

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