

## Item No. 9

<b>APPLICATION NUMBER</b>	<b>CB/16/02971/OUT</b>
<b>LOCATION</b>	<b>Land at Chapel End Road and London Lane, Houghton Conquest</b>
<b>PROPOSAL</b>	<b>Outline application seeking detailed approval of vehicular and pedestrian access only, with all other matters reserved; for the creation of 16 self- build homes and all associated works including surface water attenuation, car parking and landscaping.</b>
<b>PARISH</b>	<b>Houghton Conquest</b>
<b>WARD</b>	<b>Houghton Conquest &amp; Haynes</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Mrs Barker</b>
<b>CASE OFFICER</b>	<b>Andrew Horner</b>
<b>DATE REGISTERED</b>	<b>07 July 2016</b>
<b>EXPIRY DATE</b>	<b>30 November 2016</b>
<b>APPLICANT</b>	<b>Self-Build-Developments Ltd</b>
<b>AGENT</b>	<b>DLP Planning</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Major development recommended for approval with Parish Council objection and departure from the Development Plan. Call in from Cllr Mrs Barker: The site is outside the settlement envelope The site is in open countryside Concern over new access and parking Self build scheme so only details for outline and reserved matters, also no contributions on Section 106 to local school</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Approval</b>

### Summary of Recommendation

The proposal for residential development is contrary to Policy DM4 of the Core Strategy and Development Management Policies Document 2009, however the application site is adjacent to the existing settlement boundary of Houghton Conquest which is considered to be a sustainable location for planning purposes. The proposal would have an impact on the character and appearance of the area and would result in the loss of agricultural land however this impact is not considered to be harmful. The proposal is also considered to be acceptable in terms of highway safety and residential amenity and therefore accords with Policy DM3 of the Core Strategy and Development Management Policies Document (2009) and the Council's adopted Design Guidance (2014). The proposal would provide policy compliant affordable housing through a commuted sum. The proposal would deliver 16 serviced plots towards meeting the need identified in the Council's Self Build Register. The scheme would also contribute to the Council's 5 year housing supply as a deliverable site within the period. These benefits are considered to

outweigh the harm arising from the development and the proposal is, therefore, considered to be acceptable.

### **Site Location:**

The application site lies to the south east of the main built up area of Houghton Conquest to the east of the junction between Chapel End Road and London Lane. The site forms a field used for arable cultivation. To the east of the site lies Conquest Wood (part of the Marston Vale Forest) with its footpath network. A small gypsy and traveller site adjoins the north east corner of the site.

To the west is agricultural land and Village Farm with further agricultural land to the south. A recreation ground/local park lies to the immediate north of the site.

There is an existing agricultural access to the site from London Lane which creates an opening in the mature hedge that marks the site's boundaries. The site is generally level and rises gently from north to south.

### **The Application:**

The application is made in outline form with all matters except access from London Lane reserved for subsequent approval. The application is supported by a comprehensive suite of documents including: Design and access Statement, Planning Statement, Transport Assessment, Landscape and visual assessment and Ecological Appraisal. An indicative layout drawing is also submitted in support of the application.

The application proposes the erection of 16 dwellings together with associated, garden and parking facilities. Access to the site would be from a new access off London Lane with the existing agricultural access being closed. The proposed drainage strategy would follow a Sustainable Drainage System (SuDS) approach with the indicative plans indicating provision of an attenuation facility in the north east corner.

The proposed dwellings would be in the form of self build and/or custom build dwellings rather than general open market dwellings delivered by a single builder. Self Build and Custom Build dwellings are properties that are built by, or for, an individual to meet their particular needs and aspirations rather than rely on the standardised product of house builders or occupying existing dwellings. Such dwellings are occupied by those that have been responsible for their construction rather than sold on the open market (or let out) upon completion.

Self Build and Custom Build Housing is subject to specific legislation in the Self-build and Custom Housebuilding Act 2015 and associated regulations.. The Act requires Council's to maintain a register of persons wishing to carry out a self build development. Council's are also required to maintain a five year supply of self/custom build plots (this is distinct from the general five year supply of all types of dwelling).

The development strategy put forward by the applicant is the provision of serviced plots that would be offered to individuals who would build (or commission the building) of bespoke dwellings on each plot. The services would include access, electricity water and drainage. Individual plot developers would be responsible for

the submission of reserved matters applications for each plot.

Self Build and Custom Build Housing is intended to support those looking to build a property in a specific location for reasons such as family connections or the location of their place of work. The building of such houses is normally funded by the prospective occupier who would then live in the property. The area of search is effectively set by the individual and may be limited to a single town or Parish but may extend to a wider geographic area dependent on the aspirations and circumstances of the individual.

## **RELEVANT POLICIES:**

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

Delivering sustainable Development

Section 1: Building a strong, competitive economy

Section 4: Promoting sustainable transport

Section 7: Requiring good design

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

Section 11: Conserving and enhancing the natural environment

### **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

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

DM10 Housing Mix

DM14 Landscape and Woodland

DM15 Biodiversity

DM16 Green Infrastructure

DM17 Accessible Green Spaces

South Bedfordshire Local Plan Review Policies

## **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 - adopted by CBC Executive as technical guidance for Development Management purposes on 18 March 2014.

Central Bedfordshire Sustainable Drainage Guidance - adopted by CBC Executive as technical guidance for Development Management purposes on 22 April 2014.

Managing Waste in New Developments SPD (2005)

### **Relevant Planning History:**

Application Number	CB/15/01362/OUT
Address	Land off Chapel End Road, Houghton Conquest
Description	Outline application: of up to 125 dwellings with associated landscaping, public open space and infrastructure with all matters reserved except for access.
Decision	Outline Application - Granted
Decision Date	02/06/2016

Application Number	CB/15/03706/OUT
Address	Land off Bedford Road and rear of Duck End Close, Houghton Conquest
Description	Outline: The erection of up to 52 dwellings with all matters reserved except for access
Decision	Resolution to grant outline planning permission subject to completion of a section 106 agreement made at Development Management Committee meeting on 30/03/2016
Decision Date	n/a

### **Consultees:**

Houghton Conquest Parish Council The Parish Council OBJECTS to this application for the following reasons:

- The land is outside of the village settlement envelope.
- The site is an inappropriate location for development.
- The highway access is inadequate & the impact of increased traffic at this location is a concern.
- The problems with the fragility water main in village are well documented. This increase in demand on an already

frail system is of great concern. We would urge the Planning Authority to seek definitive assurance from Anglian Water, that this development on top of the 125 homes on Chapel End Rd, & the 52 homes in Duck End Close, will be able to cope.

· There is no local evidence to suggest Houghton Conquest needs further housing. It should be noted that the recent successful application for 125 homes on Chapel End Rd, & the 52 homes in Duck End Close are both very close by.

The local amenity infrastructure is not adequate to accommodate even more housing on top of what has recently been approved. The school is full & doctor's surgery is already at capacity. Public Transport links are also inadequate.

Trees and Landscape

Retention of existing hedgelines will be looked for along with detailed and comprehensive landscape plans.

Landscape

No objections to the development of self build homes on this land. The site is bounded by particularly good hedgerows which will aid integration and development will be screened by the new woodland to the east.

Bedfordshire and River Ivel Internal Drainage Board

The Board has no comments to make regarding the above planning application

Highways

The existing is agricultural land at the village edge with Chapel End Road at the north (20mph road with speed reduction build outs), and London Lane to the west; a 30mph single width road.

The existing speed reduction build out on Chapel End Road reduces the carriageway to single width and adding a pedestrian crossing at this location will cause confusion between drivers and pedestrians over who has priority and could lead to issues of safety. This alteration should be supported with a safety audit.

It would be better to have a footway along the frontage of the site along Chapel End Road and allow pedestrians to cross where they want. The majority of the village is west of the site and that is where the pedestrian will be walking from, it is unlikely they will use the link proposed in the north east corner.

The applicant has also not provided any tracking diagrams to indicate that the refuse vehicle can enter/exit the site.

Conditions and informatives are recommended to address

the concerns highlighted as part of the reserved matters submission.

Ecology	No objection to a self-build development. Site is currently arable agricultural land with hedgerows which are to be retained. The NPPF calls for development to deliver a net gain for biodiversity and with the introduction of additional planting attenuation feature this could be achieved.
SuDS Management Team	Consider that planning permission could be granted for the proposed development subject to the final surface water drainage design being submitted and approved by the planning authority before any development commences on site. The imposition of conditions to address matters of detail is recommended.
Self Build Officer	<p>Central Bedfordshire's Self Build Register has currently 43 people registered. At the moment there is no interest in a plot located in Houghton Conquest, but 6 people are looking for a plot anywhere in Central Bedfordshire and 30 people would consider location outside their preference. This development could therefore help to meet the demand for serviced plots in Central Bedfordshire.</p> <p>The Register shows that majority of people are looking for a plot to accommodate a detached 3-5 bedroom dwelling with parking for 2-3 cars and above; two people are looking to build a semi-detached property; and 4 people a bungalow. The Council expectation is that these plots will be offered to people on the CBC Register first, before being marketed to a wider open market.</p> <p>Should the planning permission be granted for this development a time limitation for completion should be secured to ensure quick delivery of projects and prevent land banking of the plots.</p>
Meeting the Accommodation Needs of Older People Team	<p>Advise that the Ward has an increasing number of residents aged 65 and over and if people live in properties that do not meet their needs it can have an adverse impact on health and well-being. This highlights the need to have more accommodation available for older people that enables them to live independently within the community.</p> <p>It would be beneficial that a proportion of the dwellings proposed were designed to be suitable for older people.</p>
Campaign to Protect Rural England	<p>Objection:</p> <p>The proposed self build site in Houghton Conquest is set outside of the Village Envelope and on productive agricultural land, currently in cultivation. The site sits in open countryside and development here would not be a natural</p>

extension to the village and would have significant impacts on the rural setting of Houghton Conquest. The site is also adjacent to Conquest Wood – community woodland, which is being planted as part of the Forest of Marston Vale.

Houghton Conquest has been subject to other hostile applications, resulting in a substantial development of 125 houses being agreed outside of the Local Plan process. CBC are progressing the development of a new Local Plan. There has been a call for sites, bringing forward over 800 sites for consideration, the site assessment criteria has been subject to consultation and the agreed criteria will ultimately be used to assess the sites put forward.

CPRE understand that CBC have made considerable progress in 'closing the gap' in the 5 year land supply for Central Beds and approving this site would not contribute to this process in any meaningful way.

There are significant road safety issues regarding the position of this site in Chapel End Road, which require that access has to be made from London Lane. This road is narrow and winding and there is no footpath. The access point indicated would be too close to the Dairy Farm access opposite.

A number of appeal decisions have shown support for the refusal of residential development outside settlement envelopes despite the Council not being able to demonstrate a five year supply of deliverable housing land

The proposal is contrary to Core Strategy & Development Management Policies: DM3, DM4, CS8, DM14, CS16, DM16, TP1A and DPS19.

This site lies on the very edge of this rural village from which most residents commute by car to work, larger shopping centres, GP and schools and it is highly likely that this pattern would be replicated by the residents of any development in Houghton Conquest.

CPRE believes this application should be refused as the detriments to the local area clearly outweigh any perceived benefits and it conflicts with the sustainability objectives of National Planning Policy.

Anglian Water

A drainage strategy will need to be prepared.

We request a condition requiring a drainage strategy to be submitted.

The sewerage system at present has available capacity for these flows.

Planning conditions are recommended.

Housing  
Development Officer

This application of 16 self build units provides for the provision of zero affordable homes on site contrary to Council policy requirements of 35% with a commuted sum to be paid in lieu of the onsite provision.

The Council's preference is to see the onsite provision of the units unless there is a lack of interest from Registered Providers (RP's) in taking on the affordable element of the scheme. The agent approached RP's from the contact details provided by Strategic Housing. The response received indicated there would be no interest in taking the affordable element from a self build scheme. Evidence of this has been submitted to the Council.

In terms of calculation for any commuted sum, the Council policy is for 50% of the open market value for each unit in question. The affordable requirement from this scheme would equate to six units on which we would expect a commuted sum in lieu of the onsite provision. The commuted sum would be put towards future affordable housing in any location within the administrative area of Central Bedfordshire.

### **Other Representations:**

Seven nearby neighbours were notified of the application by letter, site notices were posted and a press advert published but no third party comments have been submitted in response to this publicity.

### **Determining Issues:**

The main considerations of the application are;

1. Compliance with National and Local policy
2. Infrastructure and affordable housing
3. Other Section 106 issues
4. Highways matters
5. Matters of detail
6. Agricultural Land
7. Other Considerations

### **Considerations**

#### **1. Compliance with National and Local policy**

##### **1.1 NPPF/Core Strategy**

The site lies outside the settlement envelope of Houghton Conquest and is therefore located in land regarded as open countryside. The adopted policies within the Core Strategy and Development Management Policies 2009 limit



new housing development on unallocated sites to within settlement envelopes (Policy DM4). Houghton Conquest is designated as a large village where Policy DM4 limits new housing development to small scale developments. On the basis of Policy DM4 a residential proposal outside of the settlement envelope would be regarded as contrary to policy. However it is necessary for the Council to consider whether other material considerations outweigh the non-compliance with Policy.

- 1.2 However, recent case law and legal advice makes it clear that the 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.
- 1.3 **Self-build and Custom Housebuilding Act**  
The Self-build and Custom Housebuilding Act 2015 places a number of duties on Local Planning Authorities which include to keep a register of individuals and associations of individuals who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects. Council's are required to publicise their registers and have regard to their register when carrying out their functions such as planning, housing, disposal of land and regeneration. The register is a material consideration in planning decisions.
- 1.4 The Self-build and Custom Housebuilding (Register) Regulations 2016 set legislative requirements for local Registers, such as specified eligibility criteria for individuals and group to be entered on to the register. CBC's Register was launched on 26th April 2016 and so far has 42 people registered.
- 1.5 To meet demand for serviced plots The Housing and Planning Act 2016 made changes to the Self-Build and Custom Housebuilding Act and introduced a legal duty for Council's to meet the demand from the Register. This is to be met through granting suitable development permissions in respect of enough serviced plots of land to meet the demand in the authority's area arising from each base period.
- 1.6 The first base period is from the date the Register is established to the day before the day on which section 10 of the Act comes into force (11th May 2016). Each subsequent base period is the period of 12 months beginning immediately after the end of the previous base period; second base period therefore is 12th May 2016 to 11th May 2017.
- 1.7 A serviced plot is defined by the Act as a plot of land that has access to a public highway and has connections for electricity, water and waste water; or can be provided with those things in specified circumstances or within a specified period.
- 1.8 At the present time there are no serviced plots available within Central Bedfordshire. The Houghton Regis North development includes provision for a significant number of serviced plots to be delivered; however, this provision is unlikely to be delivered for some years and cannot meet the demand arising from those currently on the register.

1.9 The current application would deliver 16 plots that could meet around 40% of the demand identified through the CBC register. If this application was to be granted then the plots could become available in a relatively short time and help the Council to meet its duties under the amended Self-Build and Custom Housebuilding Act to meet demand.

1.10 The site is adjacent to the Houghton Conquest Settlement Envelope. The areas north and east of the site form the edge of the existing residential development. The proposal will amount to an encroachment of built form into the open countryside but its relationship with the existing settlement is close and it is not regarded as an isolated site.

#### 1.11 **Relevant Applications/Decisions**

It is noted that there is a Committee resolution to approve 52 dwellings off Bedford Road/Duck End and planning permission for 125 dwellings at a large edge of settlement site off Chapel End Road elsewhere in the village. In assessing both of these applications it was concluded that the development comprised sustainable development in accord with the NPPF and was acceptable due to the lack of a current 5 year housing land supply. These decisions are considered to be material to the determination of this application; particularly in respect of Houghton Conquest being considered as a sustainable location. Both decisions were, however, subject to completion of section 106 agreements to deliver additional infrastructure to meet the needs of the developments.

1.12 Whilst the proposal is not considered to accord with Development Plan policies it is considered that the other considerations outlined above in respect of 5 year housing land supply and delivery of serviced plots are considered to outweigh this. The principal of development is considered, on balance, to be acceptable.

## 2. **Infrastructure and affordable housing**

### 2.1 **Infrastructure**

The proposed development would involve the erection of more than 10 dwellings and as such contributions would normally be sought towards additional infrastructure. The regulations relating to Self and Custom Build development provide an exemption from payments made under the Community Infrastructure Levy (CIL) towards infrastructure. Whilst CBC does not have a CIL it is considered that the exemption set out in the regulations is intended to apply to all forms of contribution to off site infrastructure as the reason for the exemption is to avoid placing an additional financial burden on the individuals building the plots. It is, therefore, considered that it is not appropriate to seek infrastructure contributions for the proposed development.

2.2 The Town Council have raised concerns over the impact of this development on local services. In the absence of the opportunity to request contributions it is considered that the small number of additional units proposed will not have a significant impact on local services (such as schools and healthcare) to outweigh the other issues outlined in this report.

### 2.4 **Affordable Housing**

The regulations do not make any exception for affordable housing (which is not subject to CIL) and affordable housing should, therefore, be sought as part of the development. The evidence from the applicant demonstrates that Registered Providers would not be willing/able to deliver affordable housing on site. Following discussions with officers the applicants have confirmed that they are willing to make a commuted sum contribution to provision of affordable housing off site. This approach is acceptable and a commuted sum equating to six units (the policy compliant level of provision for this site) is appropriate. The commuted sum, to be secured by a Section 106 Agreement, would be put towards future affordable housing in any location within the administrative area of Central Bedfordshire.

### **3. Other Section 106 issues**

3.1 The proposed development is acceptable as an exception to the general policy framework to meet a specific need. It is considered that the development should be delivered within a reasonable time period; 5 years is considered appropriate given that the development will contribute towards the global five year housing land supply and delivery of serviced plots.

3.2 It is further considered that the agreement will need to be controlled to ensure that the plots are delivered as serviced plots to individuals and occupied by the self builder for a reasonable time period. Priority should be given to those on the Council's register living in (or connected to) the area with a cascade mechanism should there not be sufficient demand. These matters should also be addressed in the proposed section 106 agreement.

### **4. Highways matters**

4.1 The proposed vehicular access would be from London Lane and this is considered to be acceptable in principle. The proposed junction could be detailed with appropriate geometry and provided with adequate visibility sight lines. The detailed design of the internal road network is a matter for a future reserved matters application.

4.2 The highway officer has raised concern over the proposed pedestrian routes/facilities. The principal of connecting to the local pedestrian network is acceptable and can be delivered; however, the submitted details do not reflect likely pedestrian desire lines and the highway officer has recommended that these be reconsidered. The applicant is reviewing the proposals and any revisions will be subject to an update to committee.

4.3 The documentation supplied in support of the application indicates that there is adequate capacity in the local road network to accommodate traffic from the proposed development. The highway officer has not raised any concerns over the capacity of the local highway network.

Overall the proposed development is considered to be acceptable in highway terms.

### **5. Matters of detail**

5.1 Detailed design matters are reserved and therefore a full assessment of the merits of the application and impact on neighbours cannot be made. The

relationship of the site to the existing settlement is such that the new dwellings will be set away from existing dwellings. The indicative layout also indicates a substantial separation from the mobile homes to the north east.

- 5.2 Overall the indicative layout shows that it would be possible in principle to develop the site for the quantum of units shown without detrimentally harming the amenity of neighbouring residents and delivering good levels of amenity for prospective residents. It is also considered that there is sufficient space to provide parking, access and garden space to serve each of the plots along with a SuDS drainage scheme.
- 5.3 The overall development offers significant scope to deliver substantial landscaping and enhance bio-diversity. The retention of the majority of the existing boundary hedging is also considered to be a positive element of the scheme. The reserved matters applications would address these issues.
- 5.4 The proposed development would involve sixteen bespoke dwelling designs and could lead to a discordant development. To address the applicants have set out a number of design parameters in the submitted details including a limit to two storey development and no more than 50% of the plots being hard surfaced. This approach is welcomed, however, it is considered that a condition be imposed requiring a set of design parameters to be agreed and applied prior to submission of any reserved matters application. The parameters would provide a framework for development setting limits on matters such as scale and height but still allowing for high quality and innovative design compatible with the edge of village location.

## **6. Agricultural Land**

- 6.1 Development of the site results in a loss of productive agricultural land extending to approximately 0.75ha. This is an acknowledged planning consideration and the NPPF advises that development should be directed to the areas of poorer land. In this instance the amount of land to be lost is small and there is a need for housing land, particularly serviced plots, and it is considered that the benefit of housing development should be given significant weight. It is considered that the benefit of the housing outweighs the impact of the loss of agricultural land in this case.

## **7. Other Considerations**

### **7.1 Human Rights issues:**

Based on the information submitted there are no known issues raised in the context of Human Rights Act and as such there would be no relevant implications with this proposal.

### **7.2 Equality Act 2010:**

Based on the information submitted there are no known issues raised in the context of Equalities Act and as such there would be no relevant implications with this proposal.

## **Recommendation:**

That the outline planning application be APPROVED subject to completion of amended publicity, the prior completion of a Section 106 Agreement and the following:

## **RECOMMENDED CONDITIONS**

### **RECOMMENDED CONDITIONS / REASONS**

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

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

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

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

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

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

- 4 **No development shall take place until an Environmental Construction Management Plan detailing access arrangements for construction vehicles, on-site parking, loading and unloading areas and materials storage areas has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved Environmental Construction Management Plan.**

**Reason: This condition relates to the construction period of the development and is necessary 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 and the principles of the NPPF.**

- 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) and in accordance with the principles of the NPPF.

- 6 The landscaping details required to be submitted by condition 2 of this permission shall include details of hard and soft landscaping (including details of boundary treatments and any public amenity open space, Local Equipped Areas of Play and Local Areas of Play) together with a timetable for its implementation. The development shall be carried out as approved and in accordance with the approved timetable.

The soft landscaping scheme, with particular emphasis on the tree planting on the site boundaries, shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes at the time of their planting, and proposed numbers/densities where appropriate; and details of a scheme of management/maintenance of the soft landscaping areas. The soft landscaping areas shall be managed thereafter in accordance with the approved management/maintenance details.

The scheme shall also include an up to date survey of all existing trees and hedgerows on and adjacent to the land, with details of any to be retained (which shall include details of species and canopy spread); measures for their protection during the course of development should also be included. Such agreed measures shall be implemented in accordance with a timetable to be agreed as part of the landscaping scheme.

Reason: To ensure that the appearance of the development would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009 and the principles of the NPPF.

- 7 Unless an alternative routing is agreed at reserved matters approval the development shall not be brought into use until a 2.0m wide footway has been constructed from the junction of the proposed access along the east side of London Lane to Chapel End Road, to join with a 2.0m wide footway along the south side of Chapel End Road along the length of the frontage of the site to join the existing footway, in accordance with details to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway

Reason

In the interest of road safety and pedestrian movement in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009) and the principles of the NPPF.

- 8 Before the new access is brought into use the existing access to the north of the site fronting London Lane and not incorporated in the access hereby approved shall be closed.  
(see notes to applicant)

Reason

In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009) and the principles of the NPPF.

- 9 The details required by Condition 2 of this permission shall include full engineering details of the access arrangements shown for indicative purposes on drawing no. 5074-PL02, including tracking diagrams for an 11.5m length refuse vehicle entering/exiting the site, shall be submitted to and approved in writing by the local planning authority. The internal layout of the site approved under any subsequent reserved matters application shall not be brought into use until such a time as the agreed works, including the provision of 2.4m x 43.0m visibility splays, clear of all obstruction, have been implemented.

Reason

To provide adequate access visibility between the existing highway and the proposed access, to make the access safe and convenient for the traffic which is likely to use it in the interest of highway safety. In accordance with policy DM3 of the Core Strategy and Development Management Policies (2009) and the principles of the NPPF.

- 10 Prior to approval of the details required by Condition 2 of this permission, a detailed surface water drainage scheme for the site, based on the agreed Drainage Strategy Report (July 2016) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- Run off shall be restricted to greenfield run off rate and fully attenuated for the (1 in 100 + 35% allowance for climate change).
- Detailed infiltration testing shall be undertaken in accordance with BRE365 to determine if infiltration systems can be used on any part of the site, including permeable paving on private driveways.
- Each plot's drainage requirements shall be in line with the requirements set out in the approved flood risk assessment, drainage strategy report and the design and access statement. The proposals shall not include impermeable areas of over 50% of a plot's total area,

unless it is demonstrated that the increase in surface water can be managed appropriately on plot without increasing the agreed run off rate or volume. The need for culverting of surface water features including swales shall be avoided, where this is proposed the length involved should be restricted to a minimum, the hydraulic and environmental design assessed, and appropriate mitigating enhancements to the surrounding environment provided. Maintenance requirements shall also be considered.

- Management of exceedance in the event of system failure shall be demonstrated with the detailed design and finished floor levels shall be set a minimum of 150 mm above ground level, for plots shown to be at risk from any source of flooding floor levels should be set or 300 mm above the estimated flood level.
- Details of land drainage consent shall be provided with the full detailed design, and an easement provided on the developable side of any existing watercourse to allow access for maintenance.
- Details of the arrangements for future management and maintenance of the design for the entire surface water drainage system.

The development shall be carried out in accordance with the approved details and shall be managed and maintained thereafter in accordance with the agreed management and maintenance details.

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.

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

**Reason: The approved details may affect the resulting layout of the development and to prevent environmental and amenity problems in accordance with the principles of the NPPF.**

- 12 Prior to the submission of any reserved matters application a Development Parameters Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall set out the guiding principals to be applied in the design of any dwelling, associated structures, hard surfaces and landscaping to be constructed pursuant to this planning permission. The scheme shall include, but not be limited to: maximum building height, built form, materials, plot coverage, set back from plot boundaries, boundary treatment, access and parking facilities and, protection of existing trees and hedges. The design of each dwelling the



subject of this permission shall be developed in accordance with the approved Development Parameters Scheme.

Reason: In the interest of visual amenity and to ensure a consistent design approach to the dwellings hereby permitted in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009) and the principles of the NPPF.

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 5074-PL02, TS16-212W\1 and TS16-212W\1.

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

### **INFORMATIVE NOTES TO APPLICANT**

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant is advised that in order to comply with the highway related conditions of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highways Development Management, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
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 Highways Help Desk tel: 0300 300 8049
5. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements,

including run off calculations shall be submitted to the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ .

- 6. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council’s publication “Design in Central Bedfordshire A Guide to Development” and the Department for Transport’s “Manual for Streets”, or any amendment thereto.
  
- 7. The applicant is advised that no private surface water drainage system designed as part of the new development will be allowed to enter any existing highway surface water drainage system.
  
- 8. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council’s “Cycle Parking Annexes – July 2010”.

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

The Council acted pro-actively through engagement with the applicant during the application process which led to revisions and additional information in relation 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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