

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

**This meeting
will be filmed.***



**Central
Bedfordshire**

please ask for Helen Bell
direct line 0300 300 4040
date 01 September 2016

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 14 September 2016 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, S Dixon, 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, I Dalgarno, R W Johnstone, Ms C Maudlin and I Shingler]

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**

Apologies for absence and notification of substitute members

2. **Chairman's Announcements**

If any

3. **Minutes**

To approve as a correct record, the Minutes of the meeting of the Development Management Committee held on 17 August 2016.

(previously circulated)

4. **Members' Interests**

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

REPORT

Item	Subject	Page Nos.
5	Planning Enforcement Cases Where Formal Action Has Been Taken	7 - 14

To consider the report of the Director of Regeneration and Business providing a monthly update of planning enforcement cases where action has been taken covering the North, South and Minerals and Waste.

Planning and Related Applications

To consider the planning applications contained in the following schedules:

**Planning & Related Applications - to consider
the planning applications contained in the
following schedules:**

Item	Subject	Page Nos.
6	<p>Planning Application No. CB/16/02590/OUT</p> <p>Address: Land to the South of Sandy Road, Potton</p> <p>Outline Application: demolition of existing buildings and development of up to 90 dwellings (Use Class C3), parking, and associated works including means of access, with all other matters (relating to appearance, landscaping, scale and layout) reserved.</p> <p>Applicant: Catesby Estates (Developments II) Limited and Mr and Mrs Saville / Desborough</p>	15 - 40
7	<p>Planning Application No. CB/16/02132/OUT</p> <p>Address: Land to rear of 104 to 168 Station Road, Lower Stondon, Henlow</p> <p>Outline Application: Residential development together with associated landscaping and access.</p> <p>Applicant: Bovis Homes</p>	41 - 74
8	<p>Planning Application No. CB/16/01266/FULL</p> <p>Address: Land adjacent to The Green Man, High Street, Lidlington, Bedford MK43 0RN</p> <p>Erection of 3 no. 3 bed dwellings and 3 car garage.</p> <p>Applicant: Gilmartins</p>	75 - 88

9 **Planning Application No. CB/16/02501/FULL** 89 – 102

Address: Duck End Farm, 43 Flitwick Road, Maulden,
Bedford MK45 2BJ

Demolition of existing agricultural buildings and erection of a one and a half storey and two storey development of 8 number 1 bedroom flats. External works of hard landscaping, access drive, soft landscaping, fences and walls. Widening of existing crossover for parking.

Applicant: Wrest Developments Ltd

10 **Planning Application No. CB/16/02903/FULL** 103 - 114

Address: Land adjoining 12 Silverbirches Lane, Aspley Heath, Milton Keynes MK17 8TL

Removal of timber single garage, construction of new house and garage in place of approved proposal reference CB/15/00915/FULL.

Applicant: Mr & Mrs McQuillan

11 **Planning Application No. CB/16/03178/ADV** 115 - 120

Address: Holiday Inn Express Dunstable, London Road, Dunstable LU6 3DX

Advertisement Consent: Illuminated free-standing advertisement.

Applicant: L & G Signs ltd

12 **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 **Wednesday 12 October 2016** and the Site Inspections will be undertaken on **Monday 10 October 2016**.

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Meeting: Development Management Committee
Date: 14th September 2016
Subject: Planning Enforcement cases where formal action has been taken
Report of: Director of Regeneration and Business
Summary: The report provides a monthly update of planning enforcement cases where formal action has been taken.

Advising Officer: Director of Regeneration and Business
Contact Officer: Sue Cawthra Planning Enforcement and Appeals Team Leader
(Tel: 0300 300 4369)
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

This is a report for noting ongoing planning enforcement action.

Financial:

1. None

Legal:

2. None.

Risk Management:

3. None

Staffing (including Trades Unions):

4. Not Applicable.

Equalities/Human Rights:

5. None

Public Health

6. None

Community Safety:

7. Not Applicable.

Sustainability:

8. Not Applicable.

Procurement:

9. Not applicable.

RECOMMENDATION(S):

The Committee is asked to:

1. **To receive the monthly update of Planning Enforcement cases where formal action has been taken at Appendix A**

Background

10. This is the update of planning enforcement cases where Enforcement Notices and other formal notices have been served and there is action outstanding. The list does not include closed cases where members have already been notified that the notices have been complied with or withdrawn.
11. The list at Appendix A briefly describes the breach of planning control, dates of action and further action proposed.
12. Members will be automatically notified by e-mail of planning enforcement cases within their Wards. For further details of particular cases in Appendix A please contact Sue Cawthra on 0300 300 4369. For details of Minerals and Waste cases please contact Roy Romans on 0300 300 6039.

Appendices:

Appendix A – Planning Enforcement Formal Action Spreadsheet

Planning Enforcement formal action (DM Committee 14th September 2016)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	CB/ENC/11/0402	Land adjoining Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	2 Enforcement Notices 1 - Unauthorised encroachment onto field 2 - Unauthorised hard standing, fence and buildings	15-Oct-12	12-Nov-12	10-Dec-12			Not complied	Presentation to PFMT - further work required before a decision on options to tackle all issues.
2	CB/ENC/11/0499	Land at Erin House, 171 Dunstable Road, Caddington, Luton. LU1 4AN	Enforcement Notice - unauthorised erection of a double garage.	03-Sep-13	01-Oct-13	01-Dec-13	Appeal dismissed March 2014 .Magistrates Prosecution successful March 2016. Appeal to Crown Court	27-Sep-14	Not complied	Garage remains. Appeal against the prosecution offence to be considered by the Crown Court in September 2016.
3	CB/ENC/12/0199	Plots 1 & 2 The Stables, Gypsy Lane, Little Billington, Leighton Buzzard LU7 9BP	Breach of Condition Notice Condition 3 SB/TP/04/1372 named occupants	15-Oct-12	15-Oct-12	12-Nov-12				Presentation to PFMT - further work required before a decision on options to tackle all issues.
4	CB/ENC/12/0508	Land at Site C, The Stables, Stanbridge Road, Great Billington, Leighton Buzzard, LU7 9JH	Enforcement Notice- Unauthorised creation of new access and erection of gates.	17-Nov-14	15-Dec-14	15-Mar-15 & 15-June-15			Not complied	Legal advice being sought as to next steps.
5	CB/ENC/12/0521	Random, Private Road, Barton Le Clay, MK45 4LE	Enforcement Notice 2 - Without planning permission the extension and alteration of the existing dwelling on the land.	24-Aug-15	24-Sep-15	24-Mar-16 & 24-June-16	Appeal dismissed 07/03/16	07-Mar-17		Awaiting compliance with Notice - deadline 7 March 2017.
6	CB/ENC/12/0530	19 Ickwell Road, Northill, Biggleswade, SG18 9AB	Listed Building Enforcement Notice - Unauthorised works to a listed building.	07-Jul-15	07-Aug-15	07-Sep-15	Appeal part allowed, but Enforcement Notice upheld with revision	Jun-16		Appeal decision made on 19th May 2016 & allowed with regards to the retention of the plastic rainwater goods. Enforcement notice upheld with variations regarding the remaining unauthorised works. Further visit to confirm full compliance is being arranged with the owners.
7	CB/ENC/12/0530	19 Ickwell Road, Northill, Biggleswade, SG18 9AB	Breach of Condition Notice - Condition 6 attached to Planning permission MB/06/00408/LB - external finishes	07-Jul-15	07-Jul-15	07-Aug-15				Seeking confirmation of full compliance with breach of condition notice.

Planning Enforcement formal action (DM Committee 14th September 2016)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
8	CB/ENC/12/0599	Millside Nursery, Harling Road, Eaton Bray, Dunstable, LU6 1QZ	Enforcement Notice - change of use to a mixed use for horticulture and a for a ground works contractors business	01-Sep-14	02-Oct-14	02-Jan-15				Planning permission granted 01/03/16 for a replacement horticultural building (App CB/15/00727/FULL), with condition requiring removal of all skips & containers prior to the building being brought into use.
9	CB/ENC/12/0633	Land at Plot 2, Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	Enforcement Notice - construction of timber building and the laying of hard standing.	17-Jan-13	14-Feb-13	14-Mar-13			Not complied	Presentation to PFMT - further work required before a decision on options to tackle all issues.
10	CB/ENC/13/0011	8 High Street, Biggleswade, SG18 0JL	Unauthorised advertisement							Further evidence to Legal 11/7/16 to consider prosecution action.
11	CB/ENC/13/0083	Land Adjacent to, Magpie Farm, Hill Lane, Upper Caldecote	Breach of Condition Notice -Condition 1 Boundary wall, Condition 2 Septic tank, outflows and soakaways	30-Jan-15	30-Jan-15	01-Mar-15		08-Dec-15		Further visit to be made to ascertain if works to comply with the condition has been completed.
12	CB/ENC/13/0336	The Stables, Dunstable Road, Toddington, Dunstable, LU5 6DX	2 Enforcement Notices - 1. Change of use from agriculture to a mixed use of agriculture, residential and retail sales and 2. building works for commercial purposes	11-Jul-14	15-Aug-14	15-Oct-14	Planning appeal received 07/06	Aug-15		Residential use remains. Application for Lawful use for use of dwellinghouse for residential purposes refused in March 2016(CB/15/04424) Appeal received. Hearing to be held on 20th December 2016. Prosecution action deferred pending outcome of the appeal.
13	CB/ENC/13/0452	Long Yard, Dunstable Road, Studham, Dunstable, LU6 2QL	3 X Enforcement Notices - -Erection of timber building 2 - Material change of use from agriculture to storage of motor vehicles 3 - Material change of use of the land from agriculture to a mixed use for agriculture and the storage of motor vehicles, a touring caravan and building and hardore materials. 1XEnforcement Notice - Material change of use from agriculture to storage of motor vehicles and building and waste materials.	12-Aug-15 12-Aug-15 12-Aug-15 04-Feb-16	12-Sep-15 12-Sep-15 12-Sep-15 07-Mar-16	12-Nov-15 12-Nov-15 12-Nov-15 07-May 16 07-June-16			Not complied with Complied with	Enforcement Notice 1 has not been complied with. No further action needed Enforcement Notice 3 has been part complied with. Enforcement Notice 4 has not been complied with. Final visit needed as information suggests breach to be ceasing.

Planning Enforcement formal action (DM Committee 14th September 2016)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
14	CB/ENC/13/0607	Clements End Farm. Clements End Road, Studham, LU6 2NG	Enforcement Notice - Change of use from vehicle repairs to a mixed use for vehicle repairs and vehicle sales.	05-Jun-15	03-Jul-15	03-Sep-15	Appeal dismissed 15/03/16	15-Sep-16		Car sales use to cease by 15/9/16 to accord with appeal decision. Site visit to be made in September 2016 to check compliance.
15	CB/ENC/14/0004	The Coach Yard, Streatley Road, Sundon, LU3 3PQ	Enforcement Notice - Change of use of the land for the siting of a mobile home for residential purposes	15-Dec-15	13-Jan-16	13-Mar-16	Appeal received 07/01/16			Appeal Inspectors site visit took place on 19/7/16. Await appeal decision letter.
16	CB/ENC/14/0361	The Old Rose, 16 Blunham Road, Moggerhanger, MK44 3RA	Section 215 notice - untidy land and buildings	29-Apr-15	30-May-15	30-Aug-15				Sale of the property has been agreed, awaiting confirmation of exchange of contracts. Purchasers are aware of what works need to be carried out.
17	CB/ENC/14/0485	Clifton House and outbuildings, Church Street, Clifton, Shefford, SG17 5ET	Repairs Notice - Listed Building in state of disrepair	08-Jan-15	08-Jan-15	08-Mar-15		08/04/2015		Meeting arranged for 22/08/2016 to look at moving this forward.
18	CB/ENC/15/0046	Running Water Farm, Langford Road, Biggleswade, SG18 9RA	Enforcement Notice - Siting of a mobile home	13-Aug-15	14-Sep-15	14-Dec-15		31/03/2016		Site visit on 28/07/2016 confirmed mobile home has been removed from the land. Legal have been notified and will arrange closure of prosecution case.
19	CB/ENC/15/0140	Springbank, Bottom Drive, Eaton Bray, LU6 2JS	Enforcement Notice - Unauthorised wall	09-Nov-15	08-Dec-15	08-Feb-16	Appeal decision 27/7/16 - Enforcement Notice upheld	27/09/2016		Appeal dismissed, Notice upheld, check compliance 27/9/16
20	CB/ENC/15/0182	8 The Avenue, Blunham, MK44 3NY	Enforcement Notice - Unauthorised fence	22-Mar-16	22-Apr-16	22-May-16			Not complied	Fence still exceeds 1 metre in height therefore further action to be considered but owners are considering making a revised planning application.

Planning Enforcement formal action (DM Committee 14th September 2016)

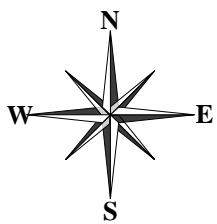
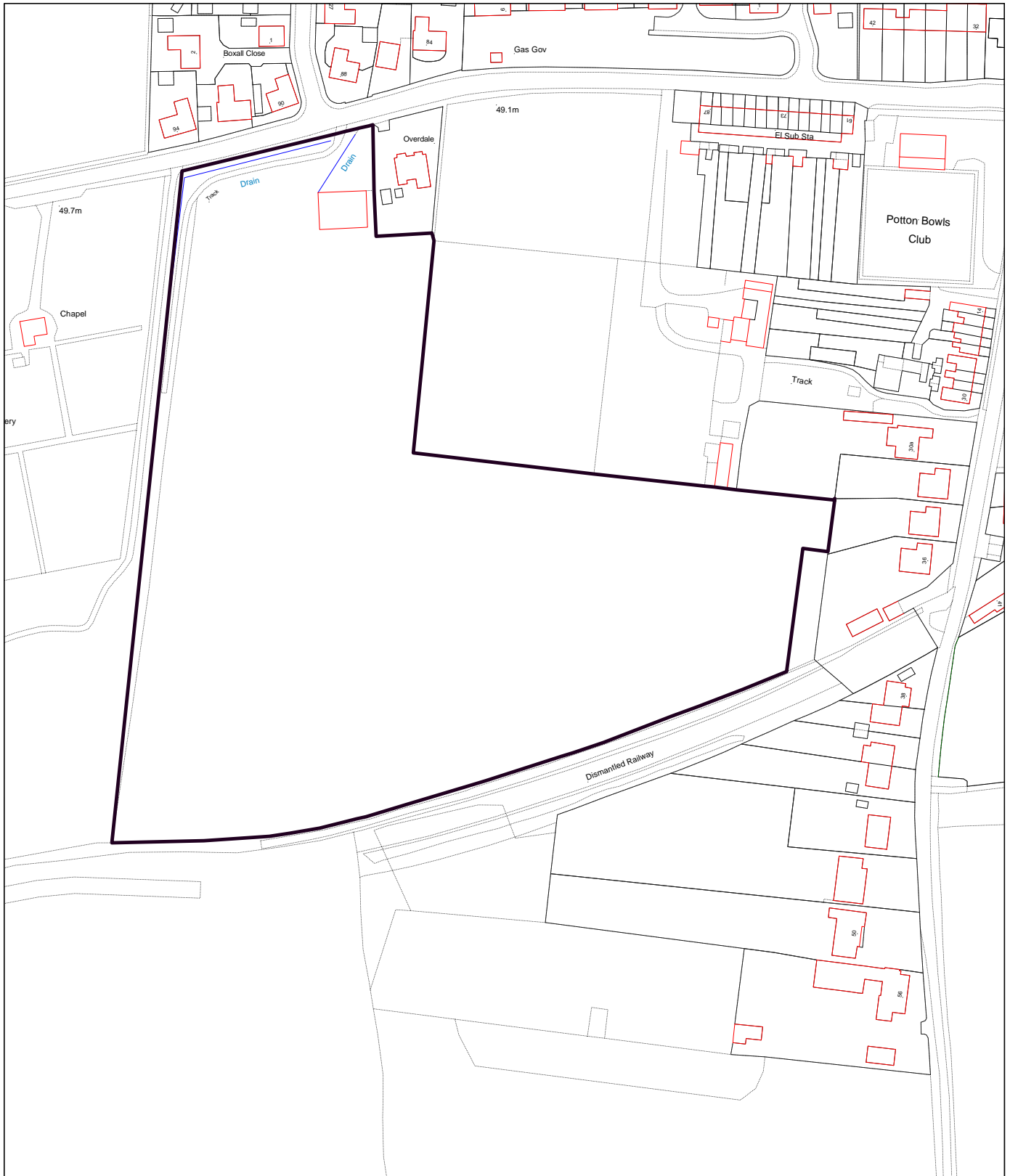
	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
21	CB/ENC/15/0184	Land at New Road, Clifton	Breach of Condition Notice - Condition 13 attached to CB/13/01208/Full, Ground and tree protection. Breach of Condition Notice - Condition 14 Transport Assessment details Breach of Condition Notice - Condition 15 Works to Harbrook Lane	19-Oct-15 09-Feb-16 09-Feb-16	19-Oct-15 09-Feb-16 09-Feb-16	18-Nov-15 09-May-16 09-May-16			Complied with	Agreement has been reached to commence works to Harbrook Lane in early August after consulting with legal. Further visit to be made after works have been completed.
22	CB/ENC/15/0258	The Coach and Horses, 95 The Green, Stotfold, SG5 4DG	Enforcement Notice - Unauthorised construction of play equipment	17-May-16	17-Jun-16	17-Jul-16	Appeal received 10/06/16			Written representation appeal being considered by the Planning Inspectorate. Await outcome of the appeal.
23	CB/ENC/15/0260	Gravenhurst Lane/A6, Silsoe	Section 215 notice - untidy land and buildings	06-May-16	08-Jun-16	08-Jul-16				Notice requirements not complied with. Legal dispute over land ownership. Negotiations in progress to attempt to carry out a site inspection.
24	CB/ENC/15/0423	Land at, Astwick Road, Stotfold	Injunction served 22nd September 2015, continuation injunction served 5th October 2015 for unauthorised development for Gypsy and Traveller site. Enforcement Notice served 11/12/15	11-Dec-15	11-Jan-15	11-Jul-16 11-Oct-16	Joint Planning and enforcement appeal received 27/12/15			Continuation of Injunction granted 5/10/15 to prevent further unlawful development. Planning application refused. The Appeal Hearing and site inspection have taken place. Awaiting the inspectors decision. New mobile home to be removed from site by 09/09/16.
25	CB/ENC/15/0542	Land at Honeywicke Cottage, Honeywick Lane, Eaton Bray, Dunstable, LU6 2BJ	Enforcement Notice - Material change of use from agriculture to use for Class B8 storage as a scaffolding contractors yard and the laying of hardstanding.	10-Feb-16	10-Mar-16	10-Sep-16 10-Oct-16		19-Jan-17	Appeal dismissed	The appeal has been dismissed and the enforcement notice upheld. The site must be cleared by 19 January 2017.

Planning Enforcement formal action (DM Committee 14th September 2016)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
26	CB/ENC/15/0585	10 Town Meadow, Shefford, SG17 5EF	Section 215 notice - untidy land	16-Jun-16	16-Jul-16	16-Aug-16				Site meeting resulted in owner agreeing to clear his garden in compliance with the Notice by the August Bank Holiday. Further site inspection to be made in early September to ensure compliance.
27	CB/ENC/16/0001	Rear of, 2 Wrestlingworth Road, Potton, SG19 2DP	Enforcement Notice - Material change of use of the land from agricultural use to a use for the storage of materials, equipment and machinery associated with the unauthorised demolition business.	01-Jun-16	01-Jul-16	01-Aug-16	Appeal received 10/06/16			Appeal statements submitted. Await outcome of appeal.
28	CB/ENC/16/0025	Bottom Wood, Park Road, Moggerhanger, MK44 3RN	Enforcement Notice - Material change of use of land from agriculture to an outdoor activity centre and siting of a marquee and stuctures.	18-Feb-16	18-Mar-16	18-Apr-16	Appeal received 18/03/16			Appeal hearing on 4/10/16. Await outcome of appeal.
29	CB/ENC/16/0077	Land to the South of, High Road, Shillington	Enforcement Notice - Material change of use from agriculture to the parking and storage of vehicles and trailers	24-May-16	24-Jun-16	24-Jul-16				Site visit has been carried out and notice is being complied with, further visit to be made to ensure continued compliance.
30	CB/ENC/16/0080	Land to the North of, Woodside Caravan Park, Hatch	Injunction served 19/02/16 - Prevention of interference with protected trees, use the land for siting of caravans/mobile homes or undertaking devlopment including the laying of hardcore or creation of hardstanding.	19-Feb-16	19-Feb-16					Injunction being complied with, site being monitored for any possible breaches.
31	CB/ENC/16/0084	Unit 22 Pulloxhill Business Park, Greenfield Road, MK45 5EU	Enforcement Notice 1 (r/o Unit 14)- Material change of use of the land from amenity land to use for the storage, maintenance and cleaning of plant/machinery	05-Apr-16	06-May-16	06-June-16 06-July-16	Appeal received 06/05/16			Appeals have been submitted for both Enforcement Notices and the Council statement has been submitted to the Planning Inspectorate
			Enforcement Notice 2 (r/o Unit 22)- Material change of use of the land from amenity land to use for the storage, maintenance and cleaning of plant/machinery	05-Apr-16	06-May-16	06-Jun-16				

Planning Enforcement formal action (DM Committee 14th September 2016)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
32	CB/ENC/16/0109	Land opposite, The Elms and Upper Wood End Farm, Wood End, Marston Moretaine	Enforcement Notice - The unauthorised material change of use of the Land from agriculture to a mixed use for agriculture and the stationing siting and storage of a metal container, two water tanks, a wooden shelter and a wooden frame (being items and structures not associated with the lawful agricultural use of the Land).	04-Aug-16	04-Sep-16	04-Oct-16				Check compliance 04/10/16
33	CB/ENC/16/0178	Land to the rear of Lindsifame, North East of Church Road, Westoning, MK45 5JW	Enforcement Notice - Without planning permission, the material change of use of the Land from agricultural paddock to a use for the parking and/or storage of vehicles.	08-Jul-16	08-Aug-16	08-Sep-16			Notice complied	Notice complied and closed.
34	CB/ENC/16/0179	Land at 81 The Rowlands, Biggleswade, SG18 8NZ	S215 Notice - Untidy land	02-Aug-16	02-Sep-16	02-Oct016				Check compliance 02/10/16
35	CB/ENC/16/0214	Land at 27 Gardeners Close, Maulden, Bedford, MK45 2DY	Enforcement Notice - Unauthorised erection of an outbuilding, a raised platform and supporting frame shown shaded blue on the attached plan.	22-Aug-16	22-Sep-16	22-Oct-16				Check compliance 22/10/16
36	CB/ENC/16/0239	Four Winds Garage, West End, Haynes, MK45 3QT	Enforcement Notice - The unauthorised erection of a timber structure on the land located around the A6 Cafe units.	05-Aug-16	05-Sep-16	05-Oct-16	Appeal received 11/08/16			Await outcome of appeal.
37	CB/ENC/16/0254	Tree Tops, Heath Lane, Aspley Heath, MK17 8TN	Unauthorised felling of trees in a Conservation Area							Advice from LGSS Law to require replacement trees to be planted. Awaiting advice from landscape officer re tree species.



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Date: 25:August:2016

Map Sheet No

Application No.
CB/16/02590/OUT

Scale: 1:2000

Land to the South of Sandy Road, Potton

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Item No. 6

APPLICATION NUMBER	CB/16/02590/OUT
LOCATION	Land to the South of Sandy Road, Potton
PROPOSAL	Outline Application: demolition of existing buildings and development of up to 90 dwellings (Use Class C3), parking, and associated works including means of access, with all other matters (relating to appearance, landscaping, scale and layout) reserved.
PARISH	Potton
WARD	Potton
WARD COUNCILLORS	Cllrs Mrs Gurney & Zerny
CASE OFFICER	Nikolas Smith
DATE REGISTERED	04 July 2016
EXPIRY DATE	03 October 2016
APPLICANT	Catesby Estates (Developments II) Limited and Mr and Mrs Saville / Desborough
AGENT	Turley
REASON FOR COMMITTEE TO DETERMINE	Cllr Zerny has called this application before the Committee. This is a major application and the Town Council has objected. Its approval would represent a departure from the Development Plan.
RECOMMENDED DECISION	Outline Application - Approval

Reason for recommendation:

This development would fall outside of the Settlement Envelope for Potton but would constitute sustainable development because the harm caused by it would not significantly and demonstrably outweigh the benefits, which include the delivery of up to 90 new homes within the five year period. The access to the site would be safe and other matters would be reserved for subsequent approval.

Site Location:

The site has an area of approximately 3.65ha and located around 600m west of the centre of Potton. To the north, on the other side of Sandy Road are houses on Nursery Close. To the east, between the site and the built up area of Potton is an undeveloped field. To the south is a sand and gravel pit, separated from the site by the disused railway. There are aspirations to install a cycle link between Potton and Sandy along the route of that track. To the west is a cemetery.

The site is undeveloped (but for an agricultural building near Sandy Road) agricultural land. It has an Agricultural Land Classification of predominately 3b and so it cannot be classified as Best and Most Versatile agricultural land.

The site falls within the Greensand Ridge Nature Improvement Area and is adjacent to but outside of the Potton Settlement Envelope. It is also designated as falling within a Minerals Protection Area.

The Application:

Outline planning permission with all matters reserved except access is sought for a residential development of up to 90 dwellings at the site. 35% of the dwellings would be affordable homes. Access would be taken from Sandy Road.

If 90 houses were built, the density of the development would be around 25dph.

Relevant Policies:

National Policy and guidance

National Planning Policy Framework (NPPF) (2012)
National Planning Practice Guidance (NPPG) (2014)

Local Policy and guidance

Central Bedfordshire Core Strategy and Development Management Policies - North (2009)

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

Site Allocations (North) Development Plan Document (2011)

Central Bedfordshire Design Guide (2014)

Central Bedfordshire Sustainable Drainage Guidance SPD (2014)

Mid-Bedfordshire Landscape Character Assessment (2007)

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

Development Strategy

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

Relevant Planning History:

There is no relevant planning history at the site.

Consultation responses:

Neighbours were written to and press and site notices were published. The responses are summarised below:

Potton Town Council It was resolved to object to the application on the basis that the current infrastructure (doctors, dentist, town centre parking etc) cannot support the rapid Rate of housing in Potton at this time. The impact on the town's infrastructure from the two housing developments on Biggleswade Road is not known yet.

Neighbours 41 letters of objection were received. Comments made can be summarised as follows:

- There is not enough capacity on the local roads, in schools or at the GP surgery
- Carbon emission reduction methods would be inadequate
- There is too much new development in Potton
- The look and feel of the town would be harmed
- Wildlife would be harmed
- The town would be extended in to the Green Belt
- Too much arable land has already been lost
- Community cohesion could be harmed by too much development without adequate infrastructure
- Only small, bungalow developments are needed in Potton
- The access from Sandy Road would not be safe
- Potton is no longer a village but a town
- The development would cause harm to the rural character of the site and the area
- The landscape would be harmed
- The site is not sustainable

- The development would add to recreational pressure on RSPB land holdings
- Further work is required to enhance the biodiversity value of the development
- There is already a problem with flooding in the area
- The development would harm the tranquil environment at the cemetery
- Public transport services are inadequate
- The site would be isolated
- There is not enough local employment and future residents would be commuters
- The development would be contrary to the Potton Green Infrastructure Plan
- The road is already very busy and fast
- It is prime agricultural land
- The site is near to a rubbish tip
- The Traffic Statement is incorrect
- The site is outside the Settlement Envelope
- The site should be safeguarded for future expansion of the cemetery
- The Potton to Sandy cycle way has not materialised
- Local ecology would be harmed

Consultee responses:

Public Protection

Parts of the site are located relatively close to the highway and quarry where vehicular traffic and motor cross disturbance may be an issue, as describe din the noise assessment. The recommendations are for an acoustic fence and non-habitable facades to the highway, so I propose the following noise condition (1) to ensure that the latter in particular is integrated into the initial stages of master-planning.

Also, the site is located close to a former landfill, known to be gassing. The National Planning Policy Framework (NPPF) Paragraph 121 states that: "all development should ensure" (that) "adequate site investigation information, prepared by a competent person, is presented"; and that a "site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation".

I would therefore expect the following conditions (2 and 3) to be attached to any permission granted:

Condition 1

Prior to the Submission of a Reserved Matters application a scheme for protecting the proposed dwellings from noise shall be submitted 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 human health and residential amenity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)..

Condition 2

No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

A Phase 1 Desk Study report prepared by a suitably qualified person adhering to BS 10175 and CLR 11 documenting the ground and material conditions of the site with regard to potential contamination.

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

Condition 3

No occupation of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175 and CLR 11, incorporating all appropriate sampling, prepared by a suitably qualified person.

Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 Remediation Scheme (RS) prepared by a suitably qualified person, with measures to be taken to mitigate any risks to human health, groundwater and the wider environment, along with a Phase 4 validation report prepared by a suitably qualified person to confirm the effectiveness of the RS.

Any such remediation/validation should include responses to any unexpected contamination discovered during works.

Reason: To protect human health and the environment in

accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

Highways

This proposal was considered previously as a pre-application submission and no fundamental highways objection was raised subject to the junction conforming to design standards and foot/cycle links to the town centre. I can confirm that the latest submission and its supporting Transport Assessment confirms that position that there is no technical highway safety or capacity reason why the development should not be considered favourably. The TA has correctly assessed the likely traffic generation and distribution using locally gathered data.

With regard to the junction, I note that the TA suggests that traffic speeds approaching from the west (from Sandy) are, as expected, higher than the posted speed limit at the point of access and in this respect I would suggest that consideration be given to requiring some form of traffic calming measures on the approach to the site. This could take the form of a village gateway feature with the junction possibly on a raised platform.

Further, with regard to the foot/cycle links and in particular the lack of foot way along the south side of Potton Road. The TA acknowledges this shortfall and proposes a short length of foot way leading to a nominal crossing point. Whilst I am willing to accept that it would not be possible to provide a foot way along the entire length of Sandy Road I do think it would be reasonable to require a more formal and easily identifiable controlled crossing point, zebra or worst case scenario (in terms of cost to the developer) a signalised crossing to enable and encourage pedestrian and cycle movement to the town centre facilities and nearby schools.

Trees and Landscape

The site consists of open grassland with boundary hedges and trees. A tree survey has been supplied with the application that identifies both on and offsite trees that could be affected by the proposals, it shows the root protection areas of the trees and their retention category.

The Illustrative Masterplan shows that proposed footprints should have minimal impact on trees however we will require an Arboricultural Method Statement showing how retained trees will be protected throughout development. This will include details of tree protection fencing any areas of ground protection required.

Landscape and boundary treatment detail are required.

Drainage Team

We consider that outline planning permission could be

granted to the proposed development and the final design, sizing and maintenance of the surface water system agreed at the detailed design stage, if the following planning conditions are included:

Comments and recommendations:

- Indicative data held by the Council shows likely constraints for infiltration in parts of the site, including shallow groundwater (<3m bgl) for at least part of the year. Further site specific ground investigation works, including ground water monitoring, should be carried out to assess the viability of infiltration devices, and should inform the final detailed design. This type of assessment should be carried out in accordance with BRE 365. It should also consider whether the site or surrounding area could become susceptible to inundation settlement, the effect of any ground slopes on downhill water logging, and, any other adverse impacts that could likely result from the proposed infiltration. We recommend this is undertaken by a suitably qualified professional.
- It is noted that there is understanding of a “treatment train” approach in sustainable drainage, however, a sediment trap is not part of a treatment train to remove pollutants such as oils from driveways. A sediment trap is used to prevent the soak away filling with sediment and make the collection of any spill less costly. The best way to prevent vehicle contamination entering the soak away is to use permeable paving, as pointed out when calculated correctly this can be used to reduce the size of private soak away.

Where permeable paving is proposed we advise the design criteria is demonstrated in accordance with the ‘CIRIA RP992 The SuDS Manual Update: Paper RP992/28 Design Assessment Checklists for Permeable/Porous Pavement’.

- Water butts are a use full addition to a development, but are not considered as SuDS, this is because the use of the water is not guaranteed, therefore, the storage is not guaranteed. To

incorporate rainwater harvesting in to the development consider the ability to use it for flushing toilets etc.

- Details of the proposed construction, management and future maintenance requirements of the surface water drainage scheme should be provided with the final detailed design. Adequate access to the surface water system should be provided in the sizing and layout of the scheme, with details of the proposed arrangements for maintenance. Where Anglian Water Ltd are to adopt parts of the system, correspondence should be provided to demonstrate the final detailed design has been approved by them.

Recommended conditions:

- Condition: No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed drainage Strategy (FRA: 15-0735, 2016) has been submitted to and approved in writing by the Local Planning Authority. 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 ground water level, as well as details of how the scheme shall be maintained and managed after completion. The scheme shall include provision of attenuation and a restriction in run-off rates as outlined in the FRA. 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: No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a management and maintenance plan for the surface water drainage and that the

approved surface water drainage scheme has been checked by them, has been correctly and fully installed as per the approved details. 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 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.

Ecology

The site lies within the Greensand Ridge Nature Improvement Area and hence the application needs to demonstrate that a net gain for biodiversity can be delivered, I believe it has done this. The Ecological Appraisal identifies particular species interest for reptiles and badger and appropriate mitigation and enhancement measures are proposed. To ensure these are delivered I would want to see the following condition applied;

All ecological measures and/or works shall be carried out in accordance with the details contained in Part 6 of the June 2016 Ecological Appraisal by Aspect Ecology as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason; to ensure the development does not have a detrimental impact on biodiversity but secures a net gain.

2.4 of the D&A refers to the Sandy Green Wheel and the aim for the provision of a new access route along the disused railway, therefore the statement in 3.36 of the Ecological Appraisal: 'In terms of the completed development, numerous footpaths are present in the vicinity of the site, linking it to alternative recreational opportunities... it is considered unlikely that this (CWS) designation will be significantly affected by an increase in recreation pressure as a result of the proposed development..' isn't accurate. In fact figure 3.4 of the D&A shows this aspirational link so I would expect an increase level of recreational use of the CWS. It is acknowledged that there will be open space on site but I think it would be naïve to assume there would not be a significant impact. I am concerned that given the presence of badgers at the adjacent Deepdale quarry there is a potential for disturbance from dogs so I would urge the developers to ensure adequate fencing to prevent dogs accessing areas other than those in the public realm.

The site is well connected to the surrounding countryside and I welcome the representation of 'key ecological corridors' shown on the illustrative plans, however I am concerned about the orientation of the homes on the western boundary adjacent to this buffer. 3.3.4 of the D&A refers to positioning the homes to allow for rear gardens to create a greater offset from this boundary but it is not appropriate to have this buffer forming the curtilage boundaries as there is a risk associated with inappropriate management, often to the detriment of the ecological feature. Instead homes should overlook such features in the public realm as is shown on the southern boundary or at least be side on.

Landscape Officer

I do not have any objections in principle to the development of this site for residential use and the Illustrative Masterplan does include aspects of design discussed at the PreApp stage e.g. the landscaped edge to Sandy Road and the open spaces and landscaped edge which form valuable green infrastructure to connect with the disused railway line.

My concern is that there is insufficient land allocated for the "strategic planting" required along the western boundary, where screen planting is needed to create a sympathetic boundary with the Cemetery as illustrated on the "Access and Land use Parameter Plan (008). The existing trees within the Cemetery are limited in extent, although some are evergreen.

In my earlier comments I noted that the access track on the west of the site was well used by the public. Ideally I would have liked a green lane approach along this boundary - with a hedge and trees on the boundary. At the present level of planting I am concerned about night time impact to the west.

The site lies within the Everton Heath Greensand Ridge landscape character area. I would like the new planting proposals to reflect local character, which could include the use of Scot's Pine and large coniferous trees although I would prefer the use of lime (or equivalent scale of feature tree) for the frontage trees. The illustrative layout proposes the extensive use of street trees, which is welcomed.

Potton is a highly distinctive settlement and is a focus for vernacular detail such as the use of sandstone structures. It would be excellent if small scale detail could integrate sandstone - e.g. as an entrance feature or as a gateway to the play area. Brick colour should also relate to the traditional buff and red bricks prevalent in Potton town

centre.

(The Greensand Country HLF bid aims to link new communities to their local Greensand countryside. The outcome of the bid will not be known until December this year, but GC aims to work in partnership with developers to provide some basic information packs for new residents if this Application is successful it would be hoped that this development would support this initiative . CBC is a key partner of GC)

Sustainable Growth

The policies require all new development of more than 10 dwellings to meet CfSH Level 3 and deliver 10% energy demand from renewable or low carbon sources. The energy standard of the CfSH Level 3 is below standard required by the Part L2013 of the Building Regulations. The development should therefore as minimum comply with the new Part L2013 of Building Regulations and deliver 10% of their energy demand from renewable sources.

I welcome the applicant's fabric first approach to develop energy efficient dwellings. This approach will ensure that the dwellings have low energy demand throughout their lifetime. I note that the applicant proposes to achieve 10% carbon reduction below 2010 Part L, but this is not acceptable. The development must comply with the current Building Regulations and policy DM1 requires 10% of energy demand to be delivered from renewable or low carbon sources and not carbon reduction. However, it would be acceptable to deliver 10% carbon reduction above Target Emission Rate set by the 2013 Part L of the Building Regulations.

As stated in the pre-application advice, the development should be design with climate change in mind taking account of increase in rainfall and temperature. The development should therefore minimise hard standing surfaces and increase green, natural areas to allow rainwater infiltration and minimise heat island effect through evaporation and tree shading. Light colour building and landscaping materials should be prioritised over dark coloured which absorb more sun light and retain heat increasing urban heat island effect.

In terms of water efficiency, the higher water efficiency standard in the Part G of the Building Regulations is the closest standard to policy DM2 requirement of achieving CfSH Level 3 standard. Therefore the development is expected to achieve 110 litres per person per day. This standard is easily achieved by installing water efficient measures such as low flow taps and dual flush toilets. Achieving a higher standard in water efficiency helps to

address climate change impacts, especially that Central Bedfordshire is within area has been classified by the Environment Agency as area with a high water stress.

To ensure that the policies requirements are met I request following planning condition to be attached, should the planning permission be granted:

- 10% energy demand of the development to be delivered from renewable or low carbon sources;
- Water efficiency to achieve water standard of 110 litres (including 5 litres for external use) per person per day;
- Assessment of overheating risk in dwellings.

Green Infrastructure

Potton's Parish GI plan identifies a priority aspiration of creating a walking and cycling link between Sandy and Potton along the disused railway line. It is therefore welcome that this development has taken into account the potential of this, and designed the scheme in reference to this project. While the final layout would be a reserved matter, the retention of this positive interface in the layout of the scheme would be essential.

The Design and Access statement also notes the need for a green corridor along the interface with the railway line. Again, the retention of this green corridor in the final layout would be essential.

This green corridor would link to the public open space / play area at the south west of the scheme. The illustrative masterplan currently shows this area surrounded by parking. This would be unfavourable, and there should be a better interface between this area and the residential area. This should be amended in the final layout. The principle of having an open space area here, linking and buffering existing habitats is favourable. A more naturalistic alternative to a noise attenuation fence in this corner of the site should be sought.

The Design and Access Statement also indicates the provision of a green corridor along the western boundary of the site, providing a habitat corridor and a buffer to the cemetery. However, the proposed layout shows homes backing onto this corridor. This is not acceptable; it would make management difficult, and is likely to lead to misuse of the corridor. This corridor should be part of the public realm, and homes fronting onto the green corridor, whilst providing appropriate screening for the cemetery. The layout of homes adjacent to this corridor, and the design

of the corridor should be amended in the final layout.

It is positive to see the way SuDS have been designed into the scheme, with the potential for integrating swales within the built development. Further information on local requirements and design considerations is provided in CBC's adopted Sustainable Drainage SPD; the applicant will need to demonstrate how these requirements have been met in the submission of a detailed surface water drainage scheme (as requested as a condition by SuDS colleagues). It is recommended that any condition refers specifically to the Sustainable Drainage SPD.

Anglian Water	No objection subject to condition
Education	No objection subject to contribution.
Leisure	No objection subject to contribution.
Minerals and Waste	<p>The application site is adjacent to an old sand pit and landfill site, although the planning statement does not mention the landfill element of this.</p> <p>The Ground Investigation Phase II appraisal does identify the existence of the landfill. Initial monitoring for landfill gas has not identified the need for any gas protection measures recommends that allowances for measures are made until the full gassing regime is established through further monitoring. This should have been recognised in the planning statement.</p>
Archaeology	No response at the time of writing.
NHS England	No response at the time of writing.
Bedfordshire CCG	No response at the time of writing.

Determining Issues:

The considerations in the determination of this application are:

1. The weight that should be afforded to the development plan
2. The principle of the development
3. The appearance of the site, the area and the landscape impact
4. The impact on neighbours and future living conditions
5. Access to the site and other highways implications
6. Archaeology
7. Trees and hedgerows
8. Ecology and biodiversity
9. Land quality
10. Drainage
11. Energy efficiency

- 12 Minerals and Waste
13. Existing local infrastructure
14. The planning balance and conclusions

Considerations:

1. The weight that should be afforded to the development plan

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).

At the heart of the NPPF is a presumption in favour of sustainable development. Local planning authorities should positively seek opportunities to meet the development needs of their area. Local Plans should meet objectively assessed needs. For decision making this means that planning permission should be granted where the development plan is absent, silent or out-of-date (para 14). Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing targets (para 49). There should be an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moving forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land (para 47).

Recent appeal decisions have found that the Council does not have a five year housing land supply and insofar as a number of the Council's policies are concerned with the supply housing, they should be considered out of date. Policy DM4, where it prevents development outside of Settlement Envelopes, is one such policy.

The amount of weight that should be given to those out of date policies is influenced by the proximity of housing supply to housing need. At the time of writing, the Council is very near to being in a position to demonstrate an ability to meet its housing for the five year period (4.76 years, or around 95%) and so appropriate weight can be given to housing restraint policies.

Paragraph 14 of the Framework confirms that where relevant policies of the development plan are out of date, permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework, taken as a whole or specific policies in the Framework indicate development should be restricted.

2. The Principle of the development and housing delivery

The site falls outside of the Potton Settlement Envelope and Policy DM4 seeks to restrain development within the open countryside. The proposed development would conflict with that policy and appropriate weight can be given to this conflict on account of the current relationship between housing supply and need. This conflict weighs against the approval of the development.

The NPPF sets out that where a full five year housing supply cannot be demonstrated, development should be considered sustainable unless harm caused by it significantly and demonstrably outweighs the benefits.

Here, up to 90 dwellings would be provided by the development and 35% of those would be affordable homes. The applicant has committed to a legal obligation that would ensure the delivery of 100% of the units within a five year period from the date of a decision.

As a result, the development would positively contribute towards the supply of housing to help meet need. Significant weight should be attributed to that benefit in the planning balance.

The conflict with Policy DM4 in so far as it seeks to restrain development in the open countryside would not, in itself, significantly and demonstrably outweigh that benefit.

Additional material planning considerations may contribute towards the benefits and the dis-benefits of the development and can impact of the final planning balance. These are described below.

3. The appearance of the site and the area, the landscape impact and Green Infrastructure

Appearance of the site the area

The application is submitted in Outline with all matters reserved but for access but the applicant has submitted an indicative layout plan to show how the development might be accommodated.

Policy DM3 states that all proposals for new development will be appropriate in scale and design to their setting and contribute positively to creating a sense of place.

The pre-amble to Policy CS16 states 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.

The appearance of the site would clearly change significantly because it would be built on. Its rural character would be replaced by an urban one.

The site has a reasonably good relationship with the built up area of Potton, with development directly to the north on the other side of Sandy Road and part of the eastern boundary abutting existing housing. The relationship would not be perfect. A field would stand between the Sandy Road frontage of the development and the nearest existing dwellings to the east and so the site would appear slightly detached. Overall, though, the relationship between the development and existing housing would be an acceptable one. The site would form a logical and fairly natural extension to the settlement and it would be contained within the western and southern extents of existing built development. The site would be to the east of the cemetery which forms a natural barrier to

further housing development in a westerly direction.

Landscape impact

The Council's Landscape Officer has raised no objection to this application and there would no significant harm caused to the wider landscape setting of the site subject to substantial, strategic landscaping along the western and southern boundaries, which would be secured at reserved matters stage.

4. The impact on neighbours and future living conditions

Policy DM3 requires that new development to respect the amenity of neighbouring properties. It is clear that a scheme could be delivered at this site that properly addressed the relationships between existing and the proposed dwellings.

Policies CS14 and DM3 seek design that is of a high quality. That includes complying with the current guidance on noise. The Council's Design Guide reinforces the objectives that new residential development is of a high quality that provides an acceptable standard of living accommodation for future occupiers.

Detailed matters, like internal unit layouts and amenity space would be assessed at reserved matters stage. The Council's Public Protection Team has suggested a planning condition ensuring that noise from road traffic and the sand and gravel pit (which is occasionally used for motocross) is properly managed.

5. Access to the site and other highways implications

Highways

Policies CS14 and DM3 require that developments incorporate appropriate access and linkages, including provision for pedestrians, cyclists and public transport and that they provide adequate areas for parking and servicing. The Council's Design Guide provides further detailed technical standards that should be applied to new residential development.

There is no foot way along the southern side of Sandy Road. One is proposed on along most of the northern boundary of the site with Sandy Road. At least one crossing point would then take residents to the north side of the road, where there is a pavement. Details of this crossing or crossings would be secured by condition.

The proposed access to the site would be from Sandy Road and the Council's Highways Team are satisfied that it would be safe. The submitted Transport Assessment acknowledges that existing speeds on the approach to Potton can be quicker than they should be. The crossing would assist in acting as a traffic calming measure. A 'village gate' feature would also be required by condition and that would further assist in reducing speeds in the vicinity of the site.

Subject to internal road layouts and parking provision that could be controlled at Reserved Matters stage, and planning conditions that would have been imposed

in the event of an approval, the highways implications of the development would be acceptable.

6. Heritage Assets

Policies CS15 and DM13 seek to protect, conserve and enhance the district's heritage assets, including archaeology.

The applicant has submitted an Archaeological Assessment of the site and a response from the County Archaeologist will be reported in the Late Sheet.

7. Trees and hedgerows

The application has been supported by a tree survey which is satisfactory and a condition would seek to ensure that existing trees and hedgerows were properly protected during construction. A scheme for hard and soft landscaping across the site would be secured at reserved matters stage.

8. Ecology and biodiversity

An Ecological Survey has been submitted in support of the application. The NPPF calls for development to deliver a net gain for biodiversity and the County Ecologist is satisfied that this would be the case here in line with policies CS18 and DM15 and the Council's Design Guide and the NPPF. That view is contrary to that of the RSPB which has objected to the application and a number of local residents who have ecological concerns.

9. Land quality

The applicant has submitted a Geo-Environmental Survey. Conditions would ensue that any contamination at the site would not cause a risk to human health.

10. Flood risk and Drainage

The site falls within Flood Zone 1 (low risk).

Policy DM3 requires that new development complies with current guidance on water. The Central Bedfordshire Sustainable Drainage Guidance SPD (2014) contains current guidance on how water should be managed within development sites.

Conditions would secure details of a sustainable drainage scheme for the site.

11. Energy efficiency

Policy DM1 requires that developments achieve 10% or more of their own energy requirements through on-site or near site renewable or low carbon technologies unless it can be demonstrated that to do so would be impracticable or unviable. Policy DM2 requires that all proposals for new development should contribute towards sustainable building principles.

A condition would require details of energy efficiency measures.

12. Minerals and Waste

The site falls within a Minerals Protection Area and a Minerals Resource Assessment has been submitted with the application. It concludes that the site is not suitable for the extraction of minerals by quarrying and the Council's Minerals and Waste Team have raised no objection that conclusion.

13. Existing local infrastructure

Policy CS2 states that developer contributions will be expected from any development which would individually or cumulatively necessitate additional or improved infrastructure, or exacerbate and existing deficiency.

Policy CS7 states that on all qualifying sites, 35% or more units should be affordable.

35% of the units at the site would be affordable homes. 73% would be affordable rent and 27% would be intermediate.

The applicant has agreed to comply with a Build Rate Timetable that would see all of the units delivered within 5 years of planning permission being granted.

The following contributions would be secured towards local education provision:

EY	£62,218.80
Lower	£207,396.00
Total	£269,614.80

The Lower School contribution would be spent on increasing capacity at Potton Lower School. The Council's Education Team are of the view that existing capacity at middle and upper schools in the area would not justify contributions being sought in this case.

These contributions may be reflected in a legal agreement on a pro-rata basis to accommodate the fact that fewer than 90 units might be built at the site.

A number of local residents have raised concern that the GP surgery is over subscribed and cannot accommodate additional patients. The Council has consulted the NHS, the Bedfordshire Clinical Commissioning Group and, at the request of a Ward Member, the surgery itself. At the time of writing, no responses have been received. If they are, they will be reported in the late sheet.

£42,000 would be secured towards playing pitch provision in the local area and £20,000 would be secured towards the proposed Sandy - Potton cycleway.

14. The planning balance and conclusions

Planning law requires that planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

The Council cannot currently demonstrate an ability to meet its housing need for the next five-year period. As such, Policy DM4, insofar as it prevents development outside of the Settlement Envelope, is out of date. That said, appropriate weight can be afforded to 'out of date' policies because the Council can demonstrate an ability meet a large proportion of its housing need.

There is a presumption in favour of sustainable development set out in the NPPF. Where an ability to meet identified housing need cannot be demonstrated, the development would be sustainable if the dis-benefits of the development would not significantly and demonstrably outweigh the benefits.

Significant weight must be given to the delivery of up to 90 homes (including affordable homes) at the site over the next five-year period.

There are no harmful impacts associated with the development that individually or collectively would significantly and demonstrably outweigh that benefit, and the other benefits of the development.

Recommendation:

That Planning Permission is approved subject to the successful completion of a legal agreement reflecting the terms set out above and the following conditions:

RECOMMENDED CONDITIONS / REASONS

- 1 No development shall commence at the site before details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") relating to that Phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 2015.

- 2 An 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 **No development shall take place until a Construction Management Plan detailing access arrangements for construction vehicles, on-site parking, loading and unloading areas, materials storage areas and wheel cleaning arrangements 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 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 DM3 of the Core Strategy and Development Management Policies 2009.

- 5 Any application for reserved matters shall include details of the existing and final ground, ridge and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal 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 DM3 of the Core Strategy and Development Management Policies (2009).

- 6 **No development shall take place until details of Local Equipped Areas of Play and Local Areas of Play together with a timetable for their implementation have been 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 and facilities for residents would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009

- 7 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed drainage Strategy (FRA: 15-0735, 2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme will include details of how the scheme shall be maintained and managed after completion. The scheme shall include provision of attenuation and a restriction in run-off rates as outlined in the FRA. The scheme shall be implemented in accordance with the approved final details before the development is completed.**

No building/dwelling shall be occupied until a management and maintenance plan for the surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be correctly and fully installed as per the approved details. 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 and 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.

- 8 Any application for Reserved Matters 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.

- 9 **No development shall take place at the site before a Method Statement detailing how retained trees and hedgerows will be protected at the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that trees and hedgerows are properly protected at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 10 **No development shall commence at the site before to the Submission of a Reserved Matters application a scheme for protecting the proposed dwellings from road noise and noise created by neighbouring land uses shall be submitted to and approved in writing by the local planning authority. No dwellings shall be occupied until the approved a scheme has been completed 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 human health and residential amenity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 11 **No development shall take place at the site before a Phase 1 Desk Study report prepared by a suitably qualified person adhering to BS 10175 and CLR 11 documenting the ground and material conditions of the site with regard to potential contamination has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management

Policies Document (2009).

- 12 No dwelling shall be occupied at the site before the following has been submitted to and approved in writing by the Local Planning Authority:

Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175 and CLR 11, incorporating all appropriate sampling, prepared by a suitably qualified person.

Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 Remediation Scheme (RS) prepared by a suitably qualified person, with measures to be taken to mitigate any risks to human health, groundwater and the wider environment, along with a Phase 4 validation report prepared by a suitably qualified person to confirm the effectiveness of the RS.

Any such remediation/validation should include responses to any unexpected contamination discovered during works.

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

- 13 **No development shall commence at the site before a scheme of traffic calming on Sandy Road including at least a 'village gate' feature and a pedestrian crossing and a timetable for its implementation have been submitted and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details and the approved timetable.**

Reason: To ensure that the highways impacts of the development would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Strategy (2009).

- 14 **No development shall commence at the site before a foul water strategy has been submitted to and approved in writing by the Local Planning Authority in consultation with Anglian Water. No dwellings shall be occupied before the strategy has been completed.**

Reason: To prevent environmental and amenity problems arising from flooding.

- 15 The scheme submitted for the approval of the reserved matters shall include:

- A pedestrian/cycle link from Sandy Road to the disused railway track to the south of the site
- A strategic planting belt along the western edge of the site based on that submitted for indicative purposes reference 5111/001

Reason: To ensure that future cycle connectivity links are safeguarded and

that the landscape impact of the development in views from the east would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009)

- 16 No more than 90 dwellings shall be erected at the site.

Reason: To ensure that the development would be of an appropriate density for its context.

- 17 Other than where specifically required by a condition attached to this decision the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans and reports referenced 5111.001A, 5111_005B, 5111_008, Design and Access Statement dated May 2016, Planning Statement dated June 2016, Agricultural Land Considerations dated June 2016, Archaeology and Heritage Statement dated June 2016, Transport Assessment dated June 2016 including Framework Residential Travel Plan, Noise Assessment dated May 2016, Lighting Impact Assessment dated June 2016, Air Quality Assessment dated May 2016, Minerals Resource Assessment dated June 2016, Gas Addendum letter dated July 2016, Tree Survey and Constraints dated April 2016, Phase II Site Appraisal dated June 2016, Ecological Appraisal dated June 2016, SK1 rev C, S1671/01, Landscape and Visual Impact Assessment dated May 2016, Sustainability Statement dated June 2016, Statement of Community Engagement dated June 2016 and Flood Risk Assessment dated June 2016

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

INFORMATIVE NOTES TO APPLICANT

1. The applicant is advised that in order to comply with 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 Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
2. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site 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 Control Group, Development Management Division, 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.

3. 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 developers expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

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

DECISION

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.....



© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No. CB/16/02132/OUT
-E Date: 30:August:2016	Land to the of 104 to 168 Station Road, Lower Stondon, Henlow
Map Sheet No Scale: 1:2500	

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Item No. 7

APPLICATION NUMBER	CB/16/02132/OUT
LOCATION	Land to rear of 104 to 168 Station Road, Lower Stondon, Henlow
PROPOSAL	Outline Application: Residential development together with associated landscaping and access
PARISH	Stondon
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Nikolas Smith
DATE REGISTERED	26 May 2016
EXPIRY DATE	25 August 2016
APPLICANT	Bovis Homes
AGENT	Optimis Consulting
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	This is a major application and the Parish Council has objected. Its approval would constitute a departure from the Development Plan.
	Outline Application - Approval

Reason for recommendation:

This development would fall outside of the Settlement Envelope for Stondon but would constitute sustainable development because the harm caused by it would not significantly and demonstrably outweigh the benefits, which include the delivery of up to 80 new homes within the five year period. The access to the site would be safe and other matters would be reserved for subsequent approval.

Site Location:

The site has an area of approximately 2.3ha and located immediately to the west of an existing housing development constructed by the applicant (referred to as Stondon Park). To the west and south of the site is Mount Pleasant Golf Course, where planning permission has been granted for a nine hole extension. To the north of the site are gardens serving properties on Station Road.

The site is undeveloped, open space and is currently used for horse grazing. It has an Agricultural Land Classification of 3b and so it cannot be classified as Best and Most Versatile agricultural land.

The site is adjacent to but outside of the Stotfold Settlement Envelope.

The Application:

Outline planning permission with all matters reserved except access is sought for a residential development at the site. The applicant has not proposed a maximum number of units for the site. 35% of the dwellings would be affordable homes. Access would be taken through the existing development from Station Road.

A full planning application has been submitted at the site for a residential development of 80 dwellings. This application is pending and it is anticipated that it will be presented to a future meeting of the Committee.

Relevant Policies:

National Policy and guidance

National Planning Policy Framework (NPPF) (2012)
National Planning Practice Guidance (NPPG) (2014)

Local Policy and guidance

Central Bedfordshire Core Strategy and Development Management Policies - North (2009)

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

Site Allocations (North) Development Plan Document (2011)

Central Bedfordshire Design Guide (2014)

Central Bedfordshire Sustainable Drainage Guidance SPD (2014)

Mid-Bedfordshire Landscape Character Assessment (2007)

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

Development Strategy

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

Relevant Planning History:

CB/12/02929/FULL Erection of 98 dwellings, garaging and associated works after the demolition of No's 186 and 188 Station Road to provide for a new access road.

Approved: 4th November 2013

CB/15/01454/MW 9 hole extension to existing golf course through the importation of inert waste, incorporating landscaping works and water harvesting system.

Approved: 22nd July 2015

CB/16/2314/FULL Erection of 80 residential dwellings together with associated access and landscaping

Decision pending

Consultation responses:

Neighbours were written to and press and site notices were published. The responses are summarised below:

Stondon Parish Council Objection for the following reasons:

- This extension of the original development was not proposed by Bovis at any meetings with the Parish Council during the first development program.
- The Parish Council has never been consulted about this extensive development and is contrary to the information published in Design and Access statement page 11 item 2.12.3
 - There are a number of other errors such as reference to the transport museum and similar amenities which closed some time ago
 - a. We do not believe a viable assessment of traffic movement of lorries and deliveries has been

practically assessed and the impact on the neighbours already living in the current development

- Traffic entering the estate, such as large trucks, delivery wagons, contractors cars etc will have to negotiate the narrow streets and paving while children, parents and others are going to work and school. Potentially raising the risk of an accident or fatality.
- 1. The traffic assessment does not include the proposed volume of additional traffic that will be present during the development of the Golf Course.
- 1. The assessment of the agricultural land seems to be missing key information
- 1. We have not seen an independent survey of the agricultural land and believe that this maybe of a high quality suitable for farming.
- 1. The local Schools cannot accommodate additional children without extensive redevelopment and this project does not propose to address this. This concern was raised during the first phase by Stondon Lower School and in recent discussions the Head Teacher they advised the Chair of the Parish Council that they have now implemented a waiting list as the school has filled all available places.
- 1. Lack of notification to the local residents on street signs and via letters etc, nor had any consultation with local residents been done at the time of this meeting.

The current Bovis Phase 1 development has put a stain on local community resources and this development is almost doubling the volume of houses adding more pressure on those limited local resources.

Once again this seems to be a large housing developer blatantly ignoring the local community and only looking for the maximum profit from minimum outlay.

It does not seem to care about talking to the community or discussing the development and the benefits to propose to deliver to the community.

If Bovis Homes takes the time to come and talk to the local community and does not shirk its responsibilities, potentially our position on this

development might change.

Neighbours

22 letters of objection were received. Comments made can be summarised as follows:

1. The site would be cramped and over developed
2. Lorry and traffic movements would be disruptive
3. There is not sufficient infrastructure in Stondon to accommodate the development
4. There would be a loss of wildlife and green space
5. Stondon would lose its village feel
6. Houses are needed but villages are impacted disproportionately
7. The use of the access would not be safe
8. The existing development has a lot of pedestrian areas which are not suited for additional traffic
9. There should be a separate access for the new development
10. Traffic along Station Road is already bad
11. There would be a loss of privacy for existing residents

Consultee responses:

Minerals and Waste

The application site is adjacent to a permitted golf course extension to the west and south. This is acknowledged on the drawings, but is not fully assessed within the application. There are three issues that need to be considered.

1. The golf course extension is to be created/landscaped through the importation of approximately 300,000 cubic metres of inert waste over a 2 year period. During the development phase this has the potential to cause some nuisance in terms of dust, noise and vibration, and phase 2 of the housing development would be more exposed than phase 1. The golf course consent is subject to a noise condition but that would have been calculated in relation to houses existing or permitted at the time. The scheme could become less workable by introducing a larger number of houses and extending the length of the boundary over which the two are immediately adjacent. The noise assessment submitted with the housing application does not acknowledge this permitted development or give consideration to the potential noise impact. As such it is deficient.

Clearly the timing of the two operations is the critical factor here. The golf course development must commence by the 22nd July 2018 and be completed within a further two

years. Either the applicants should be asked to amend the noise assessment to take account of this or a condition should be imposed to prevent the occupation of the houses until the golf course development is complete. The latter would also avoid any potential issues with regard to dust and vibration. Potentially, a condition could be worded to say that the houses should not be occupied 'before the 22nd July 2020 or until the Council confirms in writing that the adjacent golf course development is complete, whichever is the sooner'. In practice, it is anticipated that the golf course development will commence shortly, so the acceptable date could be as early as the second half of 2018.

2. The development of the golf course will generate up to 182 HGV movements a day. The Traffic Impact Assessment does have regard to this and allows for 12 HGV movements per hour during the peak periods. The planning permission for the golf course actually allows 14, but I am not assuming this will make a significant difference. The Assessment does not consider construction traffic for the housing development but, again, that may not be important.

3. Once the golf course is complete, there would appear to be some potential for golf balls to come across the boundary into the housing development given the proximity, particularly from fairway number 5. Some consideration needs to be given to this and expert advice may be required. This might possibly result in the need to modify the proposed boundary treatment. There is no condition on the golf course permission relating to this, but the layout of the fairways was agreed in the absence of houses on this area.

In conclusion, therefore, points 1 and 3 require some further assessment by the applicants, ideally in consultation with the owners of the golf course to arrive at an agreed position. On point 2, I leave it with our colleagues in Highways DC to advise whether or not this is an issue.

Once an updated Noise Report was submitted, the following comments were received:

With regard to the golf course development, the report relies upon the fact that the conditions on that consent impose a noise limit at the boundary of any residential property and, it is argued, there is not therefore an issue. However, the current application would introduce new houses into the equation that were not considered in

relation to the noise assessment for the golf course extension.

Looking at that original noise assessment it is clear that the golf course operations will have difficulty in achieving the 55dBALeq1hr limit at existing residential properties and that the operator will be dependent on operating at the higher limit of 70dBALeq1hr permissible for temporary periods of up to 8 weeks. Introducing new houses along a further 300 metres of the site boundary would exacerbate the difficulty of achieving acceptable noise levels throughout the operations.

In relation to any new houses, that were neither existing nor permitted at the time of the golf-course application, the Council might have difficulty enforcing the permitted noise level, since Planning Practice Guidance imposes a responsibility on the Planning Authority to consider the effect of existing or permitted noise sources before granting planning permission for residential development. We are talking here about an inert waste disposal operation that is expected to take 2 years to complete, which is a significant enough time for complaints to arise.

Assuming there are no other overriding objections to this application, I do not consider that the golf course consent is sufficient to merit refusal but, to protect the amenities of any residents occupying the new development, the consideration of timing is critical. I therefore recommend the imposition of the following condition if permission is granted:

The residential properties hereby permitted shall not be occupied before the 22nd July 2020 or the completion of the construction of the adjacent golf course extension (CB/15/01454/MW), as certified in writing by the Planning Authority, whichever is the sooner, unless a detailed noise assessment has first been submitted to and approved in writing by the Planning Authority, which demonstrates that the residential properties to be occupied are unlikely to suffer noise nuisance as a result of construction operations on the golf course.

Reason: To prevent adverse effects on occupants of the residential development and to avoid prejudicing the deposit of inert waste and associated landscaping operations on the adjacent site during the construction phase of the golf course, in accordance with saved policy GE25 of the Bedfordshire and Luton Minerals and Waste Local Plan 2005.

I don't believe that this would be unreasonably restrictive and it would allow the developer to liaise with the operator on the Golf Course to produce an appropriate timetable for development, if necessary applying for a phased occupation of the houses. It also makes matters simpler in that it should facilitate actual noise measurements of the golf course operations, which have not yet commenced.

I hope this will be seen as a reasonable solution.

Highways

The developer suggests that this is Phase 2 of their existing site currently nearing completion resulting in a development approaching 200 units served from a single point of vehicle access, the new estate road and junction onto Station Road. Whilst I would strongly prefer that a second means of access be provided toward the western end of the site I have no technical standard that suggests that the proposal would result in a too high a number of units to be served from a single point of access and therefore I reluctantly acknowledge that there is no justifiable reason to raise and sustain a highway objection through the planning process.

In these circumstances the following highway conditions and advice notes are recommended should the grant of planning permission be considered.

Trees and Landscape

The site is currently agricultural land with boundary hedge lines and trees. Supplied with the application is a Tree Survey and Arboricultural Impact Assessment that identifies all trees and hedges on site along with their retention categories and root protection areas.

The impact on trees should be minimal but will require protection throughout development through the use of tree protection fencing and ground protection as required. To this end we will require a Method Statement showing these details, and steps to be taken through development.

Two groups of trees are identified for removal which would be acceptable.

Detailed landscape and boundary treatment details will be required.

Ecology

I have no objection to the proposed development. I note that houses adjacent to boundary hedgerows will be orientated to overlook hedgerows rather than back onto them which is welcomed. The NPPF calls for development to deliver a net gain for biodiversity and opportunities for enhancement should be considered. The POS in the SE

should ideally be seeded with a species rich grassland mix and I would like to see integrated bird / bat bricks used in all properties. SuDS should be multi functional, providing ecological and GI benefits in addition to attenuation. A nectar / berry rich planting palette would also achieve biodiversity gains.

Sustainable Growth

The proposed development should comply with the requirements of the development management policies: DM1: Renewable Energy; DM2: Sustainable Construction of New Buildings; and Core Strategy policy CS13: Climate Change. The policies require all new development of more than 10 dwellings to meet CfSH Level 3 and deliver 10% energy demand from renewable or low carbon sources. The energy standard of the CfSH Level 3 is below standard required by the Part L2013 of the Building Regulations. The development should therefore as minimum comply with the new Part L2013 of Building Regulations and deliver 10% of their energy demand from renewable sources. In terms of water efficiency, the development should achieve 110 litres per person per day (105 litres for internal water usage and 5 litres for external water usage).

I welcome the applicant's fabric first approach to develop energy efficient dwellings. This approach will ensure that the dwellings have low energy demand throughout their lifetime. However the policy DM1, which is not mentioned in the Design and Access Statement, asks for the developments above threshold of 10 dwellings to deliver 10% of its energy demand from renewable or low carbon sources. The fabric first approach will ensure that energy demand will be reduced and therefore the installation of renewable or low carbon technology will be smaller to satisfy the policy requirement.

Policy CS13 requires that all development takes into account climate change and its impacts on the development. The development therefore should be designed with climate change in mind taking account of increase in rainfall and temperature. The development should therefore minimise hard standing surfaces and increase green, natural areas to allow rainwater infiltration and minimise heat island effect through evaporation and tree shading. Light colour building and landscaping materials should be prioritised over dark coloured which

absorb more sun light and retain heat increasing urban heat island effect.

I would like more information on how policies requirements will be met to be submitted with the full planning application. The information should cover: energy and water efficiency, renewable energy contribution, climate change adaptation measures to minimise risk of overheating in dwellings and proposed ventilation strategy.

To ensure that the policies requirements are met I request following planning condition to be attached, should the planning permission be granted:

12. 10% energy demand of the development to be delivered from renewable or low carbon sources;
13. Water efficiency to achieve water standard of 110 litres (including 5 litres for external use) per person per day;
14. Assessment of overheating risk in dwellings.

Local Plan Team

At the time of writing (23/06/16) the Council cannot demonstrate a five year supply of deliverable housing land. This means that under the provisions made in paragraph 49 of the National Planning Policy Framework 2012, policies concerned with the supply of housing (including DM4, DM14, and CS16 of the North Core Strategy) must be regarded as 'out-of-date', and that permission should be granted unless the harm caused "significantly and demonstrably" outweighs the benefits.

However, recent case law tells us that these policies should not be disregarded. On the contrary, 'out of date' policies remain part of the development plan, and the weight attributed to them will vary according to the circumstances, including for example, the extent of the five year supply shortfall, and the prospect of development coming forward to make up this shortfall.

At the time of writing the Council can demonstrate a supply of 4.76 years, this equivalent to 95% of the five year requirement and is a shortfall of 467 dwellings. The Council is confident that there is sufficient development coming forward in the short term to make up this shortfall. In this context it is reasonable to afford Policies DM4, DM14 and CS16 a level of weight proportionate to this

supply when considering the planning balance.

Pollution Control

Having considered the Opus Geo Environmental Investigation Report dated April 2016 I concur that all potential pollution pathways for contamination appear to be broken and therefore it is very unlikely that there is any land contamination at the proposed development site.

I have also considered the contents of the noise.co.uk Environmental Noise Survey and assessment dated 4th April 2016 and note the mitigation required for windows and ventilators to achieve noise standards with respect to road traffic noise from station road as stated in table 9.2.1 as living rooms 16 dB Rw+Ctr, Dining rooms 11 dB Rw + Ctr, and Bedrooms 15 dB Rw +Ctr. the report has shown that the developers standard window and ventilator specification comfortably exceeds these sound insulation requirements.

In response to the updated Noise Report, that looked more closely at the relationship with the approved golf course works, the following comments were received:

Whilst I appreciate that there could be construction noise impacts during the construction of the Golf Course this matter would be regulated under The Control of Pollution Act 1974 Section 60 (CPA) by the pollution team if complaints are received. BS5228 Part 1 2009 section A.3.3.2 summarises the power to serve a notice imposing requirements on construction sites as follows;

Section 60 of the Control of Pollution Act 1974 [9] enables a local authority, in whose area work is going to be carried out, or is being carried out, to serve a notice of its requirements for the control of site noise on the person who appears to the local authority to be carrying out the works and on such other persons appearing to the local authority to be responsible for, or to have control over, the carrying out of the works.

This notice can perform the following functions.

a) Specify the plant or machinery that is or is not to be used.

However, before specifying any particular methods or plant or machinery, the local authority has to consider the desirability, in the interests of the recipient of the notice in question, of specifying other methods or plant or

machinery that will be substantially as effective in minimizing noise and vibration and that will be more acceptable to the recipient.

b) Specify the hours during which the construction work can be carried out.

c) Specify the level of noise and vibration that can be emitted from the premises in question or at any specified point on those premises or that can be emitted during the specified hours.

d) Provide for any change of circumstances. An example of such a provision might be that if ground conditions change and do not allow the present method of working to be continued then alternative methods of working should be discussed with the local authority.

The S60 CPA notice can be served to protect the new properties in addition to existing ones and has even been served to protect new houses on a large site from the construction noise of other houses on the same development. Of course new residents of the Bovis development itself may complain about the construction noise for the later phases of the development.

Conditions 15 and 28 of the golf course permission do seek to protect existing houses from golf course construction noise and in meeting these conditions for existing houses some protection will also be provided to the Bovis development although I do agree with the point that the noise level (condition 28) cannot be enforced if the noise levels specified are exceeded at the Bovis site but not at any of the existing properties.

Unfortunately condition 15 of the golf course permission specifies hours of work from 0700 to 1900 hrs Monday to Friday and 0700 to 1300 hrs Saturdays whereas under The Control of Pollution Act 1974 section 60 CBC (pollution) require all noisy construction works (works which are audible at the site boundary) in the district to be undertaken between the hours of 0800 to 1800 hrs Monday to Friday and 0800 to 1300 hrs on Saturdays and at no time on Sundays, Bank or Public Holidays. This situation has occurred before and whilst developers can

complain that one part of the council has permitted them to work certain hours and another has restricted them to different times we have had to serve S60 CPA notices in similar circumstances before.

With reference to Mike's e mail comments below regarding the report, table 8.2.1 is listing the minimum sound reduction required by the housing façade to achieve the internal noise standards with respect to measured existing road traffic noise levels of 50.8 dBA. If you look at appendix D they have provided a facade calculation for daytime and night time conditions. This calculation shows that for an external noise level of 50.8 dBA (daytime) they will achieve 23.9 dBA internally in habitable rooms assuming that the windows are Saint Gobain Weber 4/20/4 and the ventilator is a Triton XS3 which they state is Bovis's standard specification. Therefore they achieve a 26.9 dB sound reduction through the building facade. Therefore if the external noise level is 55 dBA the internal noise level would be 28.1 dBA and still meet the BS8233 standards (with windows closed).

In conclusion I am satisfied that the proposed site will comfortably achieve the CBC noise standards with a typical standard form of construction for monitored existing road traffic noise. Construction noise from the golf course (if the houses are built before it is completed) can be controlled under The Control of Pollution Act 1974 S60 with respect to existing and new occupants.

Finally, it should be noted that the developers would potentially have a defence against charges under the Control of Pollution Act 1974 if they are using "best practicable means" (BPM) to control noise emissions. BPM may differ from the 55 dBA level quoted in condition 28 of the Golf Course permission.

Housing Development
Officer

Whilst this application proposes an affordable housing policy compliant scheme of 35% (28 units) I am unable to offer support in the current proposal. The application proposes a 50/50 tenure split providing 14 units of affordable rent and 14 units of intermediate tenure. This goes against the Council's tenure requirements of 73% affordable rent and 27% intermediate tenures. Based on a tenure compliant scheme I would expect to see 20 affordable rent units (73%) and 8 intermediate tenure (27%). There has been no supporting evidence submitted

with the application demonstrating why the Council tenure requirement can not be adhered to.

I would like to see the affordable units dispersed throughout the site and integrated with the market housing to promote community cohesion & tenure blindness. I 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, I would support this application.

Anglian Water

No objection.

Adult Social Care

Summary:

Our view is that the needs of older people should be considered as part of this proposal and, should approval be given, we would support a significant proportion of houses in the scheme being suitable for older people, by incorporating some or all of the design features mentioned above.

Public Art

Central Bedfordshire Council actively encourages the 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.

Key requirements are:

15. Public Art be integrated in the development design process and be addressed in Master plans and Design Codes.
16. Where possible artists should be appointed as part of the design team.
17. Public Art should be site specific; responding to place and people including environment and materials.
18. Public Art should be unique, of high quality and relevant to local communities.

Public Artists can include:

Artists and artisans, artist architects, landscape artists - with experience in working in collaboration with developers, design teams and local communities.

If the application were to be approved I request a Condition be applied with suggested wording but await

your advice on this:

No part of development shall be brought in to use until a Public Art Plan is submitted to and approved in writing by the Local Planning Authority . Installation of Public Art shall commence on site prior to occupation of 50% of dwellings. The Public Art Plan shall be implemented in full and as approved unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.

The Public Art Plan should detail:

19. Management - who will administer, time and contact details, time scales / programme
20. Brief for involvement of artists, site context, background to development , suitable themes and opportunities for Public Art
21. Method of commissioning artists / artisans, means of contact, selection process / selection panel and draft contract for appointment of artists
22. Community engagement - programme and events
23. Funding - budgets and administration.
24. Future care and maintenance.

Education

No objection subject to contribution.

Leisure

No objection.

Archaeology

The proposed development site lies within an area that is known to contain archaeological remains dating to the late Bronze Age through to the middle Iron Age (HER 16973, HER 19455 and HER 20309) and under the terms of the *National Planning Policy Framework* (NPPF) these are heritage assets with archaeological interest.

To the east of the proposed development site lie a series of enclosures (HER 19455) that were investigated prior to the construction of the current Bovis housing development. These enclosures may have formed agricultural paddocks and were dated to the early-middle Iron Age (Albion Archaeology 2013). To the south of the proposed development site lies another single enclosure which also dates to the early - middle Iron Age (HER 16973) and a water pit (HER 20309) which may be late Bronze Age in date (Albion Archaeology 2015). Given the co-location of these features and the similar date range it is likely that they all form part of a broadly contemporary landscape.

This application is accompanied by a geophysical survey report (Stratascan, dated 05/05/16) and an archaeological

desk-based assessment (CgMs, dated May 2016). The geophysical survey suggests that no archaeological features of a substantial size are present within the application area. The archaeological desk-based assessment concludes that while the Central Bedfordshire Council Historic Environment Record (HER) mapping suggests that cropmarks HER 16973 partially cover the proposed development site, the geophysical survey suggests that there are in fact no archaeological features within the application area.

It is disappointing that the applicant did not chose to wait for the Local Planning Authority to issue its pre-application response (reference CB/16/01592/PAPC) before submitting this planning application. If they had waiting for the pre-application response, then they may have noted that the archaeological advice referred to an archaeological investigation on the land immediately to the south, which was undertaken in 2015. This investigation confirmed the presence of the features which show as cropmarks (HER 16973) but also uncovered other features (for example HER 20309) which were hitherto unknown and which did not show up when a geophysical survey was undertaken at that particular site. The desk-based assessment that accompanies this planning application makes no reference to the features identified on the land to the south and therefore its conclusions cannot be considered valid, because it has not considered all of the available data for this area.

While the geophysical survey results indicate that the application area does not contain any substantial archaeological remains, it is known that smaller features, dating to the later Bronze Age do exist on the land immediately to the south. These are features that were not picked up during a comparable geophysical survey. As a consequence the presence of archaeological remains at this site cannot be entirely discounted.

Understanding landscape development and settlement patterns, the relationship between settlement and enclosure (Going and Plouviez 2000, 21 and Oake et al 2007, 11 - 12) and the ritual codes underlying the later prehistoric and Roman periods are regional archaeological research objectives (Oake et al 2007, 12 and Medlycott 2011, 48).

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).

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 any surviving heritage assets with archaeological interest. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development and the scheme will adopt a staged approach, beginning with a trial trench evaluation, which may be followed by further fieldwork if appropriate. The archaeological scheme will include the post-excavation analysis of any archive material generated and the publication of a report on the investigations. In order to secure this scheme of works, please attach the following condition to any permission granted in respect of this application.

“No development shall take place until a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological 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 *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.

This request is in line with the requirements of Chapter 12 of the NPPF.

Green Infrastructure

The application does not clearly demonstrate a net gain in green infrastructure. There is little information about the design of the central green space, and how it would contribute to green infrastructure enhancement, and is integral to the overall design and sense of place of the scheme.

The proposals for sustainable drainage, and the extent to which they deliver multiple environmental benefits are not satisfactory. The SuDS are not integrated within the development, and are essentially limited to an attenuation pond in the corner of the site. There is contradictory information in the application regarding the relationship between the built form of development and this attenuation pond, with the parameters plan showing an outward facing built form, but the indicative layout in the Design and Access Statement showing it backed onto by housing.

There is no at surface conveyance of surface water; the Flood Risk Assessment notes that swales will not be incorporated into the drainage strategy, with no justification for this. Given that CBC's SPD identifies a local requirement for conveyance to be at surface, rather than piped, this is not an acceptable approach, and the application is contrary to CBC's adopted guidance.

The SuDS system should be integrated within the development, with development relating positively to SuDS features, that are designed to be an integral part of the green space network, and providing multiple environmental benefits.

Clear information about adoption of SuDS is not provided. The applicant indicates that the preferred option is for Anglian Water to adopt the attenuation pond, but a secondary option would be for CBC to adopt it as LLFA. This indicates a lack of discussion with CBC, and comprehension of adoption issues. As and LLFA, CBC does not adopt SuDS, so this proposal indicates a lack of realistic options on adoption. Given the requirement under national guidance for LPAs to satisfy themselves that there are clear proposals in place for the management and maintenance of the SuDS over the lifetime of the scheme, I do not consider that we can be confident that this is the case.

Overall, therefore, I do not consider that the scheme demonstrates a net gain in Green Infrastructure, and is therefore contrary to CS17 of the Core Strategy for Central Bedfordshire. The proposals for sustainable drainage do not meet requirements in CBC's Sustainable Drainage SPD, and do not provide clear information on adoption.

I would not recommend the granting of planning permission until the development can demonstrate a net GI gain, and includes proposals for SuDS that are in line

with CBC's Sustainable Drainage SPD, and have clear information on adoption proposals.

Landscape Officer

I have no objections to the continuation of the Stondon Park development. However, I would hope that this development would bring a greater number of street trees as the Phase 1 development appears to have very few planted, particularly along the main access. The urban style bow top fencing along the boundary of Phase 1 is a feature I would not want to be extended into Phase 2.

The documents show a variance between the Concept Plan - which contains a central open space as well as the attenuation basin - and the layout given in the DAS which illustrates houses on the area for the LAP. I assume the Concept Plan is the document to work with.

A fully detailed Landscape scheme will be required as a Condition. Most crucially in landscape terms is the need to maintain the boundary hedge and hedgerow trees - the trees on the western boundary create a valuable landscape feature. A Landscape Management Plan will also be required, which will guide sympathetic management of the boundary hedge as well as the other features. A balance needs to be found between the proposed height reduction of the hedge and the need to maintain screening integration of the new development as well as the wildlife corridor. A final height of no less than 1.75m should be maintained - this would allow for annual growth extending up to 2m. The properties can enjoy views of the golf course from the upper stories.

I would also prefer a scheme with a more imaginative design for the SUDS - a scheme which would contribute to the landscape structure eg with tree planting, play features or seating. The location of the LAP could also be more central to this phase of the development.

New tree planting needs to be of predominantly native species near the site boundary, and I welcome the planting of alternate species to ash, with the aim of diversifying the tree stock. Within the residential area more ornamental street trees could be selected. I would like the ornamental shrub planting to avoid over use of evergreen mews style planting which has an urban style. Grassed areas forming a corridor with the boundary hedge would benefit from being of ecological value, as with the attenuation basin.

The need to minimise light intrusion is also an important design consideration.

SuDS Team

We consider that outline planning permission could be granted to the proposed development and the final design, sizing and maintenance of the surface water system agreed at the detailed design stage, if the following planning conditions are included:

Comments and recommendations:

25. Units are miss matched in some places. Providing the outfall from phase 2 does not exceed 9l/s and the final total outfall (phase 1 and 2 completed) into the Anglian Water system does not exceed 24l/s, and this is agreed and adopted by Anglian Water the following comments and recommendations apply.

26. Where permeable paving is proposed we advise the design criteria is demonstrated in accordance with the 'CIRIA RP992 The SuDS Manual Update: Paper RP992/28 Design Assessment Checklists for Permeable/Porous Pavement'.

27. It is unclear how the (outlined) storage capacity of the pond has been determined. The final detailed design must demonstrate the methodology and calculations to determine the size of the attenuation feature. The design scheme, including pond, should conform to the Ciria SuDS Manual, the Non-statutory technical standards for sustainable drainage systems

(March 2015), and other sources of best practises. The pond must work as part of a management wide approach to surface water drainage, incorporating the principles of the treatment train and the local requirements identified in the Sustainable Drainage Guidance, adopted as a Supplementary Planning Document in April 2014. The final detailed design should focus is on creating multi functional features at surface level.

28. Details of the proposed construction, management and future maintenance requirements of the surface water drainage scheme should be provided with the final detailed design. Adequate access to

the surface water system should be provided in the sizing and layout of the scheme, with details of the proposed arrangements for maintenance. Where Anglian Water Ltd are to adopt parts of the system, correspondence should be provided to demonstrate the final detailed design has been approved by them.

Internal Drainage Board No objection

Determining Issues:

The considerations in the determination of this application are:

1. The weight that should be afforded to the development plan
2. The principle of the development
3. The appearance of the site, the area, the landscape impact and Green Infrastructure
4. The impact on neighbours and future living conditions
5. Access to the site and other highways implications
6. Archaeology
7. Trees and hedgerows
8. Ecology and biodiversity
9. Land quality
10. Drainage
11. Energy efficiency
12. Planning obligations
13. The planning balance and conclusions

Considerations:

1. The weight that should be afforded to the development plan

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).

At the heart of the NPPF is a presumption in favour of sustainable development. Local planning authorities should positively seek opportunities to meet the development needs of their area. Local Plans should meet objectively assessed needs. For decision making this means that planning permission should be granted where the development plan is absent, silent or out-of-date (para 14). Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing targets (para 49). There should be an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moving forward from later in the plan period) to provide a realistic prospect

of achieving the planned supply and to ensure choice and competition in the market for land (para 47).

Recent appeal decisions have found that the Council does not have a five year housing land supply and insofar as a number of the Council's policies are concerned with the supply housing, they should be considered out of date. Policy DM4, where it prevents development outside of Settlement Envelopes, is one such policy.

The amount of weight that should be given to those out of date policies is influenced by the proximity of housing supply to housing need. At the time of writing, the Council is very near to being in a position to demonstrate an ability to meet its housing for the five year period (4.76 years, or around 95%) and so appropriate weight can be given to housing restraint policies.

Paragraph 14 of the Framework confirms that where relevant policies of the development plan are out of date, permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework, taken as a whole or specific policies in the Framework indicate development should be restricted.

2. The Principle of the development and housing delivery

The site falls outside of the Stondon Settlement Envelope and Policy DM4 seeks to restrain development within the open countryside. The proposed development would conflict with that policy and appropriate weight can be given to this conflict on account of the current relationship between housing supply and need. This conflict weighs against the approval of the development.

The NPPF sets out that where a full five year housing supply cannot be demonstrated, development should be considered sustainable unless harm caused by it significantly and demonstrably outweighs the benefits.

Here, up to 80 dwellings (which would be secured by condition) would be provided by the development and 35% of those would be affordable homes. The applicant has committed to a legal obligation that would ensure the delivery of 100% of the units within a five year period from the date of a decision.

As a result, the development would positively contribute towards the supply of housing to help meet need. Significant weight should be attributed to that benefit in the planning balance.

The conflict with Policy DM4 in so far as it seeks to restrain development in the open countryside would not, in itself, significantly and demonstrably outweigh that benefit.

Additional material planning considerations may contribute towards the benefits and the dis-benefits of the development and can impact of the final planning balance. These are described below.

3. The appearance of the site and the area, the landscape impact and Green

Infrastructure

Appearance of the site the area

The application is submitted in Outline with all matters reserved but for access but the applicant has submitted an indicative layout plan to show how the development might be accommodated.

Policy DM3 states that all proposals for new development will be appropriate in scale and design to their setting and contribute positively to creating a sense of place.

The pre-amble to Policy CS16 states 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.

The appearance of the site would clearly change significantly because it would be built on. Its rural character would be replaced by an urban one.

The site is, though, relatively secluded, set behind houses on Station Road and with only limited views in to it from public areas to the north and the impact of the development on the appearance of the area would be less significant and could be further reduced by successful landscaping, that would be a reserved matter.

It is important that the site should not be developed in a fashion that would conflict with the existing built character of the area. Whilst relatively secluded, it would become part of the urban context of this part of Stondon. A condition would limit the total number of dwellings at the site to 80. This would result in a density of around 34dph, which, subject to layout and design, could result in an acceptable character of development for this site.

The site has a good relationship with the existing urban area of Stondon with housing to the north and east. The golf course to the west and south forms a natural edge to the settlement and the development would be sit to the north of that 'buffer'.

Landscape impact

The Council's Landscape Officer has raised no objection to this application and there would no significant harm caused to the wider landscape setting of the site.

4. The impact on neighbours and future living conditions

Policy DM3 requires that new development to respect the amenity of neighbouring properties. The neighbours most likely to be affected by the development are those to the north on Station Road and those within the existing Stondon Park Development. These impacts could, for the most part, be managed at Reserved Matters stage through a carefully designed layout.

One area of concern for a number of residents within the Stondon Park development is disruption caused by additional traffic passing through the estate in to the new development. Whilst there would be a significant change for these residents (the road that would lead in to the new development is currently a cul-de-sac), that change would not likely cause noise or disturbance on a level that could be considered materially harmful.

Another concern is that disruption would be caused by construction vehicles passing through the existing development. A condition would require a Construction Management Plan so as to seek reduce those impacts as far as possible.

A scheme could be designed at this site that had an acceptable impact on the living conditions of neighbours.

Policies CS14 and DM3 seek design that is of a high quality. That includes complying with the current guidance on noise. The Council's Design Guide reinforces the objectives that new residential development is of a high quality that provides an acceptable standard of living accommodation for future occupiers.

Planning permission has recently been granted for an extension to the Mount Pleasant Golf Course to the south and west of the site. This will involve the transportation of large amounts of earth to the site. Construction could take around two years.

The Council's Minerals and Waste Team are concerned that these works would cause significant disruption to future residents of the proposed development in the event that they are occupied before or during the golf club extension. The Council's Public Protection Team is satisfied, though, that because of the temporary (albeit relatively lengthy) construction period and construction hours conditions attached to the golf club consent, together with protection afforded to potential future residents by other legislation, the impact should not, in itself, prevent planning permission being granted.

5. Access to the site and other highways implications

Highways

Policies CS14 and DM3 require that developments incorporate appropriate access and linkages, including provision for pedestrians, cyclists and public transport and that they provide adequate areas for parking and servicing. The Council's Design Guide provides further detailed technical standards that should be applied to new residential development.

The proposed access to the site would be in the same location as that which exists from Station Road through Stondon Park. The Council's Highways Officer is satisfied that this access is safe and could accommodate the additional traffic associated with the proposed development.

A number of residents have correctly highlighted that it is possible that should permission be granted for this development, both it and the golf course development could take place at the same time. This would have an impact on the amount of heavy goods vehicles using the local road network. A Construction Management Plan would be secured by condition that would seek to control that impact and the Council's Highways Team is satisfied the cumulative, temporary highways implications of the developments would not result in a severe highways impact, which the NPPF sets out is the only time that planning permission should be withheld on transport grounds.

Subject to internal road layouts and parking provision that could be controlled at Reserved Matters stage, and planning conditions that would have been imposed in the event of an approval, the highways implications of the development would be acceptable.

6. Heritage Assets

Policies CS15 and DM13 seek to protect, conserve and enhance the district's heritage assets, including archaeology.

The applicant has submitted an Archaeological Assessment of the site and the County Archaeologists have requested that a condition requiring further investigation is attached to any planning permission.

7. Trees and hedgerows

The application has been supported by a tree survey which is satisfactory and a condition would seek to ensure that existing trees and hedgerows were properly protected during construction. A scheme for hard and soft landscaping across the site would be secured at reserved matters stage.

8. Ecology and biodiversity

An Ecological Survey has been submitted in support of the application. The County Ecologist has raised no objection to the application. The NPPF calls for development to deliver a net gain for biodiversity. An acceptable scheme for the net gain for biodiversity would be secured by condition in line with policies CS18 and DM15 and the Council's Design Guide and the NPPF.

9. Land quality

The applicant has submitted a Geo-Environmental Survey. No objection has been raised by the Council's Public Protection Team.

10. Flood risk and Drainage

The site falls within Flood Zone 1 (low risk).

Policy DM3 requires that new development complies with current guidance on water. The Central Bedfordshire Sustainable Drainage Guidance SPD (2014) contains current guidance on how water should be managed within development

sites.

Conditions would secure details of a sustainable drainage scheme for the site.

11. Energy efficiency

Policy DM1 requires that developments achieve 10% or more of their own energy requirements through on-site or near site renewable or low carbon technologies unless it can be demonstrated that to do so would be impracticable or unviable. Policy DM2 requires that all proposals for new development should contribute towards sustainable building principles.

A condition would require details of energy efficiency measures.

12. Planning obligations

Policy CS2 states that developer contributions will be expected from any development which would individually or cumulatively necessitate additional or improved infrastructure, or exacerbate and existing deficiency.

Policy CS7 states that on all qualifying sites, 35% or more units should be affordable.

35% of the units at the site would be affordable homes.

The applicant has agreed to comply with a Build Rate Timetable that would see all of the units delivered within 5 years of planning permission being granted.

Details of further contributions that would be secured will be reported in the Late Sheet.

13. The planning balance and conclusions

Planning law requires that planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

The Council cannot currently demonstrate an ability to meet its housing need for the next five-year period. As such, Policy DM4, insofar as it prevents development outside of the Settlement Envelope, is out of date. That said, appropriate weight can be afforded to 'out of date' policies because the Council can demonstrate an ability meet a large proportion of its housing need.

There is a presumption in favour of sustainable development at paragraph 14 of the NPPF. Where an ability to meet identified housing need cannot be demonstrated, the development would be sustainable if the dis-benefits of the development would not significantly and demonstrably outweigh the benefits.

Significant weight must be given to the delivery of up to 80 homes (including affordable homes) at the site over the next five-year period.

There are no harmful impacts associated with the development that individually or collectively would significantly and demonstrably outweigh that benefit, and the other benefits of the development.

Recommendation:

That Planning Permission is approved subject to the successful completion of a legal agreement reflecting the terms set out above and in the Late Sheet and the following conditions:

RECOMMENDED CONDITIONS / REASONS

- 1 An 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 No development shall commence at the site before details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") relating to that Phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 2015.

- 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 **No development shall take place until a Construction Management Plan detailing access arrangements for construction vehicles, on-site parking, loading and unloading areas, materials storage areas and wheel cleaning arrangements 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 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 DM3 of the Core Strategy and Development Management

Policies 2009.

- 5 Any application for reserved matters shall include details of the existing and final ground, ridge and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal 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 DM3 of the Core Strategy and Development Management Policies (2009).

- 6 **No development shall take place until details of Local Equipped Areas of Play and Local Areas of Play together with a timetable for their implementation have been 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 and facilities for residents would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009

- 7 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed drainage Strategy (FRA: 15-0735, 2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme will include details of how the scheme shall be maintained and managed after completion. The scheme shall include provision of attenuation and a restriction in run-off rates as outlined in the FRA. The scheme shall be implemented in accordance with the approved final details before the development is completed.**

No building/dwelling shall be occupied until a management and maintenance plan for the surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be correctly and fully installed as per the approved details. 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 and 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.

- 8 The details required by Condition 1 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.

- 9 **No development shall take place at the site before a scheme for biodiversity enhancement at the site including a timetable for its delivery has been 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 biodiversity is properly protected at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework (2012).

- 10 **No development shall take place until a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological 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 (2012) 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.

- 11 No more than 80 dwellings shall be constructed at the site.

Reason: To ensure that the development would be of an appropriate density in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the Central Bedfordshire Design Guide (2014).

- 12 Other than where specifically required by a condition attached to this decision the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans and reports referenced LST1-02-100, LST1-02-110, JKK9131-RPS-Figure 01.01, LST1-02-120, LST1-02-120, LST1-02-130, S3180/03, Environmental Noise Survey and Assessment dated July 2016, Design and Access Statement

dated May 2016, Planning Statement dated May 2016, Archaeological Desk Based Assessment dated May 2016, Preliminary Ecological Assessment dated March 2016, Geophysical Survey Report dated May 2016, Arboricultural Impact Assessment, JKK9131 - RPS-figure 02.01, Agricultural Land Classification report (undated), Landscape and Visual Impact Assessment dated May 2016, Transport Assessment dated May 2016, Level 1 Flood Risk Assessment and Surface Water Drainage Strategy dated May 2016, Framework Travel Plan dated May 2016, Geo-environmental Investigation Report dated April 2016 and Foul Sewerage and Utilities Assessment dated May 2016

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

- 13 **No development shall take place at the site before a Method Statement detailing how retained trees and hedgerows will be protected at the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that trees and hedgerows are properly protected at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

INFORMATIVE NOTES TO APPLICANT

1. The applicant is advised that in order to comply with 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 Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
2. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site 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 Control Group, Development Management Division, 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.
3. 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 developers expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

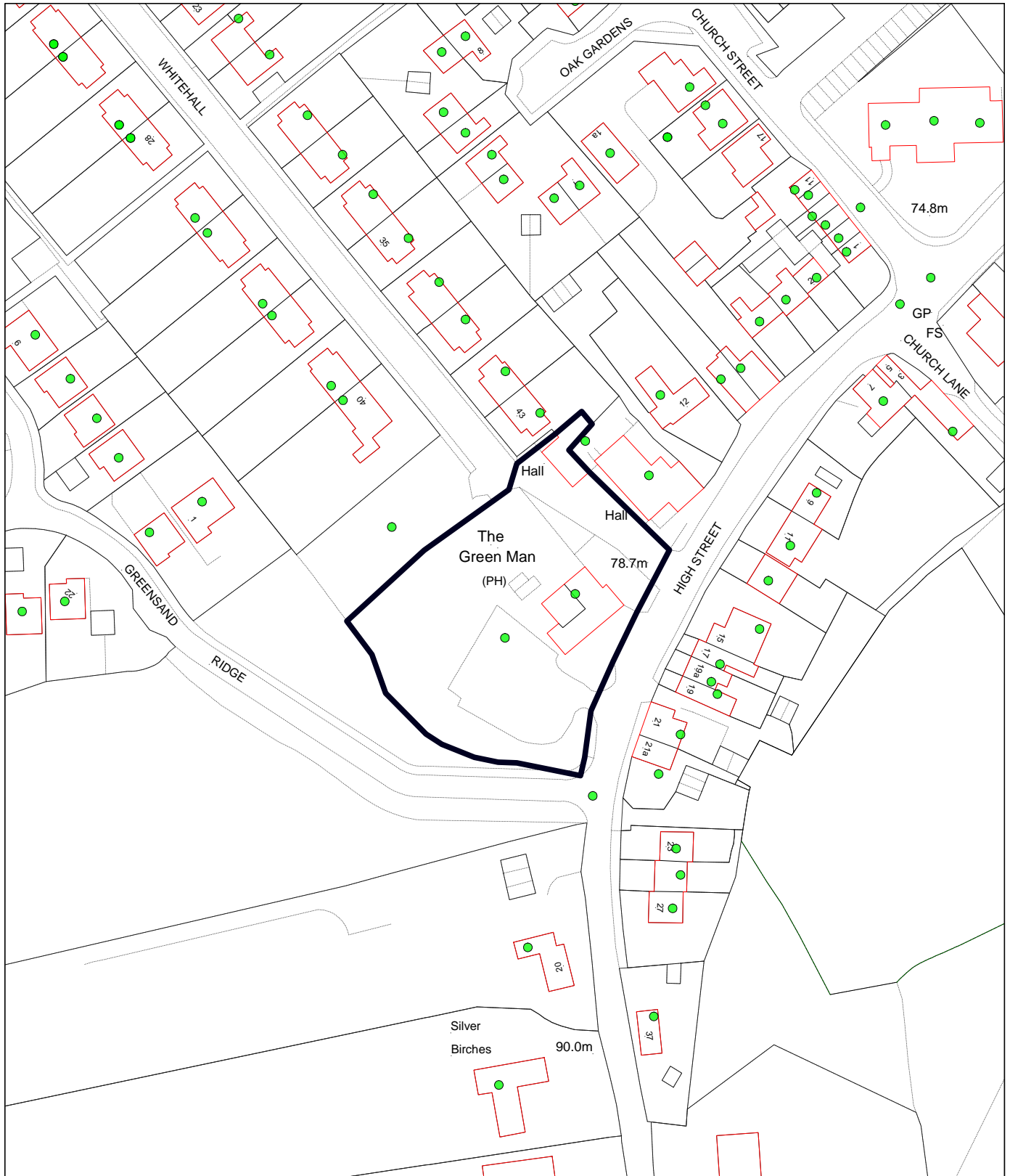
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

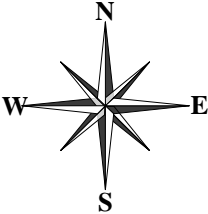
The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements 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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	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No: CB/16/01266/FULL
	Date: 30:August:2016 Map Sheet No	
Scale: 1:1250	The Green Man, High Street, Lidlington, Beds. MK43 0RN	

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Item No. 8

APPLICATION NUMBER	CB/16/01266/FULL
LOCATION	Land adjacent to The Green Man, High Street, Lidlington, Bedford, MK43 0RN
PROPOSAL	Erection of 3 no. 3 bed dwellings and 3 car garage.
PARISH	Lidlington
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER	Lisa Newlands
DATE REGISTERED	31 March 2016
EXPIRY DATE	26 May 2016
APPLICANT	Gilmartins
AGENT	Mr Newitt
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr R Morris on the grounds of overdevelopment out of character with the village
RECOMMENDED DECISION	Full Application - Approval

Summary of Recommendation

The planning application is recommended for approval, it would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1, CS2, CS5, DM4, DM13, CS15. It would not have a significant impact upon the residential amenity of any adjacent properties, the significance or the setting of the adjacent Listed Building and would result in a new development suitable for the location. The running of the Public House would not be affected and sufficient parking would remain. It is considered that the design is in accordance with the Central Bedfordshire Design Guide and National Planning Policy Framework.

Site Location:

The application site is within the settlement envelope of Lidlington. Lidlington is identified as a small village in Policy CS1 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). The site previously formed part of the car park for the The Green Man Public House which is a Grade II listed building. Planning permission has previously been granted for the erection of 2 dwellings on the site (Planning Reference CB/15/00777/FULL).

The Application:

Planning permission is sought for the erection 3 detached dwellings and a garage block. The scheme is a resubmission of a previous application which granted planning permission for 2 dwellings on the site (planning reference CB/15/00777/FULL). During the application process the scheme has been reduced from 4 dwellings to 3 dwellings in response to comments in relation to design and height of the dwellings. The proposal has also recently been revised to take account

of comments in relation to design of the proposed dwellings. The consultation period on the reconsultation expires on 5th September. Any additional comments not included in this report will be added to the late sheet.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

- DM3 Amenity
- CS14 High Quality Development
- CS15 Heritage
- DM13 Heritage in Development
- CS1 Development Strategy

Development Strategy

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

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application:	Planning	Number:	CB/15/00777/FULL
Validated:	03/03/2015	Type:	Full Application
Status:	Decided	Date:	27/05/2015
Summary:		Decision:	Full Application - Granted
Description:	Erection of 1 no. three bedroom and 1 no. four bedroom dwellings and reconfiguration of car park		

Application:	Planning	Number:	MB/04/01938/LB
Validated:	20/10/2004	Type:	Listed Building
Status:	Decided	Date:	15/12/2004
Summary:		Decision:	Listed Building - Granted
Description:	Listed Building Consent: raise central chimney to 1.8 metres above thatched ridge line.		

Application:	Planning	Number:	MB/04/01940/FULL
Validated:	20/10/2004	Type:	Full Application
Status:	Decided	Date:	15/12/2004
Summary:		Decision:	Full Application - Granted
Description:	Full: raise central chimney to 1.8 metres above thatched ridge line.		

Application:	Planning	Number:	MB/03/00912/ADV
Validated:	24/09/2003	Type:	Advertisement
Status:	Decided	Date:	24/09/2003
Summary:		Decision:	Not proceeded with

Description: Advertisement Consent: Standard Post Office lozenge.

Application:	Planning	Number:	MB/03/01660/ADV
Validated:	15/09/2003	Type:	Advertisement
Status:	Decided	Date:	24/11/2003
Summary:		Decision:	Advertisement - Granted
Description:	Advertisement Consent: Retrospective: Replacement signage, lanterns, lights and one pole mounted externally illuminated pictorial sign.		

Application:	Planning	Number:	MB/03/01662/LB
Validated:	15/09/2003	Type:	Listed Building
Status:	Decided	Date:	24/11/2003
Summary:		Decision:	Listed Building - Granted
Description:	Listed Building Consent: Retrospective: Replacement signage, lanterns, lights and one pole mounted externally illuminated pictorial sign.		

Application:	Planning	Number:	MB/02/01431/LB
Validated:	02/10/2002	Type:	Listed Building
Status:	Decided	Date:	05/11/2002
Summary:		Decision:	Listed Building - Granted
Description:	Listed Building Consent: Erection of internal post office cubicle.		

Application:	Planning	Number:	MB/85/00027/FULL
Validated:	21/02/1985	Type:	Full Application
Status:	Decided	Date:	18/04/1985
Summary:		Decision:	Full Application - Granted
Description:	FULL: EXTENSION TO REAR OF LOUNGE BAR		

Consultees:

Parish/Town Council	<p>Objection dated 4th May. The Parish Council object to the application on the following grounds:</p> <ul style="list-style-type: none"> • concerned regarding the impact on the commercial viability of the Public House, as it is the only Public House in the village; • overdevelopment on such a small area of land; • increase in proposed development makes the site unsustainable, possibility of 4 unsustainable houses without any local employment or infrastructure; • impact on the street scene from the main thoroughfare of the village will be significantly changed in a detrimental way - object to these due to the impact on the street scene as they are not in keeping with the neighbouring dwelling. The Green Man is a Grade II listed building, so the street scene will be out of keeping for this rural, historic village; • the alterations will result in additional surface water drain off from the site into Whitehall (a private road) or to the Village Hall; • Already a number of parking issues with the changes to the car park, these will be heightened by additional housing. Insufficient off road parking for the public house users.
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- The Green Man Public House has a residential component for which no parking provision has been made;
- The Council are concerned that some of the information provided within the previous application relating to this site is not accurate;
- The transport note has not been updated - the new car park is not functioning properly and the spaces are being used by others not in conjunction with the Public House - This has impacted on parking causing vehicles to park on the High Street;
- The requirement of the previous consent to mark out the car parking spaces by the Village Hall has not been complied with;
- the bus timetable information is out of date;
- the access document is inaccurate, the site has only been vacant since autumn 2015 when the developers fenced it off.

Highways Officer **No objection subject to conditions** and ensuring that the conditions on the previous application are linked to this application in relation to the marking out of the car park.

Conservation Officer **No objection subject to conditions** the proposed dwellings would be subsident to the listed building maintaining the linear character of the village.

Public Protection Officer **No objection subject to conditions** based on previous noise report I would require a noise mitigation scheme and the same conditions as before.

Archaeology **No objection subject to condition** requiring a written scheme of investigation prior to commencement.

Tree and Landscape Officer **No objection subject to conditions** in relation to tree protection measures, revised Arboricultural Impact Assessment and landscaping details.

Historic England **No comments to make**

Other Representations:

Neighbours One representation has been received:

40 Whitehall - Objection on the following grounds:

- they have a permission for a smaller scheme and it is clear that they are surreptitiously seeking incremental permission to fill the site;
- an existing condition on the previous consent in terms of laying out the parking area has been flagrantly ignored;
- the car park is full of scrap metal, logs and an abandoned vehicle; the parking adjacent to the village hall has not been marked out and is completely inaccessible due to it being used as a second hand car

- lot - as a result the parking has moved on to the High Street and Whitehall, creating a traffic hazard;
- Any building on the site will exacerbate the dangerous traffic situation on the High Street.

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. Impact on the Public House
4. Highway Considerations
5. Contributions & Affordable Housing
6. Other Considerations

Considerations

1. Principle

- 1.1 The application site previously formed part of the parking area for the Green Man Public House. It was fenced off following grant of planning permission for two dwellings on the site in autumn 2015. Lidlington is identified as a small village within Policy CS1 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). In small villages development will be limited and Policy DM4 states that 'within settlement envelopes in small villages, development will be limited to infill residential development...'
- 1.2 The application site is within the settlement envelope for Lidlington and is considered to be infill development, therefore the principle of development is considered to be acceptable.

2. Affect on the Character and Appearance of the Area

- 2.1 The proposed dwellings have been sited to the rear of the site, set beyond the rear of the Green Man Public House. This will maintain views of the Public House from the High Street coming from both directions along the road. The height and bulk of the garage block has been reduced and it is discreetly placed adjacent to mature landscaping. It is not considered that it would detract from views of the Public House when viewed from the High Street in both directions.
- 2.2 The site is screened from the adjacent road Greensand Ridge with mature planting. The levels drop across the site towards the Public House and the proposed scheme has taken this into account.
- 2.3 Given the siting of the proposed dwellings rear of the Public House, the adjacent screening and the design it is not considered that they would have a detrimental impact on the character and appearance of the surrounding area. The proposal is therefore in conformity with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North).

3. Impact on the Public House

- 3.1 The previous permission included a reconfiguration of the existing parking arrangements for the Public House, using some of the rear garden to provide further parking for the Public House. An amenity area of approximately 4.5m x 10m will remain to the rear with some additional open space to the front. This was considered sufficient amenity space to serve the Public House and attractive to visitors. A condition would be imposed on the grant of planning permission to ensure that prior to the commencement of development the car park is configured in line with the previously approved plan.
- 3.2 Comments from both the Parish Council and residents have been taken into account in terms of the unauthorised use of the car park for use as a second hand car lot and non-compliance with previous conditions and these have been passed on to our Enforcement Team who are investigating the areas of concern.
- 3.3 The principle of the loss of the car park area has already been established under the planning history and therefore issues in terms of viability of the Public House have also previously been considered. There are a number of examples of situations where large Public House car parks have been reduced in size and they have remained viable.
- 3.4 Given the siting and design of the proposed dwellings, it is not considered that they would detract from the setting of the listed building or have a detrimental impact within the street scene that would be to the detriment of the listed building.

4. Highway Considerations

- 4.1 The Highways Officer has raised no objections to the proposed development providing that a condition is imposed on the grant of planning permission to ensure that the car park for the Public House is reconfigured in accordance with the previously approved layout. The car park area is within the red line plan - therefore it is considered appropriate to condition this in accordance with the details submitted under planning reference CB/15/00777/FULL. This will ensure that the appropriate level of parking is provided.

5. Contributions & Affordable Housing

- 5.1 As set out in National Planning Practice Guidance there are specific circumstances where contributions for affordable housing and planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.
- 5.2 These circumstances are that;
 - contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.
- 5.3 The proposed development would fall within the circumstances highlighted above and therefore no affordable housing or S106 contributions are sought from this development.

6. Other Considerations

6.1 Noise

Concerns were raised previously by Public Protection in terms of noise from the Public House and the impact on the proposed dwellings. A noise assessment was undertaken for the previous scheme and submitted for comment. This assessment was considered acceptable subject to condition requiring a suitable noise mitigation scheme. It is therefore considered appropriate to condition a noise mitigation scheme for this proposal.

6.2 Human Rights issues

There are no Human Rights issues

6.3 Equality Act 2010

There are no issues under the Equality Act

Recommendation:

That Planning Permission be approved subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 construction of the dwellings and garage block hereby approved until samples of the materials to be used for the external surfaces of the dwellings 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.
(Policy 43, DSCB)

- 3 **No development shall commence on the dwellings and garage block hereby approved until the parking area for the Public House has been provided and laid out in accordance with the details submitted for condition number 3 of planning permission CB/15/00777/FULL shown on drawing number 14.2062.103 P3. The parking area shall remain as set out in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.**

Reason & justification: To ensure that a suitable parking area is in

place for the Public House during the construction period and minimise any impact on the public highway.

- 4 **No development shall take place until a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme.”**

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development.

Justification: This condition is required to be pre-commencement in order to record any heritage assets prior to development commencing and disturbing the ground.

- 5 The vehicular access serving the proposed dwellings shall be constructed and surfaced in a bituminous or other similar durable material as may be approved in writing by the Local Planning Authority for a distance of 5m into the site, measured from the highway boundary, before any of the new dwellings are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud, gravel or other extraneous material or surface water from the site into the highway so as to safeguard the interest of the highway.

- 6 Before the development hereby permitted is first occupied or brought into use, the scheme for the parking, garaging and manoeuvring shown on Drawing No GM2-LT-001 P3 shall be laid out, drained and surfaced in accordance with details 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, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

- 7 The development hereby permitted shall not be 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 the development is first occupied and 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 Details of a refuse storage and collection point located outside of the public highway shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The scheme shall be fully implemented prior to the parking provision being implemented and shall be retained thereafter.

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

- 9 Prior to occupation of the dwellings hereby permitted, the applicant shall submit in writing for the approval of the local planning authority a scheme of noise attenuation measures which will ensure that internal noise levels from external road traffic noise sources and from noise associated with the operation of the adjacent Public House shall not exceed 35 dB LAeq, 07:00 – 23:00 in any habitable room or 30 dB LAeq 23:00 – 07:00 and 45 dB LAmax 23:00-07:00 inside any bedroom, and that external noise levels from these same noise sources shall not exceed 55 dB LAeq, (1hr) in outdoor amenity areas. Any works which form part of the scheme approved by the local authority shall be completed and the effectiveness of the scheme shall be demonstrated before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority.

Reason: To protect the amenity of future residential occupiers of the development.

- 10 The dwellings hereby approved shall not be occupied 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.
(Policies 43 and 58, DSCB)

- 11 **Development shall not commence on the dwellings and garage block hereby approved until a revised Arboricultural Impact Assessment has been submitted to and approved in writing by the Local Planning Authority. The tree protection measures identified shall be carried out in accordance with the approved assessment.**

Reason & Justification: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended. (Policies 43 and 59, DSCB)

- 12 The external lighting scheme for the reconfigured car park approved under condition 13 of planning permission CB/15/00777/FULL shall be implemented in accordance with the approved details prior to the occupation of the dwellings hereby approved.

Reason: To protect the amenity of and prevent light nuisance to future residents of the proposed development.

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers GMT-LT-001 P3; M1116.A.5.01.PA; M1116.5.02.PA; M1116.A.5.03.PA; M1116.A.5.04 PA; Heritage Statement (June 2016) 14.2062.107 P1; AIA

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. 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.
3. The applicant is advised that, under the provisions of the Highways Act 1980, no structure, including lighting, signage, planting, boundary treatments and outdoor furniture shall be erected or installed in, under or overhanging the public highway and no window, door or gate shall be fixed so as to open outwards into the highway.

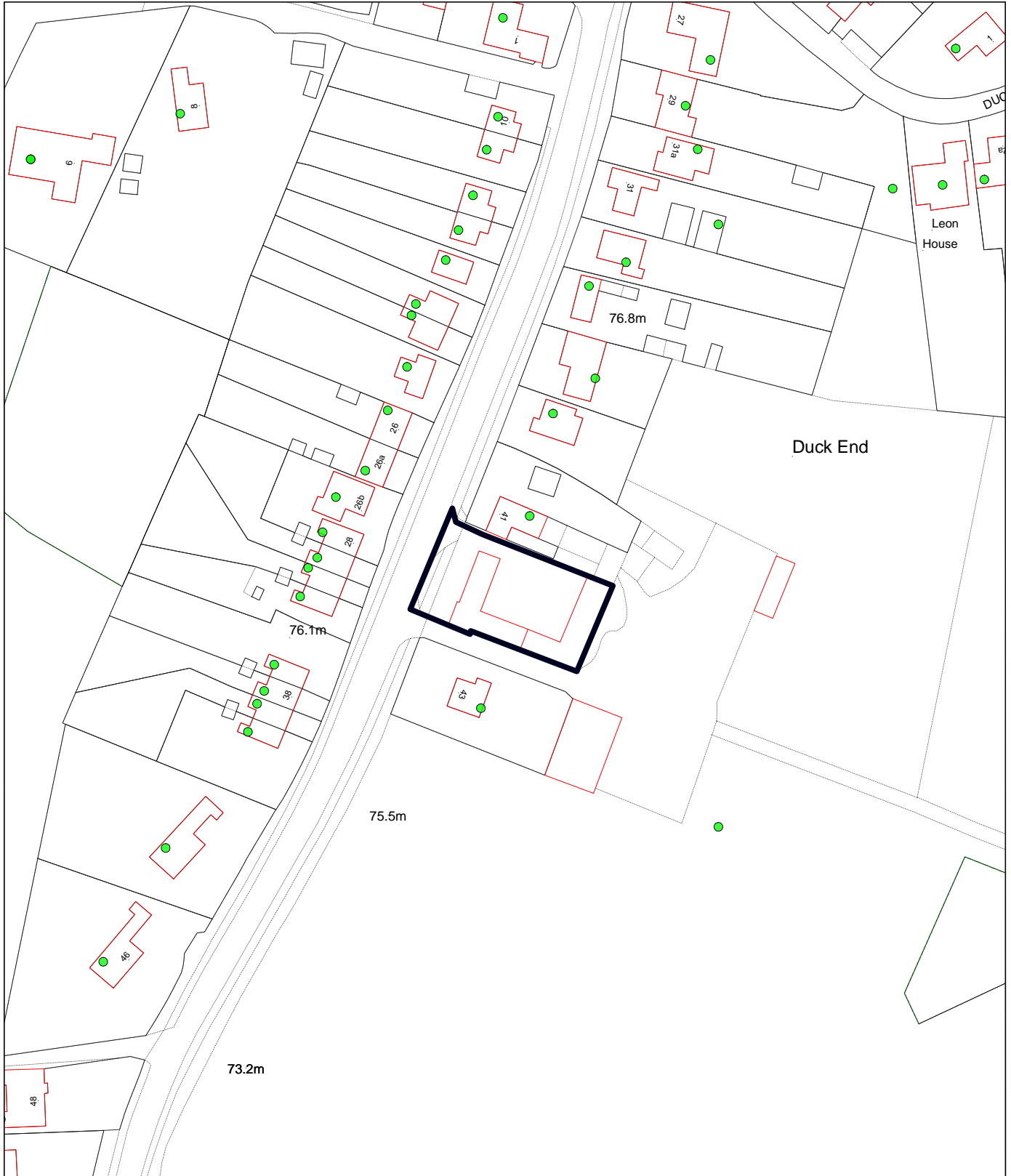
The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway

4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ
5. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
6. The applicant is advised that 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 further details can be obtained from Bedfordshire Highways (Amey), District Manager (for the relevant area) via the Central Bedfordshire Council's Customer Contact Centre on 0300 300 8049.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, 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.

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	Date: 30:August:2016	
	Map Sheet No	
Scale: 1:1250	Duck End Farm, 43 Flitwick Road, Maulden, Beds. MK45 2BJ	

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Item No. 9

APPLICATION NUMBER	CB/16/02501/FULL
LOCATION	Duck End Farm, 43 Flitwick Road, Maulden, Bedford, MK45 2BJ
PROPOSAL	Demolition of existing agricultural buildings and erection of a one and a half storey and two storey development of 8 number 1 bedroom flats. External works of hard landscaping, access drive, soft landscaping, fences and walls. Widening of existing crossover for parking.
PARISH	Maulden
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Lisa Newlands
DATE REGISTERED	13 June 2016
EXPIRY DATE	08 August 2016
APPLICANT	Wrest Developments Ltd
AGENT	Michael Hardiman & Associates LLP
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr P Duckett on the following grounds: <ul style="list-style-type: none">• overdevelopment• loss of privacy• inappropriate access• unachievable parking
RECOMMENDED DECISION	Full Application - Approval

Summary of Recommendation

The planning application is recommended for approval, it would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1, CS2, CS5, and DM4. It would not have a detrimental impact upon the residential amenity of any adjacent properties and would result in a new development suitable for the location. It is considered that the design is in accordance with the Central Bedfordshire Design Guide and National Planning Policy Framework.

Site Location:

The application site is within the settlement envelope for Maulden. At present there are existing redundant barns on the site that form a horse shoe shaped development on the site. The proposal would involve the demolition of these buildings as the application states that they are not suitable for conversion.

The Application:

Planning permission is sought for the demolition of the existing agricultural buildings

and the erection of one and a half storey and two storey development comprising 8 x 1 bedroom flats. External works of hard landscaping, access drive, soft landscaping, fences and walls; and the widening of the existing crossover for parking.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1: Development Strategy

CS4: Linking Communities - Accessibility and Transport

CS7: Affordable Housing

CS14: High Quality Development

CS15: Heritage in Development

DM1: Renewable Energy

DM2: DM2: Sustainable Construction of New Buildings

DM3: High Quality Development

DM4: Development Within and Beyond Settlement Envelopes

DM14: Landscape and Woodland

DM15: Biodiversity

Development Strategy

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

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide: A Guide for Development:

Design Supplement 1: Placemaking in Central Bedfordshire, 2014

Design Supplement 5: Residential Development, 2014

Relevant Planning History:

Consultees:

Parish/Town Council

Object to the application on the following grounds:

- overdevelopment on a small site;
- lack of parking spaces within the development;
- some of the windows in the design will overlook the neighbouring property.

Highways Officer

No objection subject to conditions.

Waste Services

No objection subject to conditions

Ecology

No objection subject to conditions

Tree and Landscape No objection subject to conditions
Officer

Other Representations:

Neighbours

The following representations have been received (3 objections and 4 comments):

6 Flitwick Road - objection

- overdevelopment of the space available
- lack of parking provision
- barns are historical buildings in Maulden which date from 1832 - to demolish these would be to eradicate part of Mauldens market gardening history - surely it would be better to convert the barns to residential dwellings rather than demolish.

30 Flitwick Road - objection

- the height and size of the buildings and the whole development is too big;
- blocks of flats do not fit in with the street view or the village;
- overdevelopment;
- neighbour disputes likely within the development and with surrounding neighbours;
- too many cars;
- problems with the small driveway and traffic getting on to Flitwick Road;
- parking overspill on to Flitwick Road;
- privacy invaded as there will be many windows looking out on to us;
- would be more suitable for two houses.

Duckend Farmhouse - objection

- Plans are misleading and inaccurate - they include part of our property. The whole of the northern wall of the existing eastern barn building is owned by us
- The size and scale of the proposal - cramped development; height & ground levels have been altered. Creating a dense, overpowering, closed in development.
- Out of character with the existing/ neighbouring farm buildings;
- the proposed buildings are much bigger, higher and more imposing than anything existing and would not be in keeping with the street scene;
- the proposed buildings footprint, courtyard pattern and style of buildings are very different and all of the buildings and the new additional central building are much higher and denser than the existing buildings.

- Insufficient shared access and pathways - only one narrow shared access to the flats and the car ports on the proposed development to our outbuildings. Question whether the access is sufficiently wide enough to provide safe access for both vehicle and pedestrians.
- Gradient on access way - gradient created leading from the street level down to the ground level of the flats complex;
- inadequate provision for cars - insufficient space to move around on the site;
- increased parking problems on Flitwick Road
- noise and disturbance from people using the access road;
- loss of privacy from balconies/ windows
- inadequate space and bin stores
- loss of heritage
- neighbour disputes and crime
- no need for this type of development

26 Flitwick Road - comment

- lack of parking provision;
- impact on Flitwick Road already notorious for speeding vehicles;
- refreshing change to see smaller dwellings rather than large 4/5 bedroom properties

26A Flitwick Road - comment

- concern about lack of parking spaces, do not feel 1 per flat is adequate
- lack of parking facilities could result in cars parked in a road that is used as a through route and at various times of the day is very busy.

Duck End Cottage (15 Duck End Lane) - comment

- would be a sad loss of historic agricultural buildings;
- overdevelopment of the site
- additional exiting of vehicles on to an already very busy road;
- likelihood of more vehicles being parked on Flitwick Road.

32 Flitwick Road - comment

- Concerns regarding parking and increase congestion on Flitwick 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 application site is within the settlement envelope of Maulden. Maulden is classified as a large village in policy CS1 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). Policy DM4 of the same document states that settlement envelopes of large villages small-scale housing and employment uses...will be permitted.
- 1.2 It is therefore considered that the principle of residential development on the site is acceptable. A number of representations have raised concerns regarding the historical nature of the site and buildings. The buildings are not listed and are not within a conservation area, therefore they do not have any historical status in planning terms. The buildings are currently redundant and therefore could be demolished by the applicant at any time.
- 1.3 As stated previously given the location within the settlement envelope, the principle of development is considered acceptable, subject to other detailed considerations.

2. Affect on the character and appearance of the area

- 2.1 Prior to the submission of the application, the applicant sought pre-application advice. At this stage advice was given in terms of the principle, design and highway implications. The revised design has taken account of these comments and there has been a reduction in height from that previously shown and the design to the rear has been simplified. In addition to this, the height of the central block has been reduced.
- 2.2 The front elevation shows a relatively simple design with appropriate detailing. There is a level change and this is reflected in the scheme/ design. A condition requiring further details of the levels would be recommended on any grant of planning permission to deal with this adequately on the site. There are a mix of dwellings within Flitwick Road, and whilst this would be different in style, it is not considered that it would appear out on keeping with the character of the area.
- 2.3 Concern has been raised by a number of representations regarding the scale and massing of the proposed development. However, it is considered that whilst the massing would be greater than the current buildings on the site it would not appear overdominant or overdevelopment of the site. There is sufficient space within the site for both communal areas, private areas in some instances and parking.
- 2.4 It is therefore considered that the proposal would be acceptable and would not have detrimental impact on the character and appearance of the area.

3. Neighbouring Amenity

- 3.1 The proposed development on submission included a number of private balconies within the scheme. However, these gave rise to a number of concerns regarding loss of privacy. Where appropriate these balconies have been removed and where it is considered that there is a loss of privacy from any windows they have either been removed or fixed shut and obscure glazed. It is therefore considered that the revised scheme would not result in any detrimental loss of privacy to the neighbouring residential properties.
- 3.2 The proposed development is set within the confines of the site and replaces existing buildings on the site. In terms of the property to the south of the site, the bulk of the buildings have been moved off the boundary. On the adjacent neighbours site there is an access road which is served by an existing crossover and separation distance of some 8m (including the width of the access road) to the neighbouring dwelling. On this side boundary the proposed development consists of two 'tower or column' like structures at the front and rear of the site, with communal area in between (wall screening the site). It is considered that this would break up the development on this side boundary and would not result in any detrimental loss of light or overbearing impact.
- 3.3 The neighbouring property to the north of the site has a number of outbuildings to the rear of the adjoining plot that run parallel/ are attached to the existing buildings on site. Concern has been raised regarding the ownership of the wall to the rear of the site. This has been raised with the agent and they have confirmed that the appropriate ownership certificates/ notices have been served. They have submitted a letter from their solicitor confirming appropriate ownership. As they have confirmed appropriate notices and certificates have been served, the application is valid and can therefore be determined. Any continued dispute, would be a civil matter and outside of the planning system.
- 3.4 In terms of the impact on this neighbouring property to the north, the adjoining wall with the outbuildings would remain, although it would be higher than the existing wall, and there would be the introduction of the central element within the site that was not previously there and there would be an increase in height of the front elevation. Apart from the wall to the rear which is adjoining, the front element would be some 5m from the side elevation of the neighbouring dwelling and the central block would be some 6.5m from the side boundary of the site. Taking into account the existing relationship with the site, the revised design and the separation distance, it is not considered that the proposal would result in any detrimental loss of light or overbearing impact on this neighbouring property. Concern has been raised regarding the movement of vehicles and general noise and disturbance on the site. Given the separation distance, design and boundary treatment, it is not considered that there would be a detrimental impact in terms of noise and disturbance from the site.
- 3.5 The proposal provides a communal amenity area within the site, which meets the criteria set out in the design guide for flatted developments. A number of flats also have a level of private amenity space with the provision of balcony areas. It is considered that the proposal achieves a suitable level of amenity within the scheme for future occupiers.

- 3.6 Accordingly, it is considered that the proposal would not have a detrimental impact on the residential amenities of neighbouring residential properties and would achieve an acceptable level of amenity for future occupiers.

4. Highway Considerations

- 4.1 The Highways Officer has raised no objection to the proposed development subject to a number of conditions. The development of 8 no. one bedroom dwellings in this location has the potential to generate 16 to 32 vehicle movements per day. Given that the both means of access are deemed acceptable, it is considered that these can be satisfactorily accommodated on the local road network and the proposal would not result in any detrimental impact on the highway.
- 4.2 Six parking spaces are to be provided under Units 6 and 7 and a seventh is provided in front of unit 1. These are to be served via a widened access on the northern boundary of the site. A further three parking spaces are to be provided in front of unit 2. These are shown to be served via a widened access on the southern boundary of the site. The provision of 10 parking spaces provides one parking space per flat and two visitor spaces and thus complies with the Council's minimum requirements for the scale of development proposed.
- 4.3 Flitwick Road is subject to a 30mph speed limit and the level of visibility available at both the northern and southern accesses is considered acceptable.
- 4.4 A small turning area is shown to be provided in the rear parking court and the bollards previously separating it from the pedestrian access to the private flats have now been removed, resulting in the turning head being able to be used by ambulances and small delivery vehicles.
- 4.5 A secure cycle store and bin store is provided within the development, along with a refuse collection point within the northern access close to the highway boundary. These are considered acceptable. Concern has been raised in the representations regarding the number of bins that would be required and whether the bin store would be suitable. Given that the proposal is for flatted accommodation, the bin store would house communal bins and therefore each flat would not be required to have its own bins. Therefore, the amount of space would be reduced.

5. Other Considerations

5.1 Ecology

An ecological report was submitted with the application. This identified barn owl interest in the barns. Mitigation recommendations have been followed and the inclusion of an interior barn owl box as shown in the rear elevation 'H'. However, the report also recommends enhancements which would support NPPF objectives to ensure that development delivers a net gain for biodiversity and as such it is considered appropriate to require integrated bat and bird boxes within the scheme. A condition requiring this will be imposed on any grant of planning permission.

5.2 S106 & Affordable Housing

As set out in National Planning Practice Guidance there are specific circumstances where contributions for affordable housing and planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014¹ and should be taken into account.

These circumstances are that;

•contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.

The proposed development would fall within the circumstances highlighted above and therefore no affordable housing or S106 contributions are sought from this development.

5.3 Human Rights issues:

The development has been assessed in terms of Human Rights and there are no implications.

5.4 Equality Act 2010:

The development has been assessed in terms of the Equalities Act and there are no implications.

Recommendation:

That Planning Permission be Approved subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 surfaces of the dwellings hereby approved, 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 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 buildings 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)

- 4 **Prior to the occupation of the development 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 shall be 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)**

- 5 No work shall commence on the external surfaces of the dwellings hereby approved, until a scheme showing the location of 4 integrated bat boxes and 4 integrated bird boxes across the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a delivery of net gain for biodiversity within the development in accordance with the requirements of the NPPF.

- 6 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).

- 7 No work shall commence on the external finishes of the dwellings hereby approved until details of both of the modified/ widened vehicular access with the highway have been submitted to and approved in writing by the Local

Planning Authority. No dwelling shall be occupied until the modified/ widened accesses have been constructed in accordance with the approved details.

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

- 8 No dwelling shall be occupied until the access and parking areas shown on drawing number 2016/864/10B 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 to minimise danger, obstruction and inconvenience to users of the adjoining highway.

- 9 **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 and Justification: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.
(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, numbers 2016-864-10B; 2016-864-11B; 2016-864-12B; 2016-864-13B; 2016-864-14A; Topographical survey; Barn Owl Survey; Ecological Scoping and Bat Building Assessment.

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 Council does not accept materials are their offices. Where there is a requirement for materials to be submitted to and approved in writing by the Local Planning Authority, please contact the Case Officer to arrange for

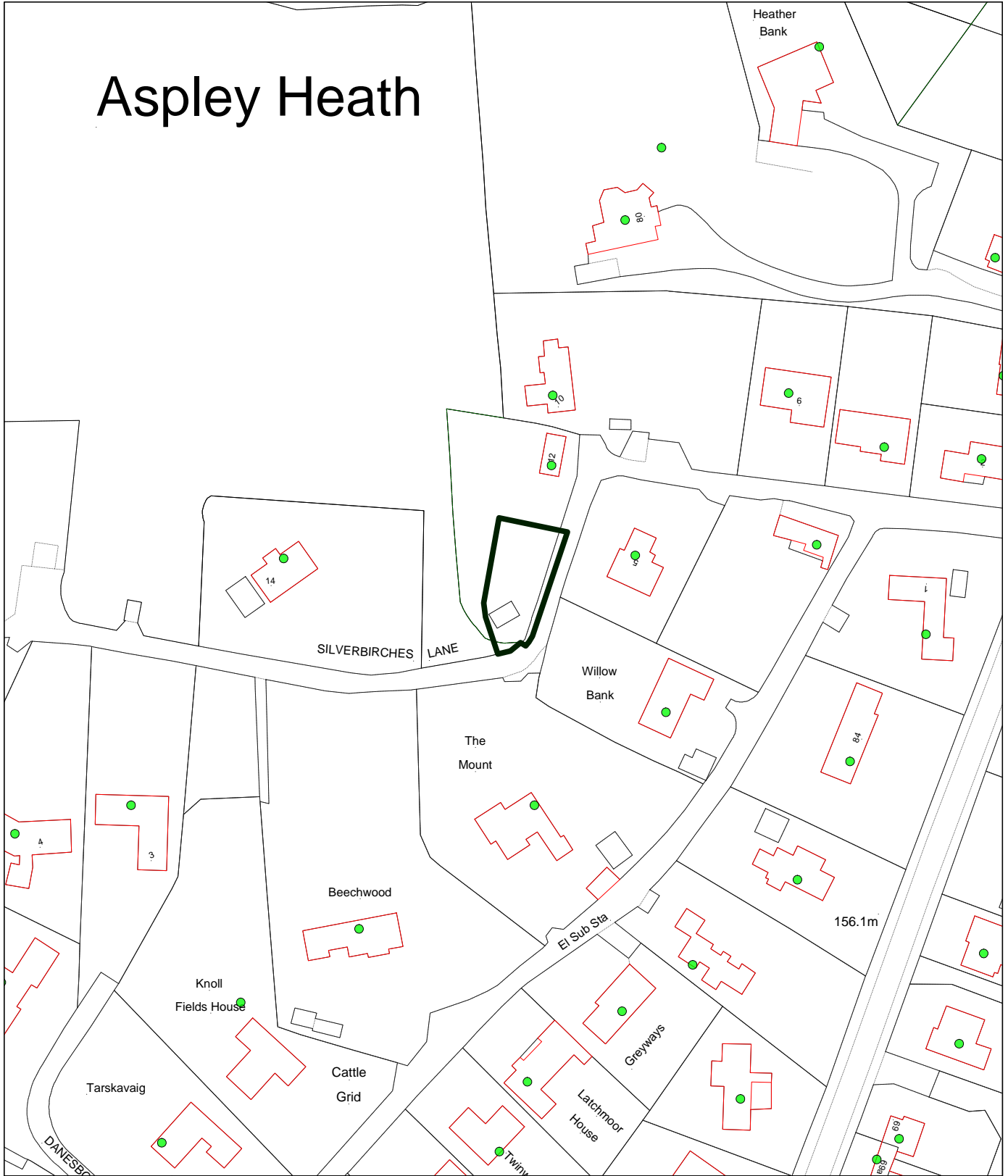
them to be viewed, usually this will be on site.

3. 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.
4. 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.
5. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.
6. The applicant is advised that parking for contractor's vehicles and the storage of materials associated within 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 0300 300 8049. 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 5, 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.

Aspley Heath



	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	<p style="text-align: center;">Application No: CB/16/02903/FULL</p>
	Date: 30:August:2016 Map Sheet No	
Scale: 1:1250	Land adjoining 12 Silverbirches Lane, Aspley Heath, Milton Keynes, MK17 8TL	

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Item No. 10

APPLICATION NUMBER	CB/16/02903/FULL
LOCATION	Land adjoining 12 Silverbirches Lane, Aspley Heath, Milton Keynes, MK17 8TL
PROPOSAL	Removal of timber single garage, construction of new house and garage in place of approved proposal reference CB/15/00915/FULL
PARISH	Aspley Heath
WARD	Aspley & Woburn
WARD COUNCILLORS	Cllr Wells
CASE OFFICER	Dee Walker
DATE REGISTERED	06 July 2016
EXPIRY DATE	31 August 2016
APPLICANT	Mr & Mrs McQuillan
AGENT	Derek Walker Associates
REASON FOR COMMITTEE TO DETERMINE	
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site is located on the north western side of Silverbirches Lane, which is a private residential lane accessed off Church Road. It is within the Green Belt Infill Boundary and in the Aspley Heath Conservation Area. The site is the side garden area of an existing established residential property known as no. 12 Silverbirches Lane. There are mature trees on the southern and western boundaries.

The Application:

The application is for the construction of 1 no. residential dwelling and associated amenity areas. The dwelling would be of a rectangular shape with a maximum width of 11.0m and depth of 7.2m. To the front it appears as a 1½ storey but due to the topography of the site, it is 2½ storey to the rear. There would be a side/rear garden and space for 4 cars to park off street, including within the proposed detached double garage.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

7 Requiring good design

Policies 2009

Policy DM3 High quality development
Policy DM6 Infill development within the Green Belt infill boundary
Policy DM13 Heritage in development

Development Strategy

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

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

1 New residential development
3 Town centre and infill development
5 The historic environment

Relevant Planning History:

Application Number CB/15/00915
Description FULL: Erection of new detached dwelling house
Decision Granted
Decision Date 01.05.2015

Application Number MB/92/00430
Description OUTLINE: One dwelling
Decision Refused
Decision Date 23.04.1992

Application Number MB/81/00180
Description OUTLINE: Erection of one detached dwelling
Decision Refused
Decision Date 14.06.1981

Consultees:

Parish/Town Council Do not object but request that windows to the east facing dormer are glazed with obscured glass and that a Construction Management Plan is provided
CBC Conservation No objections subject to relevant conditions
CBC Ecology No objections subject to the erection of bat/bird boxes
CBC Highways No objections
CBC Pollution No comment
CBC Tree & Landscape No objections subject to tree protection conditions

Other Representations:

- Neighbours
- 2 letters from Copper Beaches, Heath Lane and 5 Silverbirches Lane. Objected on the following grounds:
- Not in keeping with area;
 - Grown in size significantly;
 - Nearer the small country lane;
 - Overlooking into bungalow opposite;
 - Overbearing and not appropriate to the size of the plot;
 - Sensitive trees in close proximity.

Determining Issues:

The main considerations of the application are;

1. Principle of Development
2. Size, siting and design in relation to the visual amenities of the site, area in general and Conservation Area
3. Impact on amenities of neighbours
4. Highway Considerations
5. Tree Considerations
6. Other Considerations

Considerations

1. Principle of Development

- 1.1 The site lies within the Green belt Infill Boundary of Aspley Heath, Policy DM6 of the Central Bedfordshire Core Strategy and Development Management Policies (2014) states that the principle of infill development is acceptable in the defined Green Belt Infill Boundary. Infill development can be described as small scale development utilising a vacant plot which should continue to compliment the surrounding pattern of development.
- 1.2 A recent application CB/15/00915/FULL for a detached dwelling was approved on 1 May 2015 and this fresh application is for a scheme with a different style, on a larger footprint and amended internal layout. The principle of a single dwelling on this site has therefore already been established.
- 1.3 Policy CS14 of the Core Strategy states that the Council will require development to be of the highest quality by respecting local context, spaces and building in design.... as well as focusing on the quality of buildings individually. Policy CS15 states that the Council will protect, conserve and enhance the integrity of the local built and natural environment. Policy DM13 states that planning applications for development within the Conservation Areas will be assessed against the Conservation Area appraisals and that inappropriate development will be refused.
- 1.4 The site has been assessed as a vacant plot, and would form frontage development in keeping with the basic dwelling placement in the locality. The development would not remove all the garden area from no. 12, nor would it leave them with an uncharacteristically small or awkward plot, or limit parking for that dwelling house. The plot would be in keeping with the size of the plots within

the locality. Therefore it is in accordance with policies DM3, DM6 and DM13 of the Core Strategy and Development Management Policies as well as the National Planning Policy Framework

2. Size, siting and design in relation to the visual amenities of the site, area in general and Conservation Area

2.1 The proposed dwelling would be located at the frontage of the site; it would be visible from Silverbirches Lane.

2.2 Within the Aspley Heath Conservation Area appraisal it states:

'there is little stylistic cohesion between the buildings in the conservation area, with plots being developed by individual owners, rather than as part of a comprehensive scheme ... an eclectic palette of materials contributes to the diversity of the built development, with examples of ironstone, brick work, timber framing, stucco render and plate glass, all adding texture and visual interest.'

2.3 The design of this revised scheme is to be of a 'Potton Style' oak framed dwelling with accommodation over three levels. From the frontage it would appear as a traditional 1½ storey dwelling house. Due to the site levels, the lower ground floor would not be apparent from the street scene.

2.4 A larger proportion of houses on Silverbirches Lane are substantial detached dwellings, set in large plots fronting the road frontage. It is considered that this would follow the general plot size and dwelling location of other properties within the area. It is noted that the revised dwelling has a larger footprint to accommodate the oak frame construction, however it is considered that the mass of the proposed dwelling and location on the plot does respect the character of the area.

2.5 The Conservation Officer is satisfied that this is high quality design, which would add interest to the Conservation Area. It is judged that this would not result in harm to the Conservation Area; it would add to the diversity and interest of the immediate area and it is therefore in conformity with the NPPF.

3. Impact on the amenities of neighbours

3.1 The site is between nos. 12 and 14 Silverbirches Lane and no. 5 on the opposite side of the lane. It is considered that any additional impact that the revised scheme may have on neighbouring amenity is not significant enough to warrant a refusal on those grounds alone.

3.2 Impact upon Light:

The dwelling would be sited roughly in line with no. 12 and be set well off the shared boundary with this property and some 40.0m from no. 14 main dwelling. It is considered that there would not be a significant impact upon the light to either of these dwellinghouses or any neighbouring property, including no. 5 on the opposite side of the lane. The height of the revised scheme is some 7.3m but it would not be significantly higher than the adjacent properties and thus considered that the light into the dwellings and amenity spaces would not be significantly affected by this development.

3.3 Impact upon Privacy:

The windows proposed have a traditional front and rear orientation. The proposal introduces of a front dormer facing towards Silverbirches Lane and the garden area of no. 5, however there is some 7.0m to the boundary and 20.0m to the rear conservatory of no. 5. The main patio area is located towards the front of no. 5 adjacent to the front projection. Furthermore, due to the topography of the site, the bedroom windows are not elevated significantly higher as they would be if the site was at the same level as the road and garden area for no. 5. The Central Bedfordshire Design Guide indicates that a back to back distance between dwellings should be approx. 21.0m therefore given that the proposed bedroom window will be some 20.0m from the conservatory of no. 5 it is considered that this would not cause a significantly adverse impact on the residential amenity of this neighbouring property.

3.4 Impact upon Outlook and Overbearing Impact:

Due to the height, site levels and placement of the proposed dwelling, it is considered that it would not cause any overbearing impact upon the adjacent residential properties.

3.5 Two letter of objection have been received from neighbouring properties. The Parish Council has not objected but requested the dormer window be obscurely glazed and a Construction Management Plan be submitted. The concerns are addressed below:

- Not in keeping with area;
This issue is considered in Sections 1 and 2.
- Grown in size significantly;
It is considered that the design is attractive and as stated in the submission, an oak framed timber construction requires more floorspace for external walls. It is judged that from the street scene it will appear too bulky or large; there are some 10.0m between the proposed dwelling and no. 12, which is not an untypical relationship for dwellings in this area.
- Nearer the small country lane;
The Highways Officer raises no concerns on this matter as at its closest point, the proposed dwelling will be some 1.75m from the lane.
- Overlooking into bungalow opposite;
This matter is considered in Section 3.
- Overbearing and not appropriate to the size of the plot;
This matter is considered in Sections 2 and 3.
- Sensitive trees in close proximity.
The Tree and Landscape Officer raises no concerns to the trees within this location.

4. Highway Considerations

- 4.1 The site would be accessed from the existing driveway used for no. 12; this is from a private road, which is maintained by residents. It is considered that this development would not have a significant impact upon the public highway.
- 4.2 This revised scheme has the provision for 4 no. parking spaces and therefore in compliance with the Council's parking standards.

5. Tree Considerations

- 5.1 The Tree Officer has raised no objection to the development. A condition is recommended which would ensure tree protection formed part of the construction of the new dwelling. It is considered that the root protection areas of the existing trees on the site have been taken into account when designing the property, and providing the conditions are adhered to, the development would not have a significant or negative impact upon the existing trees on the site.

6. Other Considerations

6.1 Ecology

The ecological report found no evidence of bats in the shed proposed to be removed and whilst the report is some 2 years old now, the Council's Ecology Officer does not consider condition would have changed. The site does lie within the Greensand Ridge Nature Improvement Area and as such it is suggested that the development demonstrate a net gain for biodiversity by incorporating 2 no. bat and 3 no. bird boxes on trees or buildings shown in Appendix 4 of the ecological report.

6.2 Construction Management Plan (CMP)

The Parish Council raised the request for a CMP for the development. Given that this is for the construction of a single dwelling, it is not considered reasonable to condition this given the low level of construction traffic that would be generated. Furthermore, the Highways Officer did not deem this necessary to make the development acceptable.

6.3 Human Rights issues

It is the officers understanding that the proposal would raise no Human Rights issues.

6.4 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 conditions:

RECOMMENDED CONDITIONS / REASONS

- 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 the following details are submitted to and approved in writing by the Local Planning Authority and shall be carried out in full accordance with such approved details:**

- **Samples of materials to be used in the external finishes of the development hereby approved.**
- **Drawings of all new proposed doors and window to a scale of 1:10 or 1:20, together with a specification of the materials and finishes. Details provided should clearly show a section of the glazing bars, frame mouldings, door panels, the depth of the reveal and arch and sill details.**

Reason: These details are required prior to commencement to ensure that the proposed development is carried out in a manner that safeguards the historic character and appearance of the Conservation Area.

(Policies DM3, DM13 CSDMP)

- 3 **No development shall take place until full construction details of the reinforced concrete ring beam and mini pile foundation, as being proposed to construct the garage under "Arboricultural Implications" of the Tree Protection Plan prepared by Lisa Camps (Ref Drawing No. MMX 120/3), have been submitted to and approved in writing by the Local Planning Authority.**

Reason: To demonstrate that prior to construction the foundations being constructed within the Root Protection Area of Sycamore tree T1 will avoid root damage and root asphyxiation, so as to ensure that the integrity, function and health of its root system is prevented from damage.

(Policies DM3, DM13 CSDMP)

- 4 The dwelling shall not be occupied until a scheme has been submitted to and approved 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 buildings are occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

(Policy DM3, CSDMP)

- 5 No occupation of the dwelling house shall take place until a detailed landscape planting plan shall be submitted to the Local Planning Authority for approval, which shall incorporate all planting proposals outlined in the "New Planting and Biodiversity Enhancements" of the "Arboricultural

Implications", which forms part of the Tree Protection Plan prepared by Lisa Camps (Drawing No. MMX 120/3) The planting plan shall refer to planting sizes, planting species and planting density of trees, shrubs and hedges, and stipulate an appropriate maintenance schedule for a period of 5 years from the date of initial planting. The planting scheme shall be fully implemented within the 1st planting season following the occupation of the dwelling house.

Reason: To ensure a satisfactory standard of landscape planting, after care and establishment to ensure that new landscaping is successful in integrating the dwelling into the setting of the Aspley Heath Conservation Area.

(Policies DM3, DM13 CSDMP)

- 6 All tree protection measures shall be fully implemented prior to the commencement of any demolition and any building works, and carried out in strict accordance with the "Arboricultural Method Statement for Tree Protection", that forms part of the Tree Protection Plan prepared by Lisa Camps (Ref Drawing No. MMX 120/3).

Reason: To ensure a satisfactory standard of tree protection is maintained throughout all development works.

(Policy DM3, DM13 CSDMP)

- 7 Demolition practices must be carried out in strict compliance with the works specification and methodology referred to under "Arboricultural Implications" of the Tree Protection Plan prepared by Lisa Camps (Ref Drawing No. MMX 120/3).

Reason: To prevent root damage to Sycamore tree T1 that may arise from poor working practices during demolition work.

(Policy DM3, DM13 CSDMP)

- 8 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no extensions or alterations shall be carried out to the development hereby permitted without the prior approval by way of a planning consent from the Local Planning Authority and only the approved details shall be implemented.

Reason: To protect the amenities of occupiers of neighbouring properties.

(Policy DM3, CSDMP)

- 9 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the property without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the development in the interests of the visual amenity of

the area.
(Policy DM3, CSDMP)

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PR-01, PR-02, PR-03, SP-03, SP-05, LOC-01, MMX120/1A, MMX120/3.

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

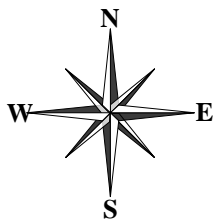
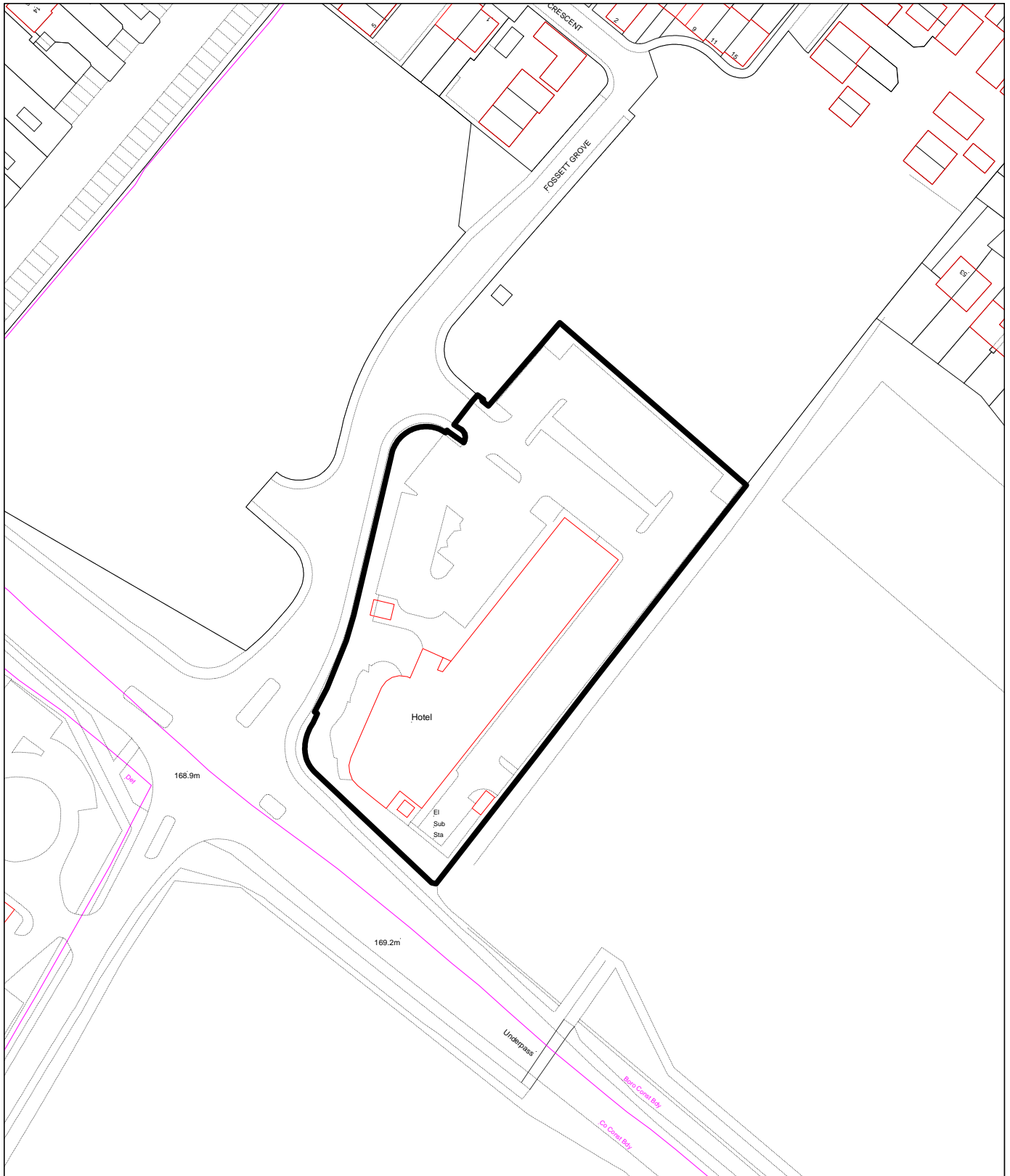
INFORMATIVE NOTES TO APPLICANT

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.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

The Council has 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.

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Date: 30:August:2016

Map Sheet No

Application No.
CB/16/03178/ADV

Scale: 1:1250

Holiday Inn Express, London Road, Dunstable LU6 3DX

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Item No. 11

APPLICATION NUMBER	CB/16/03178/ADV
LOCATION	Holiday Inn Express Dunstable, London Road, Dunstable, LU6 3DX
PROPOSAL	Advertisement Consent: Illuminated free-standing advertisement.
PARISH	Caddington
WARD	Caddington
WARD COUNCILLORS	Cllrs Collins & Stay
CASE OFFICER	Dee Walker
DATE REGISTERED	03 August 2016
EXPIRY DATE	28 September 2016
APPLICANT	L & G Signs Ltd
AGENT	L & G Signs Ltd
REASON FOR COMMITTEE TO DETERMINE	Ward Councillor call in - visual impact on nearby Green Belt and AONB
RECOMMENDED DECISION	Advertisement - Grant

Site Location:

The application site is the Holiday Inn Express hotel located on the southern edge of Dunstable on the former BTR works.

The Application:

This application seeks advertisement consent for an illuminated free standing advertisement. The sign shall measure 31224mm x 4572mm and would match the corporate colours which are visible on the hotel building.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

South Bedfordshire Local Plan Review Policies

Policy BE8 Design Considerations

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 Policy BE8 is broadly consistent with the Framework and carries significant weight.

Supplementary Planning Guidance

Central Bedfordshire Design Guide: A Guide for Development - *Design Supplement 9: Town Centre Vitality* (2014)

Relevant Planning History

Application Number CB/12/00344/ADV
Description An internally illuminated wall sign
Decision Advertisement Consent Granted
Decision Date 14.03.2012

Application Number CB/10/03201/RM
Description Erection of 120 bed hotel (Class C1) with associated access,
parking and landscaping pursuant to outline planning
permission CB/09/06991/OUT
Decision Reserved Matters Granted
Decision Date 23.11.2010

Application Number CB/09/06991/OUT
Description Mixed use development comprising a maximum of 64
dwellings, a hotel (Class C1) comprising a maximum 120
bedrooms, offices (Class B1) with a maximum floor area of
880m² and a specialised care home (Class C2) with a
maximum of 75 bedrooms
Decision Outline Permission Granted
Decision Date 14.07.2010

Consultees:

Parish/Town Council No comments received at time of writing report, shall be
included within the late sheet or at Committee
CBC Highways No objections subject to the sign not being within the
visibility envelope of the highway junction
CBC Pollution No comment to make

Other Representations:

Neighbours No comments received at time of writing report, and
representations received shall be included within the late
sheet or at Committee

Determining Issues:

The main considerations of the application are;

1. The impact upon the visual amenities of the surrounding area
2. The impact upon public safety

Considerations

1. Impact upon the visual amenities of the surrounding area

The hotel is a four storey building accommodating 120 bedrooms constructed from grey brickwork at ground level, glazed curtain walling system, orange/beige/dark grey terracotta rainscreen tiling and white/blue/dark grey through-colour render to the walls and a slate grey metal roofing system. The free standing sign is to be located on the northern side of the building adjacent to the existing street lights and traffic lights.

The site is not within a conservation area nor has any listed buildings in close proximity. However, the land lying to the south is the South Bedfordshire Green

Belt and is designated as part of the Area of Outstanding Natural Beauty.

The sign will be visible as you approach the edge of Dunstable from the south but it will be to the northern side of the four storey building and within the built up environment. It is therefore considered appropriate in scale and design for its location, given the size of adjacent buildings.

Overall it is considered that the impact upon the visual amenities of the surrounding area would be acceptable.

2. The impact upon public safety

The sign is located adjacent to the main trunk road into Dunstable and a signalised junction. The level of illumination is within the recommended standards but the Highways Officer advises that the sign is not erected within the visibility envelope for the adjacent signalized junction, however the submitted plans show that it would not be located within this.

RECOMMENDATION

That Advertisement Consent be GRANTED subject to the following

RECOMMENDED CONDITIONS / REASONS

- 1 This consent is limited to a period of five years from the date of this decision.

Reason: To comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 2 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 3 No advertisement shall be sited or displayed so as to -
 - a. endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b. obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - c. hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- 4 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- 5 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

- 6 Where any advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: Conditions 2-6: To comply with the provisions of Schedule 2 (Regulation 2 (1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 7 This consent relates only to the details shown on the submitted plans, numbers 11559a, 11559b, 11559c, 11559d.

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

INFORMATIVE NOTES TO APPLICANT

- 1.

DECISION

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