hall. As such, it is not considered that the development would result in harm to the living conditions of the occupants of surrounding properties, in terms of overbearing, overlooking and loss of light.
- 3.3 Furthermore, no concern has been raised in terms of noise and disturbance from Environmental Health. It is therefore not considered that the proposal would result in harm in this regard over and above the existing operating school.

- 3.4 Taking all of the above into account, the proposal would not result in harm to the living conditions of the occupants of surrounding residential properties and complies with identified policy in this regard.

4. Highway safety and parking provision

- 4.1 Access to the site is taken from a cul-de-sac via the High Street, with a turning head suitable for a car located prior to the school entrance. Surrounding properties have an access and on site parking provision.
- 4.2 The existing school currently has 610 pupils and 80 members of staff and benefits from 71 on-site parking spaces and 40 cycle spaces. The school is mostly utilised by pupils from 10km away, with up to five double decker buses transporting pupils to/from the site.
- 4.3 There is no on site 'parent drop off' area, other than on street parking at Red Lion Close. It is also stated by the applicant that, informally, the nearby public house (The Crosskeys) is used as a drop off point. However, as this is not formal parking in association with the school and could cease at any time, this parking provision has not been included in this assessment.
- 4.4 The applicant has submitted has submitted a Transport Statement illustrating that this proposal would increase the pupil yield by a maximum of 110 students and that a maximum of 11 additional staff members.
- 4.5 12 additional off-street parking spaces would be provided to accommodate for the expansion of the school and an area has been illustrated on drawing no. AG(9-) 01 Rev. A for additional cycle parking. Subject to conditions requesting further detail of these parking spaces, it is considered that parking provision would be acceptable.
- 4.6 Using the assessment surveys of the modes of transport of pupils using the school, it is assumed that the majority of the 110 pupils will use the school buses provided, and there will be 10 additional parent vehicles for the pupil increase. It is clear that the school has incremental pupil increases which, is continually adding to the issues of on street parent parking along a residential cul-de-sac to the detriment of residents, highway users and access to/from the site by the school buses.
- 4.7 To alleviate the above mentioned concerns, it is considered that 'H' bars should be provided at the residential accesses/drop kerbs along Red Lion Close from the High Street junction to the school gates (not including the part of Red Lion Close that is a spur to the north). The turning area adjacent to the school gates should also have keep clear hatching to allow vehicles to turn and leave the close in forward gear.
- 4.8 Furthermore, a TRO of waiting restrictions at peak school times should be provided at the south side of the radii of the junction with the High Street. The same should apply on the north side and continue to the school gates along the north side of Red Lion Close. This should also include the radii of the north spur of Red Lion Close. This will provide residents access to their drives during school

time and turning within the allotted turning area. As the waiting restriction will only be at peak school times it should not impact on residents during other times or weekends.

- 4.9 The above mentioned highways improvements are considered reasonable and necessary and will be secured conditionally, to be carried out under a S278 agreement. This has been agreed by the applicant.
- 4.10 The applicant has provided a plan showing the locations that buses park, offload and turn within the site. This shows a crossed hatched area for turning and an area where up to three busses can stack and unload/load children. The tracking diagrams show that two vehicles can pass each other where the busses are stacked, and with better positioning of busses at the east waiting area, cars can pass the waiting busses to access the parking spaces. To ensure that this area is indeed acceptable, it is considered reasonable to impose a condition requesting details of a waiting/parking area for at least two busses.
- 4.11 Taking all of the above into account, as Highways Officers have no objection to this development, it is considered that, subject to the imposition of relevant conditions, the development would be acceptable in this regard.

5. Other material considerations

(i) Sustainability

- 5.1 The Framework adopts a broad definition of sustainable development in that it states that the policies in paragraphs 18 – 219, taken as a whole, constitute the Government's view of what sustainable development means in practice. The Framework also establishes that the purpose of the planning system is to contribute to the achievement of sustainable development, which includes economic, social and environmental dimensions.

Economic

- 5.2 Sustainable economic growth is one of the key aspects of the current planning system. Paragraph 19 of the Framework states:

'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.'

- 5.3 Paragraph 20 of the Framework then goes on to state:

'To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.'

- 5.4 As identified, this proposal would increase the teaching staff at the school by 8.5 full time employees. These identified economic benefits weigh heavily in favour of the grant of permission.

Social

- 5.5 Clearly the upgrading of the school facilities to provide modern facilities to deliver education brings considerable social benefits. Furthermore, the school has agreed to an element of community use of the proposed sports hall. To ensure that this community use is appropriate, it is recommended a condition is imposed requiring a Community Use Agreement. The social benefits of this proposal weigh heavily in favour of this scheme.
- 5.6 Further, the economic benefits outlined above would in turn provide social benefits. Job creation often promotes healthy local government budgets, improves income distribution, reduces inequality and results in decreased crime rates.

Environmental

- 5.7 The school site is located in a sustainable location and, as discussed above, would not result in harm to the character of the area. As such, the development is considered sustainable in this regard.

(ii) Ecology

- 5.8 The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework (paragraphs 118-119), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 as well as Circular 06/05. Furthermore, Policy CS18 seeks to support the maintenance and enhancement of habitats and states that development that would fragment or prejudice the biodiversity network will not be supported.
- 5.9 On discussion with Ecology Officers, it is considered that the site itself is of very limited ecological value. As such, subject to the imposition of a condition ensuring that the applicant provides details of ecological enhancements at the site, the proposal is considered acceptable in this regard.

(iii) Flooding and Drainage

- 5.10 Policy CS13 seeks to ensure that proposals incorporate suitable drainage infrastructure.
- 5.11 The site lies wholly within Flood Zone 1 – indicating a low probability of flooding. Further, on discussion with internal Drainage Engineers and Anglian Water, it is considered that, subject conditions requesting the submission of a detailed Surface Water Drainage Plan and a Foul Water Strategy (and associated maintenance plans) the proposal would not increase the risk of flooding to the surrounding area and proposed units would not be susceptible to such risks. Subject to the imposition of these requested conditions, the proposal would be acceptable in this regard.

(iv) Rights of Way

5.10 On discussion with Public Rights of Way Officers, it is not considered that the development would impact upon the surrounding footpath network. As such the proposal is acceptable in this regard.

(v) Archaeology

5.11 On discussion with Archaeology Officers, the proposed development site has the potential to contain archaeological remains relating to Iron Age and Roman activity as well as to origins of the medieval settlement of Cranfield. However, the proposed locations of the new class rooms and sports hall are likely to have been compromised by the construction of the existing buildings and tennis court. Taking this into account, there is unlikely to be a major impact upon any surviving archaeological remains. Consequently, the development is considered acceptable in this regard.

6. Overall Planning Balance

6.1 The development would upgrade the existing teaching environment and would offer significant benefits to the development of sport at the school. The development complies with Policies CS3 and DM4 in this regard and, in accordance with the Framework, great weight in favour is afforded to the expansion of Holywell Middle School

6.2 Further, the loss of pitches as a result of the proposal would be replaced by better, indoor, provision (in terms of quantity and quality) in a suitable location. As such, the relevant criteria of Policy DM5 and paragraph 74 of the Framework would be met and the development is considered acceptable in this regard.

6.3 The proposal has also been assessed in terms of its impact upon; the character of the area, the living conditions of surrounding properties, highway safety, flooding and drainage and other relevant material considerations. The development is considered acceptable in this regard.

6.4 Overall, the proposal would provide considerable social benefits, including the community use of the sports hall, and is considered to represent sustainable development. Accordingly, the development complies with the Development Plan and the Framework when assessed as a whole.

Recommendation:

That Planning Permission be GRANTED 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 development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; AE(0-01 & AE(0)20 & AE(01)01 & AG(0-)05 & AG(0-)10 & AG(04)01 & AG(04)02 & AG(04)03 & AG(04)04 & AG(04)05 & AG(05)01 & AG(05)02 & AG(05)03 & AG(06)01 & AG(07)01 & AG(9-)01.

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

- 3 The development of the sports hall shall not commence until details of the layout of the building and the technical specifications of the sports hall including flooring, lighting and court markings have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The sports hall shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Policies DM3, DM4 and CS14 of the Core Strategy and Development Management Policies 2009.

- 4 Prior to first occupation of the buildings hereby approved full details on a suitably scaled plan of both hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be in addition to those shown on the approved plans and shall be carried out and retained as approved. The landscaping details to be submitted shall include:-

- a) means of enclosure;
- b) existing and proposed finished levels and finished floor levels.
- c) planting plans, including specifications of species, sizes, planting centres, planting method and number and percentage mix;
- d) details for all external hard surface within the site, including roads, drainage detail and car parking areas.

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy DM14 of the Core Strategy and Development Management Policies 2009.

- 5 All planting, seeding or turfing and soil preparation comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following first occupation of the building; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards.

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual

and environmental impacts of the development hereby permitted in accordance with Policy DM14 of the Core Strategy and Development Management Policies 2009.

- 6 Prior to the construction of the buildings hereby permitted full specifications of the materials to be used for their external surfaces must be submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall be carried out and retained in accordance with approved details.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS14, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 7 No occupation shall commence of the sports hall hereby permitted until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the sports hall, playing fields and games courts and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with the provisions of the Framework.

- 8 Prior to the first operation of the development hereby approved details for ecological enhancements at the site shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall be carried out and retained in accordance with these details.

Reason: In the interests of biodiversity, in accordance with Policy CS18 of the Core Strategy and Development Management Policies 2009.

- 9 No development shall commence until a detailed surface water drainage scheme and a foul water strategy for the site, and an assessment of the hydrological and hydrogeological context of the development, have been submitted to and approved in writing by the Local Planning Authority. The schemes shall also include details of how the systems will be constructed, including any phasing, and they will be managed and maintained after completion. The schemes shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.

- 10 No building shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 11 Prior to the first occupation of the buildings hereby permitted the additional on site car parking and access thereto, shall be constructed in accordance with the approved drawing no. AG(9-)01A.

Reason: For the avoidance of doubt and to provide adequate on site vehicle and cycle parking provision.

- 12 Prior to the first occupation of the development hereby approved, details of a waiting/parking area for at least 2 buses shall be submitted to and approved in writing by the local planning authority and the development shall not be brought into use until the buses waiting/parking area has been constructed in accordance with the approved details

Reason: To provide bus parking/waiting area clear of parked and manoeuvring vehicles within the site and to avoid vehicle/pedestrian conflict.

- 13 Before the development is brought into use all on site vehicular areas shall be surfaced in a stable and durable materials in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits

- 14 Prior to the first occupation of the development hereby approved details of the additional secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 15 No development shall commence until details of measures to improve safety in the vicinity of the school and a schedule for their implementation have

been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details and schedule of implementation.

Reason: To avoid obstruction to traffic using the public highway, the site and residential properties

16 No development shall take place, including any works of demolition, until a Construction 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) Footpath/footway/cycleway or road closures needed during the development period.
- (F) Traffic management needed during the development period.
- (G) Times 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.

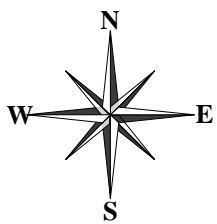
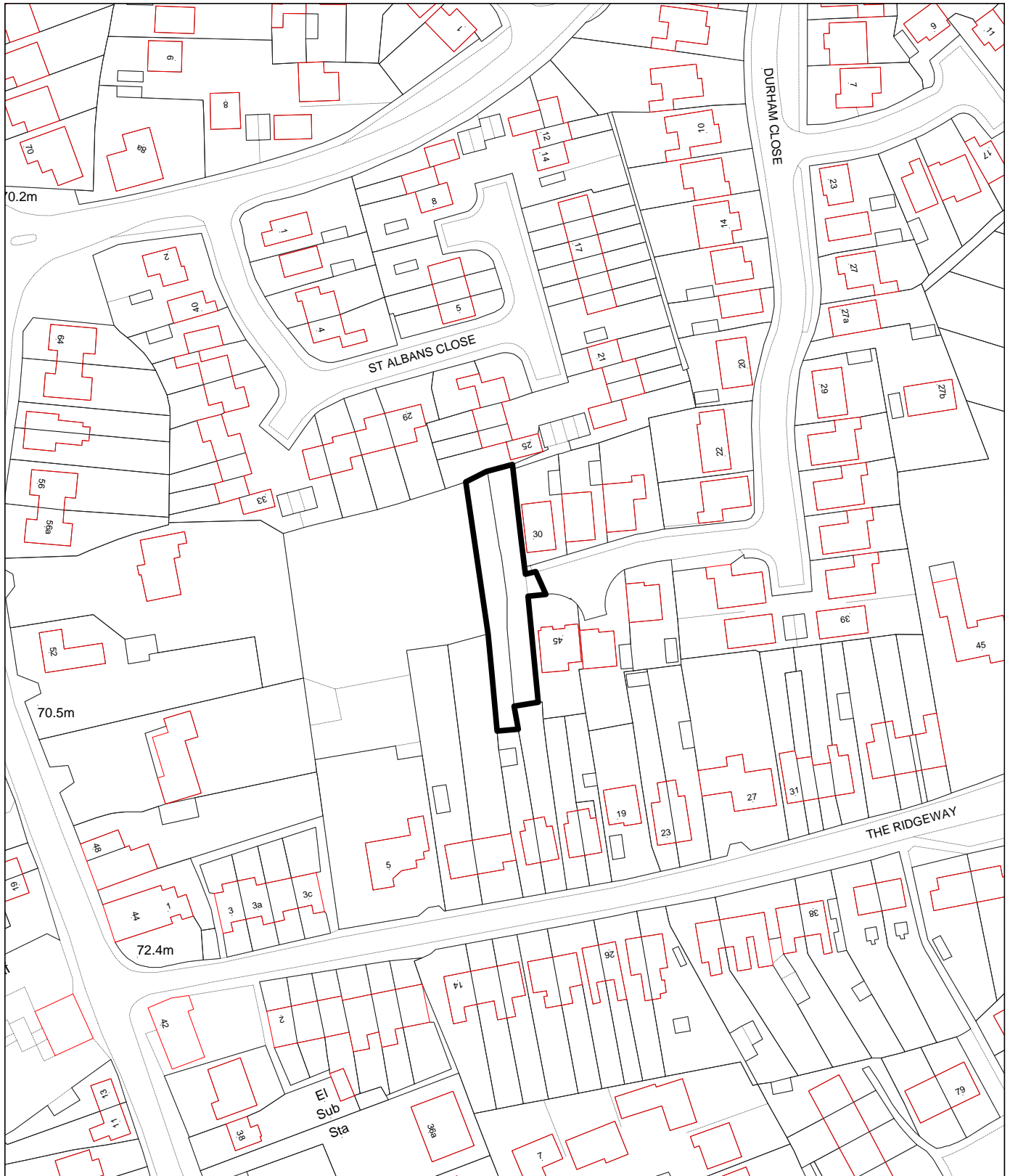
Reason: In the interests of highway safety.

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

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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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Date: 15:January:2018

Grid Ref: 503288; 235559

Application No.
CB/17/04312/FULL

Scale: 1:1250

Land at 11 and rear of 13 The Ridgeway,
Flitwick, Bedford, MK45 1DH

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Item No. 14

APPLICATION NUMBER	CB/17/04312/FULL
LOCATION	Land at 11 and rear of 13 The Ridgeway, Flitwick, Bedford, MK45 1DH
PROPOSAL	Erection of one bungalow and one two storey house with access off Durham Close
PARISH	Flitwick
WARD	Flitwick
WARD COUNCILLORS	Cllrs Mrs Chapman, Gomm & Turner
CASE OFFICER	Judy Martin
DATE REGISTERED	11 October 2017
EXPIRY DATE	06 December 2017
APPLICANT	Acorn Building Services (Luton) Ltd.
AGENT	JRT Architectural Design Ltd.
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Turner for the following reasons: <ul style="list-style-type: none">• Loss of amenity• Highways safety grounds• Impact on landscape Current house wrongly numbered on plans and current plans do not show the adjacent building site
RECOMMENDED DECISION	Full Application - Recommended for Approval

Summary of Recommendation

The site is inside of the defined settlement 'envelope' for Flitwick, as such there is no objection to the principle of the proposal.

The proposal has also been assessed in terms of its impacts upon the character of the area, the living conditions of surrounding residential units, highway safety and on other relevant material considerations. Subject to the imposition of identified conditions, the proposal is considered acceptable in this regard.

Overall, the proposal represents sustainable social, economic and environmental development and complies with the identified policies within the current Development Plan and the relevant sections of the Framework.

Site Location:

The application site is located within an urban area within Flitwick. The site (0.06 hectares) comprises the rear section of gardens of nos. 11 and 13 The Ridgeway. The site currently contains mature vegetation which obscures much of the site from view.

The site adjoins a recently approved scheme (CB/16/01026) for 6 dwellings and (CB/17/03645/full) for 2 dwelling which are accessed from The High Street. These properties are currently under construction.

The Application:

Permission is being sought for the erection of one 2 bed bungalow (plot 1) and one two storey 3 bed detached dwelling (plot 2).

Plot 1 measures 6.5m in height
Plot 2 measures 8.7m in height

The proposed dwellings will be formed in-line with existing dwellings on Durham Close with both vehicular and pedestrian access taken from Durham Close. Plot 1 will have 2 parking spaces and plot 2 will have 3 parking spaces.

The applicant states that access to the site has been made possible by an agreement with the original developers of Durham Close, who retained ownership of the strip of land at the end of the close.

A previous scheme for two dwellings (CB/17/03273/FULL) was withdrawn. Plot 2 is the same as the previous scheme. Plot 1 has been altered by the removal of the first floor accommodation; the associated gable projection and first floor windows. This dwelling now has ground floor accommodation only.

An additional 'block plan' showing the adjacent development was made available on the Council's website 23/10/17.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

Policy CS14	High Quality Development
Policy DM3	High Quality Development
Policy DM4:	Development Within and Beyond Settlement Envelopes

Development Strategy

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Supplementary Planning Guidance/Other Documents

1. Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Case Reference	CB/17/03273/FULL
Location	Land at 11 and Rear of 13 The Ridgeway, Flitwick, Bedford, MK45 1DH
Proposal	Erection of one chalet bungalow and one two storey house with access off Durham Close.

Decision	Application Withdrawn
Decision Date	31/08/2017

Case Reference	CB/17/03645/FULL
Location	52 High Street, Flitwick, Bedford, MK45 1DX
Proposal	Erection of a pair of semi-detached houses on rear garden land to No.52 High Street with associated parking and access off York Close
Decision	Full Application - Granted
Decision Date	13/10/2017

Case Reference	CB/16/01026/FULL
Location	54 High Street, Flitwick, Bedford, MK45 1DX
Proposal	Demolition of existing house at No.54 and erection of 6 new houses including detached garages and access road on land at rear of No.50 and No.54 High Street
Decision	Full Application - Granted
Decision Date	17/08/2016

Area Related Planning History (for context)

Case Reference	MB/01/01591/FULL
Location	Land At 28 And 30, Durham Close, Flitwick
Proposal	FULL: ERECTION OF TWO DETACHED CHALET BUNGALOWS WITH GARAGES (REVISED SCHEME TO THAT PREVIOUSLY APPROVED UNDER REF: 19/2000/1047 DATED 16.10.2000 - FULL APPLICATION FOR 4 DETACHED HOUSES AND 3 CHALET BUNGALOWS, GARAGES AND ACCESS ROAD
Decision	Full Application - Granted
Decision Date	26/11/2001

Case Reference	MB/00/01047/FULL
Location	Land To The Rear Of 15 To 25, The Ridgway, Flitwick
Proposal	FULL: ERECTION OF 4 DETACHED HOUSES AND 3 CHALET BUNGALOWS, GARAGES AND ACCESS ROAD.
Decision	Full Application - Granted
Decision Date	16/10/2000

Consultees:

Town Council	No comments received
Highway Development Management	No objection subject to the specified conditions
Internal Drainage Board (IDB)	No comments to make

Other Representations: 26 objections and 1 comment which have been summarised as following:

28 Durham Close (obj)	<u>Planning Application Issues</u>
47 Durham Close (obj)	Misleading site address;
27A Durham Close (obj)	The description has been amended from the previous planning application but very little has been changed to take the previous concerns into account;
28 St Albans Close (obj)	
10 Cheney Close, Toddington (obj)	Why didn't the builder consider applying for planning permission when he started on the York Close site?
4 Durham Close (obj)	

10 Durham Close (obj)
5 The Grove, Silsoe (obj)
24 Durham Close (obj)
14 Durham Close (obj)
4 Horse Croft, Marston Mortaine (obj)
29 Durham Close (obj)
16 Sampshill Road, Westoning (obj)
2 Pine Walk, Silsoe (obj)
26 Durham Close (obj)
46 Stokes Close, Dunstable (obj)
5 Durham Close (obj)
10 Sharpenhoe Road, Barton le Clay (obj)
6 Poplar Close (obj)
49 Durham Close (obj)
5 The Ridgeway (obj)
29 Durham Close (obj)
37 Durham Close (obj)
15 Pye Bridge End, Broughton, MK (obj)
28 Old Road, Barton le Clay (obj)
25 St Albans Close (obj)
33 Durham Close (com)

The development would result in the loss of trees, shrubs and hedges contrary to Question 15 on the application form;

The design statement mentions that the land is underused but this is a choice of the existing owners and should not be a factor in the application.

The new development adjacent (CB/16/01026/full)
This development was only allowed because it was 6 houses.

Impact upon the streetscene
The loss of mature trees and vegetation will be replaced by a line of parked cars;
Durham Close is already far too busy due to the number of properties and vehicles;
Negative effects on amenity (neighbour & community)
Detrimental impact to views and streetscene;
The plot is far too narrow for 2 houses;
Out of scale and out of character compared to the established Cherry Orchard Estate;
It should be left as an attractive green space for the community;
Detrimental to the safe environment
If the development were to go ahead, instead of a view of trees and a green area, this would be replaced with concrete, bricks and essentially a car park as there is no provisioning for garages (which is a design feature of Durham Close), just off road parking for 3 cars for each proposed house;
Loss of wildlife;
One of the key reasons that residents bought their homes for the privacy and quiet afforded by being at the end of a close.

Design specifics

Over density of development
Out of scale
It constitutes 'garden grabbing';

Harm to residential amenity

loss of privacy, shading and loss of daylight to homes in Durham Close;
loss out view/outlook
The loss of trees (which currently shield the view of the new development) would result in a loss of privacy to no. 25 St Albans Close. If a previous application for an extension was refused for infringing on the privacy of no. 30 Durham Close then why is not plot 1 infringing on the privacy of this property.

Highway safety

It would result in an unacceptable level of congestion in Durham Close particularly at night and weekends;

Thought must be given to access by emergency service vehicles;

The parking provided does not fit in with off road parking on the rest of the estate;

The revised application for the two dwellings still proposes 3 parking spaces each, above average for Durham Close, and would disproportionately increase traffic throughout Durham Close;

Construction disruption

The necessary construction traffic would create parking problems in the road, noise pollution, dust, debris and inevitable slurry impacting all existing home owners and posing a risk to everyone, both drivers and pedestrians particularly young children playing and the elderly and would be an intolerable nuisance to those in the immediate vicinity of the proposed houses and seriously affect their quality of life on a daily basis;

The level of disruption (at unsociable hours) during the building of the High Street plot is unacceptable so why should residents put up with another year or so of construction.

Considerations

1. Principle

- 1.1 The application site is located within Flitwick but is not an allocated housing site and so is considered to be a 'windfall site'. The site is within a Major Service Centre, as identified in Policy CS1 where additional housing is encouraged through continued redevelopment within the built-up area. Further, the thrust of Policy DM4 is to apply weight in favour of development within settlement 'envelopes'.
- 1.2 Furthermore, the National Planning Policy Framework (henceforth referred to as the Framework) encourages the provision of more housing within towns and other specified settlements and encourages the effective use of land by reusing land that has been previously developed. Though the application site is not considered to be previously developed (with regards to Annex 2 of the Framework) Policy DM3 seeks to use land efficiently.
- 1.3 The application site is situated within an urban residential area in the existing Major Service Centre of Flitwick. As such, the infrastructure in the immediate area has been developed to provide good transport links for existing residents. There are also services and facilities available within close proximity of the site.
- 1.4 Taking all of the above into account, the proposal would make a small but valuable contribution to the existing housing stock and complies with the Council's settlement strategy. As such, and given that the development would be located in a sustainable location, the proposal is in accordance with policies

CS1, DM3 and DM4. There is therefore no objection to the principle of the proposed development.

2. Affect on the Character and Appearance of the Area

- 2.1 Policies DM3 and DM14 seeks to ensure proposals are of a high quality of design, respect the local context in which they are in, are appropriate in terms of scale and have an acceptable impact upon the landscape. Chapter 7 of the Framework emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.
- 2.2 The proposed units would be at the end of Durham Close and as such, views would be somewhat restricted. The design of the dwellings is similar to those they will adjoin, nos. 30 and 49 Durham Close, one being a bungalow and the other a two storey dwelling. Whilst significant concern has been raised over the loss of the mature planting in the existing gardens, this 'green space' comprises the enclosed private gardens of Nos. 11 and 13 The Ridgeway and could be cleared of vegetation at any time without requiring consent. It is not considered that a refusal on such ground would be reasonable.
- 2.3 It should be noted that this scheme adjoins a recently approved residential development (application ref. CB/16/01026/FULL for six residential units and CB/17/03645/FULL for two dwellings). This scheme has commenced and is nearing completion and takes vehicular access from the High Street. The current scheme takes access from Durham Close.

In conclusion, the construction of two dwellings in this location is not considered to harm the character and appearance of the area.

3. Impact on Neighbouring Amenity

- 3.1 The site is surrounded by existing residential dwellings and the impact on the occupiers of these dwellings should be carefully considered.

Below the impact of the proposed development on the occupiers of surrounding dwellings is assessed individually. The tools for this assessment are based on the Council's Design Supplement 5, which states that a minimum back to back distance of 21m is required between first floor habitable rooms of neighbouring dwellings; and Design Supplement 7, which states that new development should not break a notional 45 degree line taken from the midpoint of the windows of habitable rooms of neighbouring occupiers.

A number of responses have been received from other residents in the vicinity but these comments relate (in essence) to the principle of the development and are sufficiently well removed as to be unaffected by any direct overbearing impact, loss of light or loss of privacy.

3.2 No. 30 Durham Close

Plot 1 is a single storey dwelling and is set off the side shared boundary with no. 30 Durham Close by some 2m. Plot 1 would be formed in-line with no. 30 Durham Close.

No. 30 Durham Close is a chalet bungalow with a bedroom and bathroom within the roof slope. In the side elevation of no. 30 Durham Close (facing the proposed development) is a small ground floor shower room window and a small dormer landing window. These windows are not the only source of light to a habitable room and in this respect the siting of plot 1 in this location is acceptable. Given the side by side orientation of the two dwellings no harm to the residential amenity of no. 30 Durham Close is considered to arise by way of overbearing impact or loss of privacy.

3.3 No. 49 Durham Close

Plot 2 is two storey in height and is formed in-line with no. 49 Durham Close. At the time of the site visit there did not appear to be any side windows in no. 49 which could be affected by the siting of plot 2 in this location. Given the side by side orientation of the two dwellings no harm to the residential amenity of no. 49 Durham Close is considered to arise by way of overbearing impact, loss of light or loss of privacy.

3.4 No. 25 St Albans Close

Plot 1 is single storey and is set off the side boundary of no. 25 St Albans Close by 6m at the closest point. The gable end of plot 1 measures 6.4m at the highest point and 2.5m at eaves height. Given the nature of the bungalow no loss of privacy or loss of light would arise. Whilst it is acknowledged that there would be some visual impact to the occupiers of no. 25 when viewed from their garden, this visual impact or is not uncommon in such a residential setting and is not considered to be so overbearing in nature to sustain a refusal. However, appropriate conditions will be attached to any grant of permission to remove permitted development rights for rear windows, extensions and dormer windows.

3.5 Nos. 11 and 13 The Ridgeway

A rear to rear separation of some 32m would ensure that no harm to residential amenity would arise.

3.6 Future occupiers of proposed plots 1 and 2

The proposal complies with the Council's Design Guide for minimum floorspace standards. Whilst the provision of private amenity space is somewhat short on Plot 1, given that the proposed bungalow has some amenity space around the sides it is considered, on balance, to be in acceptable in this regard.

3.7 Future occupiers of plots 3 and 4 of planning permission CB/16/01026/Full Confirmation has been sought from the applicant that the purchasers of plots 3 and 4 of this development have been made aware the current proposal

3.8 Plot 3

There is a rear to side separation of some 11m between proposed plot 1 and plot no. 3 on the adjacent site. The proposed dwelling measures 2.5m to eaves height with the roof slope angling away from the common boundary to a height of 6.5m. Whilst there might be some visual impact of the proposed development no significant harm by way of overbearing impact, loss of light or loss of privacy is considered to arise.

3.9 Plot 4

Proposed plot 2 has no side windows. Given the positioning and orientation of this proposed dwelling and plot no. 4 on the adjacent site no harm to residential amenity (by way of overbearing impact, loss of light or loss of privacy) is considered to arise.

3.10 Conclusion

Having regard to this assessment, it is considered that the proposal would not have an unacceptable impact on the occupiers of neighbouring dwellings. However, to ensure that future enlargements of the dwellings do not have detrimental impacts on the occupiers of neighbouring dwellings it is considered appropriate and necessary to remove permitted development rights for extensions and dormer windows.

4. Highways Considerations

4.1 The application proposes two dwellings of the end of a cul de sac. The Highways Officer notes that the residential line plan may have encroached into the public highway as there is a service margin across the end of this road circa 1m in width. As such further details are required by the Highways Development Management Officer through a condition.

4.2 The number of parking spaces exceeds the Design Guide requirement and conditions for surfacing are requested.

4.3 It is noted that the objections include concerns about highway safety. No objection is raised by the Highways Officer subject to the specified conditions and therefore it is considered that the proposal would not have a negative impact on the safety and capacity of the surrounding highway network.

5. Other Considerations

5.1 Other issues raised through the consultation period not covered above

No. 49 Durham Close incorrectly numbered on site location plan

The plans drawn and submitted by the applicant correctly identifies this property. The applicant has confirmed that the Ordnance Survey (OS) site location plan is purchased from Promap. The numbering of OS maps is a wider issue that needs to be addressed and is not the fault of the applicant.

5.2 Construction disruption

It is noted that the objections include concerns about construction disruption and pollution. It is acknowledged that the construction period is likely to cause some disruption, however, this is a temporary impact and therefore not a reason to justify refusal of the application. Other legislation exists to prevent pollution during the construction phase and therefore a condition is not recommended in regards to construction pollution.

5.3 Human Rights issues & Equality issues:

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

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 **Notwithstanding the details shown, development shall not begin until details of the junction of the proposed vehicular access with the highway have been submitted to and approved in writing by the Local Planning Authority and no building shall be occupied until the 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 the premises.

This pre-commencement condition is necessary in order to ensure that no unnecessary harm is caused by the commencement of development works.

- 3 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: The condition must be discharged prior to commencement to ensure that an acceptable relationship results between the new development and adjacent buildings in the interests of the amenity of neighbouring occupiers.

(Policies SC14 & DM3, CSDMP and Section 7, NPPF)

- 4 No part of the development hereby permitted shall be first occupied until details of the construction and surfacing of the on site vehicular access have been submitted to and approved in writing by the Local Planning Authority. These details shall include arrangements for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure acceptable parking of vehicles outside highway limits .
(Section 4, NPPF)

- 5 No construction work on the walls and roofs of the development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To control the appearance of the development in the interests of the visual amenities of the locality.
(Policies CS14 & DM3, CSDMP and Section 7, NPPF)

- 6 A scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before any of the dwellings are occupied and shall be retained thereafter.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Policies CS14 & DM3, CSDMP and Section 7, NPPF)

- 7 Prior to the occupation of any dwelling on the site, a scheme for the provision of waste receptacles for each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The receptacles shall be provided before occupation takes place.

Reason: In the interest of residential amenity and to reduce waste generation in accordance with the Council's Minerals and Waste Local Plan 2014, Policy WSP5 and the adopted SPD "Managing Waste in New Developments" (2006).

- 8 Notwithstanding the provisions of Part 1, Class A, B or C of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or roof extensions to the dwellings hereby permitted shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the external appearance of the buildings in the interests of the amenities of the area and of neighbouring occupiers.
(Policies CS14 & DM3, CSDMP and Section 7, NPPF)

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be inserted into the rear elevation of plot 1 without the grant of further specific planning permission from the Local Planning Authority.

Reason: To protect the privacy of neighbouring residents.
(Section 7, NPPF)

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans (Location Plan; elevations & ground floor plan (plot 1); elevations & ground floor plans (plot 2); block plan; block plan showing adjacent development)

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

INFORMATIVE NOTES TO APPLICANT

1. 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.
2. 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 Highways Department. Upon receipt of this Notice of Planning Approval, the applicant is advised to seek approval from the Local Planning Authority for details of the proposed vehicular access junction in accordance with condition 2. Upon formal approval of details, 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 184 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.
3. To fully discharge condition 1 the applicant should provide evidence to the Local Planning Authority that Bedfordshire Highways have undertaken the construction in accordance with the approved plan, before the development is brought into use.
4. The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.

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

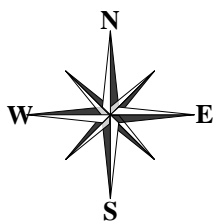
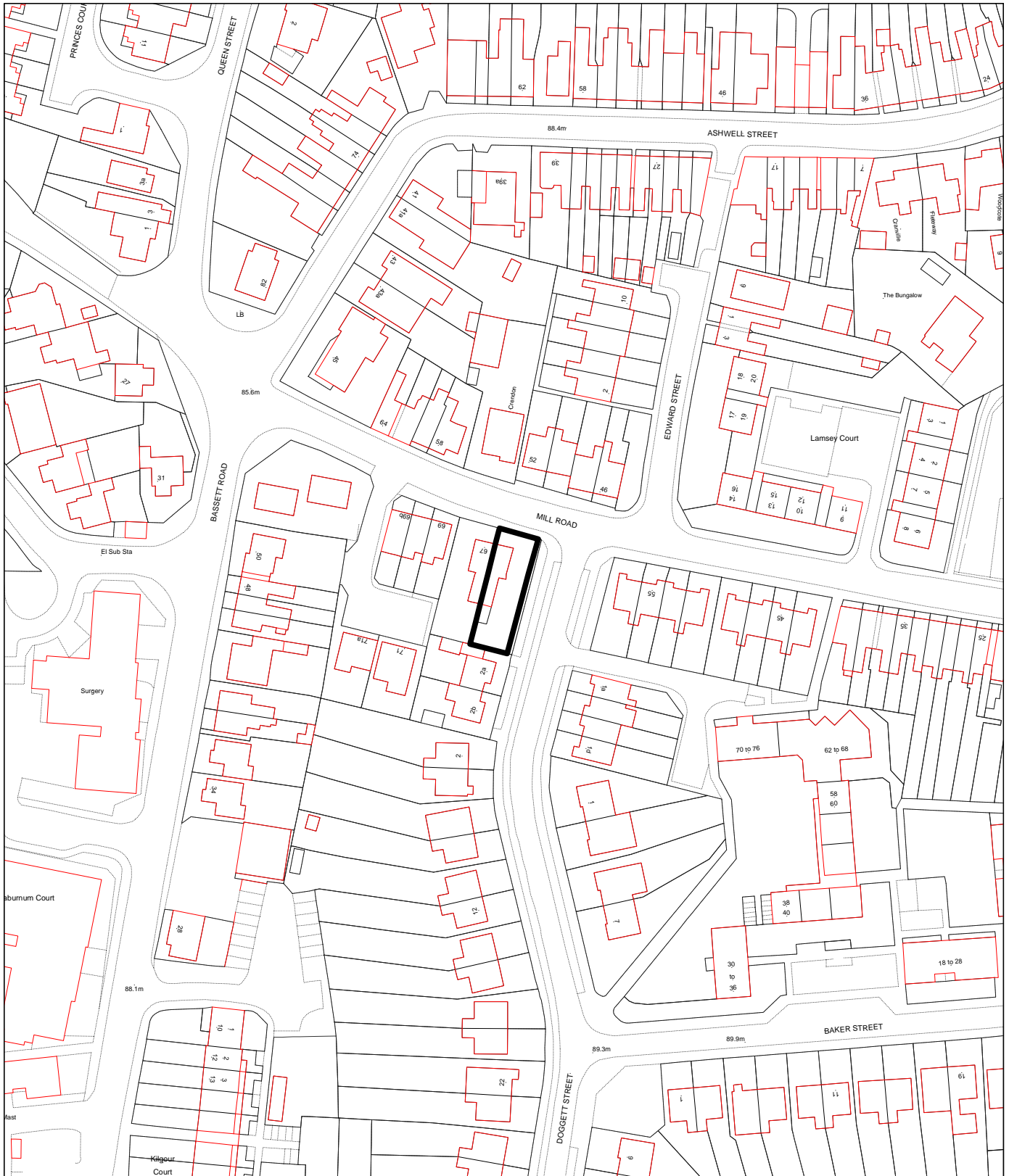
Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs

186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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Date: 15:January:2018

Grid Ref: 492044; 225496

Application No.
CB/17/05740/FULL

Scale: 1:1250

65 Mill Road, Leighton Buzzard, LU7 1AX

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Item No. 15

APPLICATION NUMBER	CB/17/05740/FULL
LOCATION	65 Mill Road, Leighton Buzzard, LU7 1AX
PROPOSAL	Resubmission of Application No: CB/17/03798/FULL for change of use of dwelling to two flats and erection of two flats
PARISH	Leighton-Linslade
WARD	Leighton Buzzard North
WARD COUNCILLORS	Cllrs Johnstone, Spurr & Ferguson
CASE OFFICER	Debbie Willcox
DATE REGISTERED	30 November 2017
EXPIRY DATE	25 January 2018
APPLICANT	Mr & Mrs M Blair
AGENT	DLP Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Brian Spurr for the following reasons: <ul style="list-style-type: none">• Loss of street parking• Out of character
RECOMMENDED DECISION	Full Application - Recommended for Approval

Summary of Recommendation:

The principle of development is considered to be acceptable having regard to the presence of existing flatted development within close proximity to the site. The proposed development would relate acceptably to the character and appearance of the area and would not have an unacceptable, detrimental impact on the amenity of the occupiers of neighbouring dwellings. The parking provision is considered to be acceptable and it is not considered that the proposal would have a detrimental impact on highway safety. The proposal is therefore considered to be in accordance with the National Planning Policy Framework, policies BE8, H2, H8 and H9 of the South Bedfordshire Local Plan Review and the Central Bedfordshire Design Guide.

Site Location:

The application site comprises the curtilage of a two storey semi-detached dwelling located on the corner of Mill Road and Doggett Street in Leighton Buzzard. The dwelling has a side garden with a width of 5-6m and the plot has a depth of approximately 25m. Parking is currently available on a hardstanding adjacent to the dwelling, accessed from Mill Road. There is a mature hedgerow along the flank boundary of the site with Doggett Street and a low wall along the front boundary of the site with Mill Road.

The surrounding locality comprises a mix of predominantly two storey terraced, semi-detached and detached houses and purpose built flats in two storey blocks.

The dwelling has previously had a single and a two storey rear extension.

There are two extant planning permissions applicable to the site, the first for a two storey rear extension and the second for the construction of a new attached house

to the side of the existing dwelling.

The Application:

The application seeks planning permission to construct a two storey side and rear extension to the existing dwelling and to convert the extended dwelling to provide 2 x 1 bedroom and 2 x 2 bedroom flats.

The proposal would include the demolition of the existing single and two storey rear extensions and the erection of an L-shaped two storey side and rear extension. The extension would project 6.2m beyond the original rear building line of the dwelling and 4.3m beyond the original side wall of the dwelling. It would be set back from the front building line of the dwelling by 0.23m and the roof of the side extension would be set 0.2m lower than the existing roof. The roof of the proposed rear extension would feature a double hip and would be set some 1m lower than the roof of the main dwelling.

The wall at the front of the site would be demolished and a single parking space would be created on the hardstanding at the front of the site. Part of the hedge along the side boundary would be removed and five parking spaces would be created in the rear garden, four of which would be tandem spaces. Bin storage and cycle storage would be provided in the rear garden along with a small communal outdoor amenity area.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

Section 4: Promoting sustainable transport

Section 6: Providing a wide choice of high quality homes

Section 7: Requiring good design

South Bedfordshire Local Plan Review

BE8 Design Considerations

H2 Making Provision for Housing via 'Fall-in' Sites

H3 Meeting Local Housing Needs

H8 Extensions to Dwellings

H9 Controlling the Conversion of Property to form Dwellings

T10 Parking - New Development

(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, policies BE8, H2, H3, H8 & H9 are still given significant weight. Policy T10 is afforded less weight).

Local Plan

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

Supplementary Planning Guidance

Central Bedfordshire Design Guide: A Guide for Development:
Design Supplement 5: Residential Development, 2014

Relevant Planning History:

Application Number CB/17/03798/FULL
Description Change of use of dwelling to two flats and erection of two flats
Decision Application withdrawn
Decision Date 25/10/2017

Application Number CB/17/00985/PAPC
Description Pre-application non-householder charge - Extension and conversion of house to two flats and erection of two flats
Decision Advice released that principle was likely to be acceptable but proposal did not provide enough parking or sufficient room sizes.
Decision Date 29/03/2017

Application Number CB/16/05378/FULL
Description Two storey rear extension
Decision Planning permission granted
Decision Date 17/01/2017

Application Number CB/16/05386/FULL
Description Erection of one dwelling and extension to existing dwelling
Decision Planning permission granted
Decision Date 30/01/2017

Application Number CB/16/03901/FULL
Description Two storey rear extension
Decision Application withdrawn
Decision Date 28/10/2016

Application Number CB/16/03902/FULL
Description Erection of one dwelling
Decision Application withdrawn
Decision Date 28/10/2016

Consultees:

Leighton-Linslade Town Council Discussion took place regarding application reference CB/17/05740 (65 Mill Road). The Committee felt that the grounds for previous objections remained valid, other than the question of overlooking which appeared to have been resolved by the new application.

RESOLVED to recommend to Central Bedfordshire Council that objection be made to application reference CB/17/05740 (65 Mill Road) on the following grounds:
- The change of use from semi detached dwelling to flats would represent a change in character for the area.
- The proposed parking arrangement would represent a

further change in character to the street scene and present potential for noise disturbance to neighbouring properties.

- The creation of first floor reception rooms had the propensity to cause noise and disturbance to the adjoining property, to the detriment of their reasonable enjoyment.

Highways Officer (Initial comments)

The site location plan indicates a red line boundary which excludes the amenity land adjacent to Doggett Street, it will be necessary for the applicant to extend the line to incorporate the land necessary to implement the proposal, up to the highway boundary.

The application will require the existing dropped kerb extended across the Mill Road frontage and includes a new dropped kerb (verge/footway) crossover in Doggett Street to serve five parking spaces to the rear of the dwellings. This will involve construction works within the public highway which must be undertaken by the Highway Authority at the applicant's expense.

The level of visibility available at the proposed access onto Doggett Street is considered acceptable and the number of off-street parking spaces is compliant with the Council's standards.

It is noted that there is a telephone cabinet on the Doggett Street frontage which will need to be relocated in order to provide access to the parking spaces. This will need to be undertaken at cost to the applicant/developer.

The longitudinal parking space to the frontage of the property is not ideal. The proposed bin store will reduce the available space for manoeuvring a vehicle and should be moved to an alternative location towards the rear of the property, which I have indicated on the attached drawing. With the frontage area clear of obstruction it can be physically used to reverse a car into it, however whilst it may be possible to park a car clear of the public highway, it may not necessarily be parked accurately within the 2.5m wide space. This may result in the pedestrian access to the properties being restricted. This is not going to affect the public highway it is true, but this may be detrimental to the amenity of the pedestrian users of the four properties. This parking space will also require the existing dropped kerb extended across the whole site frontage. This will involve construction works within the public highway which must be undertaken by the Highway Authority at the applicant's expense.

There are two rows of parking spaces shown in tandem and their total length shall be a minimum of 10m, which is virtually the width of the site. I am therefore a little concerned about the note stating that the 'exact boundary line to be established/confirmed by others'. There is really no margin for error here as the spaces will span boundary to boundary therefore I would rather this is established and identified now rather than at a later stage.

The parking space denoted as number 5 will be partially enclosed by a close boarded fence which will result in vehicles parking short of the full length of the bay due to drivers perception and judgement of avoiding contact with the boundary fence. It will also reduce the available width for pedestrian access in to/out of the vehicle. This can be addressed by moving the fence to provide a 0.5m margin around that length of the parking bay affected by the fence.

There is a 1.8m high close board fence proposed to the rear boundary, I would advise the applicant that the first panel shall not exceed 0.6m in height in order to provide pedestrian/driver intervisibility.

Highways Officer (Final comments)

To be reported on the Late Sheet

Tree & Landscape Officer

I have examined the plans and documents associated with this application, and have previously visited the site in respect of the withdrawn application CB/16/03901/FULL, and the subsequent application CB/16/05386/FULL (granted consent). Furthermore, I have previously responded to the withdrawn application CB/17/03798/FULL, where my comments still apply and have been duplicated below:-

Despite having been previously granted planning consent, I still consider that similar side development of this property will encroach too close to the existing Privet boundary hedge, where the lack of spatial separation being made available between the new building will inevitably result in damage to the section of hedge being proposed for retention, due to the need to allow for construction works, and for future side access to the side of the new building. Therefore, I must again reiterate that the successful retention of any retained section of hedge is, in reality, both unrealistic and impracticable.

Whilst the hedge cannot be protected in planning terms, and could be removed by the applicant without notification to the Local Planning Authority, it should be recognised when determining this application, that its

damage and loss will increase the visual impact of the new property on the streetscene, and that the hedge along the side of the new building could not be replaced to the same extent by any new planting due to the restricted space being made available, and the need for side access to the new property as previously mentioned.

Waste Team

As communal waste provision is allocated on the basis of 90l per week per waste stream per property, we would provide 2 x 360 litre bins to be collected weekly. These will be charged at £35 + VAT per 360 litre bin.

The position of the bin store appears to be within the 10m maximum distance from the highway. The supporting statement details that it will be provided in accordance with our requirements. Therefore, we would just need confirmation that there is a dropped kerb in place, the access to it is not over any undulating, non paved, uneven surface, or where the gradient is deemed excessive and that it is big enough for the bins that are to be provided.

Pollution Team

No comments.

Other Representations:

Neighbours (67 Mill Road and 2A Doggett Street)

Object to the proposal for the following reasons:

- The proposal would have a harmful impact on the character and appearance of the street scene. This includes the loss of the front wall, the creation of a bin store, additional windows, the replacement of the front door with a window and the creation of a parking area in the rear garden;
- The proposal would represent overdevelopment of the site with most of the garden being given over for car parking with only a small amenity area for the residents of the flats to share;
- The properties on the opposite side of Doggett Street are not flats, they are townhouses. Flatted developments in the area are purpose built with plenty of amenity space and parking. There have been no prior flat conversions;
- The extension would be 3.7m deeper than that previously approved and it would be overbearing to the occupiers of No. 2A Doggett Street;
- Positioning the bin store at the front of the property would be unsightly;
- The proposal shows opening windows to the rear elevation, which would result in a loss of privacy to the occupiers of No. 2A Doggett Street;
- The proposal only meets the Council's minimum parking standards, not the suggested parking

standards;

- The proposal would result in the loss of on-street parking spaces in a road where parking is already at a premium and parking problems already exist. This could lead to problems for ambulances, with the main route from the ambulance station on Bassett Road including Mill Road and the access to sheltered housing scheme in Baker Street is opposite the site;
- Housing growth in Leighton Buzzard is leading to parking and traffic problems, as reported in the Leighton Buzzard Observer, with Cllr Clive Palmer quoted as saying that there is a long standing capacity issue exacerbated by the housing growth in the town;
- The proposed parking space at the front of the site would be unsafe with insufficient visibility due to the hedge, street furniture and parked cars. It would also block access to the front door to the flats, which is the only exit;
- The proposed rear parking spaces would also have insufficient visibility, which is a concern as this is part of the route to Mary Bassett Lower School;
- The plans do not clarify the depth of the site and thus provide confirmation that tandem parking spaces can be provided;
- Tandem parking spaces are rarely used and so it is likely that second cars would be kept on-street;
- The proposal would introduce living space on the first floor of No. 65, directly adjacent to the bedrooms of No. 67. The shared walls are not very thick and the proposal would be likely to result in increased noise and disturbance for the occupiers of No. 67.
- Furthermore, the use of the rear garden as a car park and bicycle storage area would result in noise pollution and fumes to the occupiers of No. 67 Mill Road and 2A Doggett Street, which will require these properties to keep their windows closed with no alternative form of ventilation;
- The proposal would result in the partial loss of an attractive boundary hedgerow. The hedgerow has to be retained as one of the planning conditions for planning permission reference no. CB/16/05386/FULL and the CBC Design Guide states that the presumption is that existing hedgerows are retained;
- Digging the foundations of the side extension is likely to destabilise the roots of the hedgerow;
- The hedgerow may be home to nesting birds and therefore should not be removed or destroyed;
- The hedge may belong to CBC as their contractors come and maintain it periodically;
- The loss of hedgerow and garden would have a detrimental impact on biodiversity in the area;

- The amenity space would be insufficient to be usable and there does not appear to be sufficient storage for 6 bicycles;
- The proposal would result in the loss of supporting walls internally and the house being unstable; the dwellings have very shallow foundations;
- There is no provision in place for the shared drainage system, or retaining access to the shared manhole. The drainage system will not be able to cope with the additional use and the proposed plan also shows the other two manholes being built over;
- There is no provision for the shared roof guttering to the rear and in between the proposed development and No. 67 Mill Road;
- The car park at the rear would result in an increase in surface water run-off and could lead to localised flooding;
- The flats would not be wheelchair accessible;
- There is only one exit / entrance and no rear access;
- The supporting statement indicates that the fence on the boundary with No. 2A Doggett Street would be replaced with a 1.8m high fence, but this fence belongs to the owners of No. 2A Doggett Street and not to the owners of the site;
- The supporting statement misquotes the Highways Officer's earlier response;
- The applicant did not engage in pre-application discussions with neighbours;
- The proposal would require the telecommunications cabinet on Doggett Street to be relocated, which would impact on the neighbourhood;
- The documentation does not include a streetscene drawing and there are insufficient dimensions on the drawings;

Determining Issues:

The main considerations of the application are;

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

Considerations

1. Principle of Development

- 1.1 Planning permission CB/16/05386/FULL established the principle of extending the building to provide an additional dwelling in this location. The NPPF and Policy H2 of the South Bedfordshire Local Plan Review both encourage the efficient use of land within existing built-up residential areas. Policy H3

encourages the provision of one and two bedroom dwellings to meet the needs of the elderly, single and other small households.

- 1.2 The conversion of the existing dwelling into flats also needs to be considered in reference to Policy H9 of the South Bedfordshire Local Plan Review, which states that the principle of converting property to provide additional residential accommodation is acceptable, providing that the site is not located in an area which is characterised by predominantly single family dwellings of a terraced, semi-detached or small detached type. In this case, it is noted that there are already purpose-built flats existing within Mill Lane, within 50m of the site and also within the immediate surrounding roads and it is therefore considered that the conversion and construction of flats on this site would not be contrary to the established character of the area. The principle of the development is therefore considered to be acceptable.

2. Affect on the Character and Appearance of the Area

- 2.1 Concerns have been raised that the extension and conversion of the dwelling to flats would have a detrimental impact on the character of the area by introducing flats. However, it is noted that there is a mix of dwelling types in the area, including traditional single family two storey houses, townhouses and purpose built flats. As a result of the presence of existing flats within close proximity to the site, it is considered that the proposed conversion of a single family dwelling into flats would not have a materially detrimental impact on the character of the area.
- 2.2 Planning permission CB/16/05386/FULL established the acceptability of a proposed two storey rear extension and the creation of a side extension of similar width, height and design. It also established the acceptability of the provision of a parking area for four vehicles in the rear garden to be accessed from Doggett Street.
- 2.3 The proposed extension would be some 3.7m deeper than the approved scheme, however, it would not project beyond the attached neighbour at No. 67 Mill Road, which has a two storey rear extension of the same depth and thus the proposed extension would not appear out of keeping with the established character of the area. The extension is designed to appear subservient to the host dwelling, as required by the Design Guide, with the front elevation of the side extension set back from the front building line and with a lower roof line. The extensions would reflect the host dwelling, with a similar front bay window and similar fenestration and detailing. It is also considered that the fenestration on the currently proposed side elevation would be more visually interesting and attractive than the approved, blank side elevation.
- 2.4 It is noted that the proposal would require the loss of the front wall and the bricking up of the existing front door, which would have a minor impact on the character and appearance of the area. However, it is noted that these elements could be carried out without planning permission and, given the varied character of the area, it is not considered that the impact on the character and appearance of the area would be sufficient to justify a refusal of planning permission.
- 2.5 The proposal would extend the car parking area in the rear garden by one parking space and would result in a small outdoor amenity space of circa 25

square metres, which is lower than the standard recommended by the Design Guide. However, it is considered to be of a sufficient size to provide a sitting out area and clothes drying area as well as cycle storage and, on its own is not considered to be sufficient to justify a refusal of the application.

- 2.6 Following receipt of the comments from neighbouring occupiers and the Highways Officer the bin storage has been relocated to the side of the proposed building and subject to a condition controlling the design and appearance of the bin store, it is considered that an acceptable solution can be provided in this location.
- 2.7 The comments of the Trees and Landscape Officer are noted, however, the proposed scheme would not be located any closer to the existing hedge than the approved scheme and a similar condition is recommended to be imposed should planning permission be granted. Whilst the addition of another parking space and the bin store would result in the loss of a larger section of hedge, the majority of the hedgerow would be retained.
- 2.8 On balance, whilst the proposal would result in a minor change to the character and appearance of the area, having regard to the extant planning permission, it is considered that the proposal would not have a materially detrimental impact on the character and appearance of the area. The proposal is therefore considered to be in accordance with Section 7 of the NPPF, policies BE8, H2 and H9 of the South Bedfordshire Local Plan Review and the Central Bedfordshire Design Guide.

3. Neighbouring Amenity

- 3.1 The proposed extension would not have a harmful impact on the attached neighbour at No. 67 Mill Road as it would not project beyond the existing rear building line of No. 67.
- 3.2 The concerns raised in respect of noise through the party wall to No. 67 Mill Road as a result of the conversion has been explored and it has been confirmed that this is covered by the Building Regulations process, which would ensure that sufficient sound proofing would be installed. As this matter is covered by other legislation, it is not a material planning consideration in the determination of this application.
- 3.3 In respect of the impact of the proposed parking area in the rear garden, it is noted that the extant permission includes four parking spaces in the garden, comprising two sets of tandem spaces adjacent to the boundary of No. 2A Doggett Street. It is not considered that the addition of a fifth space would materially increase the impact on the occupiers of neighbouring dwellings.
- 3.4 No. 2A Doggett Street has ground floor windows serving habitable rooms on the flank elevation. The proposed extension would be located some 12m away from the flank elevation of No. 2A. This separation distance is considered to be sufficient to prevent any material loss of light or the creation of an unacceptable sense of overbearing, however it is considered that the proposed first floor rear windows could result in an unacceptable impact on the privacy of the occupiers of No. 2A, were they to be clear glazed and fully openable. It is therefore considered appropriate to impose the condition which was imposed on planning

permission reference no. CB/16/05386/FULL, which required the first floor rear windows to be obscure glazed, and fixed closed with the exception of top hung casements set a minimum of 1.7m above the floor level of the rooms that they would serve. It is considered that this would provide an acceptable degree of privacy to the occupiers of No. 2A.

- 3.5 Matters relating to foul drainage systems, foundations, structural stability and fencing are either covered by other legislation or comprise civil matters, outside the remit of the planning system.
- 3.6 Subject to the imposition of the suggested condition relating to the first floor rear windows, it is considered that the impact of the proposal on the occupiers of neighbouring dwellings would be within acceptable limits. The proposal is therefore considered to conform with the policies set out above.

4. Highways Considerations

- 4.1 Following receipt of the initial comments of the Highways Officer the proposal was revised to adjust the fencing and relocate the bin store in accordance with these comments.
- 4.2 The Highways Officer has confirmed that the proposal would meet the Council's parking standards and that sufficient visibility could be achieved at the two parking areas such that the proposal would not have a detrimental impact on the safety of the highway network.
- 4.3 Cycle parking can be secured by condition to ensure that the provision of the cycle parking is delivered to the Council's standards.
- 4.4 Subject to the imposition of appropriate conditions, it is considered that the proposal would not have a materially detrimental impact on the safety and capacity of the surrounding highway network.

5. Other Considerations

5.1 Surface Water Drainage

The proposal would result in the replacement of soft garden area with hard surfacing to provide the rear parking area, which could result in an increased risk of localised flooding. To avoid this, it is considered appropriate to impose a condition requiring that the parking area be properly drained.

5.2 Human Rights issues:

The proposal raises no Human Rights issues.

5.3 Equality Act 2010:

The proposal raises no issues under the Equality Act 2010.

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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building at No. 65 Mill Road.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality.

(Policies BE8, H2 and H8 & Section 7, NPPF)

- 3 The two first floor windows in the rear elevation of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through them at all times and shall be non-opening, unless the parts of the windows which can be opened are more than 1.7m above the finished floor of the rooms in which the windows are installed. The rooflights in the rear elevation shall also be a minimum of 1.7m above the finished floor of the rooms in which the windows are installed.

Reason: To safeguard the privacy of the occupiers of 2a Doggett Street.

(Policies BE8, H2, H8 and H9, SBLPR & Section 7, NPPF)

- 4 The existing hedge along the Doggett Street boundary shall be retained as shown on the approved drawing W/12/040/E for a period of five years following the completion of the development hereby approved. Should the hedge die or be destroyed during that period then it shall be replaced during the next planting season with alternative planting which shall first be agreed in writing by the Local Planning Authority.

Reason: To ensure an acceptable standard of boundary treatment.

(Policy BE8, SBLPR and Sections 7 & 11, NPPF).

- 5 None of the proposed dwellings hereby approved shall be first occupied until the approved access has been formally constructed in accordance with Central Bedfordshire Council's Specification for vehicular access.

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

(Section 4, NPPF)

- 6 Before the development hereby permitted is first occupied or brought into use, the scheme for parking shown on Drawing No W12/040 E shall be laid out, drained and surfaced in accordance with details previously submitted to and approved in writing by the Local Planning Authority and those areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and park clear of the highway to minimise conditions of danger, obstruction and inconvenience to users of the adjoining highway and to ensure that no increase of surface water run-off

results from the development.
(Section 4 and 10, NPPF)

- 7 None of the dwellings hereby permitted shall be first occupied until a scheme for the parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before any of the dwellings are first occupied and shall be thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.
(Section 4, NPPF)

- 8 The dwellings hereby approved shall not be first occupied until details of the bin store have been submitted to and approved in writing by the Local Planning Authority and the bin store has been implemented in accordance with the approved details. The bin store shall be retained thereafter.

Reason: In the interests of the visual amenities of the area.
(Policy BE8, SBLPR and Section 7, NPPF)

- 9 Prior to the occupation of any dwelling on the site, a scheme for the provision of waste receptacles for each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The receptacles shall be provided before occupation takes place.

Reason: In the interest of residential amenity and to reduce waste generation in accordance with the Council's Minerals and Waste Local Plan 2014, Policy WSP5 and the adopted SPD "Managing Waste in New Developments" (2006).

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers W12/020, W12/040E, W12/050, W12/060C and CBC/001.

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with Central Bedfordshire Council's "Cycle Parking Guidance - 2010".

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 at the pre-application stage and 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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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