

Item No. 09

APPLICATION NUMBER	CB/16/03283/OUT
LOCATION	Land west of Pastures, Upper Caldecote, Biggleswade, SG18 9BQ
PROPOSAL	Outline Planning application for the Development of 40 dwellings, including new access, access road, car parking, landscaping and footpath link to adjacent playing fields.
PARISH	Northill
WARD	Northill
WARD COUNCILLORS	Cllr Mr Firth
CASE OFFICER	Alex Harrison
DATE REGISTERED	03 August 2016
EXPIRY DATE	02 November 2016
APPLICANT	William Willoughby (Estates) Ltd and Messrs DW, RG, SP, BJ Maudlin
AGENT	AKT Planning+Architecture
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Firth on the following grounds: <ul style="list-style-type: none">• The size of the development will increase the size of the village by over 6%.• Will impact upon the current water/sewage systems that cannot cope.• Concern over speeding traffic 4. Outside of settlement envelope The Scheme is a departure from the development plan. Parish Council objection to a major application
RECOMMENDED DECISION	Outline Application - Approval recommended

Reason for Recommendation

The proposal for 40 dwellings is contrary to Policy DM4 of the Core Strategy and Development Management Policies Document; however the application site is adjacent to the existing settlement boundary of Upper Caldecote which is considered to be a sustainable village location. The proposal would have an impact on the character and appearance of the area however this impact is not considered to be harmful given its relationship to surrounding development already in this area. The proposal is also considered to be acceptable in terms of highway safety and neighbouring 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 and the whole scheme would contribute to the Council's 5 year housing supply as a deliverable site within the period. These benefits are considered to add weight in favour of the development and therefore the proposal is considered to be acceptable

Site Location:

The application site is an arable land parcel located adjacent to the settlement envelope for Upper Caldecote. For planning purposes the site is located within the open countryside.

The site sits adjacent to existing housing to the eastern boundary. Immediately to the north is an area of amenity land with housing beyond. The southern and western boundaries abut sports pitches and arable land respectively, both of which are also within the open countryside.

The Application:

Outline planning permission is sought for the development of the site to provide 40 dwellings. All matters are reserved aside from access which is proposed as a priority junction arrangement from The Pastures, a residential service road east of the application site.

Since the original application submission an updated indicative layout was submitted to include further footpath links and additional archaeology information was also submitted.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

- CS1 Development Strategy
- CS2 Developer Contributions
- CS5 Providing Homes
- CS7 Affordable Housing
- CS14 High Quality Development
- CS16 Landscape and Woodland
- DM1 Renewable Energy
- DM2 Sustainable Construction of New Buildings
- DM3 High Quality Development
- DM4 Development Within and Beyond the Settlement Envelopes
- DM10 Housing Mix
- DM14 Landscape and Woodland
- DM15 Biodiversity
- DM17 Accessible Greenspaces

Development Strategy

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

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Sustainable Drainage SPD (May 2015)

Relevant Planning History:

None

Consultees:

Northhill Parish Council

It was resolved to object to the proposal for the following reasons:

- It is outside the settlement boundary
- Highways safety – it will result in an increase in traffic movement along Biggleswade Road, which vehicles already speed along. The access from the new development onto The Pastures is at a point where there is a sharp bend at the junction of The Pastures and Harvey Close. At times The Pastures is a very busy road as it leads to the playing field which is used for football matches and there are already problems with on street parking causing passing vehicles to have to travel on the wrong side of the carriageway, the increase in volume of traffic will make this problem worse.
- Concerns were raised regarding the capacity of utilities particularly the foul sewer to cope with additional dwellings
- The intensification of development in this part of the village.
- The layout and density of the dwellings.
- Impact on the infrastructure

Highways

Fundamentally there is no justifiable highway objection to the principle of residential development on this site. The scheme proposes access onto The Pastures, a typical residential estate road and the application is supported by a transport technical note that confirms that the access and surrounding highway network have sufficient capacity to accommodate the likely traffic movements associated with a development of up to 40 dwellings. .

With regard to the access arrangement, whilst I am generally content with the layout shown on the Wormald Burrows plan E3565/700/A I would require that the proposed 2.0m wide footway be extended to the south to form a continuous link with the footway leading from Harveys Close. Further I will require the proposed footpath link onto Water Lane to be extended across the verge to join the metalled carriageway of Water Lane. Both of these issues I suggest could be conditioned for

resolution as part of any reserved matters application.

Turning to the indicative layout, whilst I appreciate that the layout is not for consideration as part of this application I would take the opportunity to point out that changes to the highway layout would be required that may impact upon the number or style of dwellings that can be accommodated on the site.

Sustainable Officer	Drainage	Although we have some concerns, we have no objection to the proposed development and consider that planning permission could be granted subject to condition(s) outlined below.
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The ditches on both sides of Water Lane have been culverted over time and the section between Biggleswade Road and the entrance to Water Lane Farm is subject to frequent flooding after periods of heavy rain. Although this flooding does not generally affect the proposed site care should be taken to mitigate against any possible impacts on dwellings and drainage infrastructure.

We would prefer to see surface water from the site discharged through infiltration/soakaways to reduce the impacts on the existing surface water drainage system although we accept this is subject to further on site infiltration testing. Any direct discharge to the adjacent ditch system should be limited to the equivalent greenfield run off rate or less if attainable.

Internal Drainage Board	Had no comments to make
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Anglian Water	<p>Section 1 – Assets Affected</p> <ul style="list-style-type: none">– Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary
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Section 2 – Wastewater Treatment

2.1 The foul drainage from this development is in the catchment of Biggleswade Water Recycling Centre that will have available capacity for these flows.

Section 3 – Foul Sewerage Network

3.1 Development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures.

We request a condition requiring the drainage strategy covering the issue(s) to be agreed.

Section 4 – Surface Water Disposal

4.1 From the details submitted to support the planning

application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Section 5 – Trade Effluent

5.1 Not applicable

Landscape Officer

This site forms an integral part of the arable landscape vale landscape within landscape character area 4B - Lower Ivel Clay Valley. There are open views into the site from the farmland and footpath 20 to the south, but the site also connects with existing development and the village playing fields.

I do not object in terms of loss of landscape character but do have concerns regarding visual impact as seen from Waterlane Farm and from the public rights of way. I have the following comments on the design :

It will be extremely important in terms of landscape quality, within the village, to safeguard the rural character of Water Lane, including the wide swathe at the entrance. I would like to see properties 6, 7 and 11 set further back into the site to allow for increased tree planting and mitigation. In addition, more of these properties could gain from overlooking this attractive area.

The landscape proposals should seek to reinforce the existing native hedging but should also allow for the removal and replacement of evergreen ornamentals such as the cherry laurel. Stock of locally native origin is preferred but also trees which will be resilient to drought. I would like a greater depth of planting on the southern boundary.

The internal landscaping should also try to reflect the village setting and avoid the use of frequently used, highly suburban landscape choices such as Photinia for hedging or trees with purple or variegated leaves.

Green Infrastructure

The current proposals as indicated in the indicative

master plan would not clearly deliver this gain, so changes should be required by condition in order to make the proposal acceptable.

The proposal does not appear to include any public open space. The scheme should deliver open space in accordance with the standards set out in CBC's Leisure Strategy. This public open space should be located to complement either the open space at Water Lane, or the recreation area to the south of the site. The inclusion of appropriate levels and locations of public open space must be delivered in order to make the proposal acceptable.

A key feature for the site in green infrastructure terms is the frontage to Water Lane, where there is an existing open space / extended verge, with grass, trees and an existing hedgerow. The development should be designed to complement this existing space. The current proposal shows properties with a rear or side aspect to this space, which would have a negative visual and amenity impact. The layout should be reconfigured to have a positive relationship with this space, with properties facing Water Lane and this space.

The link to the recreation area through the site is positive. Guidance is available in CBC's design guide about integrating access routes through development.

The proposals for drainage indicate a SuDS pond. The integration of this pond within the design of the scheme is poor - it is not clearly in the public open space, or fronted onto by properties. As suggested above, the Water Lane frontage in its entirety should be redesigned, and this pond should be designed positively into the public realm, as a public open space, and fronted onto by homes.

The drainage should not rely solely on a pond at the edge of the scheme; sustainable drainage should be integrated within the scheme, and be in line with the design guidance and local requirements for SuDS set out in CBC's adopted Sustainable Drainage SPD. As suggested by Flood Risk colleagues, drainage conditions should be imposed, and these should include the requirements for the site to include SuDS that comply with the SPD.

Ecologist

Having looked at the submitted documents I would have no objection to the proposals but note from the layout that no public open space has been included. The NPPF calls for development to deliver a net gain for biodiversity and yet the ecological report states on its opening page that '*there will be little opportunity for new habitat creation or enhancement*' this is very disappointing. The inclusion of

integrated bird and bat bricks are opportunities which should be adopted at a 1 per unit ratio and the attenuation pond should be planted with locally native wetland species. To ensure these features deliver a net gain and that the necessary precautionary construction procedures are followed I would ask that a condition is added.

Trees and Landscape

Site is currently arable land with boundary hedgelines and some scattered trees. It would seem that the intention will be to retain these features. We will require an Arboricultural Impact Assessment identifying all tree and hedgerow features both on and off site that could be affected by the proposals. Details of how they will be retained and protected throughout the development will be required.

Full and detailed landscape and boundary treatment details will be required which will emphasise native tree planting and enhancements of existing boundaries.

CPRE

Provided extensive comments which are summarised as follows:

- a. Unacceptable impact in relation to important open space to the north and the recreation ground to the south.
- b. Does not comply with the aims of the Northill Neighbourhood Plan and granting would undermine the process as the site is premature.
- c. Existing policies are in line with the NPPF and the housing land supply has been broadly addressed. DM4 should be afforded weight.
- d. Site does not meet any strand of sustainable development as set out in the NPPF. Development fails the environmental strand, does not show how other means of transport can serve the development, no CIL to provide economic sustainability.

Housing Officer Development

I support this application as it provides for 14 affordable homes which reflects the current affordable housing policy requirement of 35%. The supporting documentation however does not indicate the proposed tenure split of the affordable units. The Strategic Housing Market Assessment (SHMA) indicates the tenure requirement as being 73% rent and 27% intermediate tenure from sites meeting the affordable threshold. This would make a requirement of 10 units of affordable rent and 4 units of intermediate tenure (shared ownership) from this proposed development.

I would like to see the affordable units dispersed throughout the site and integrated with the market

housing to promote community cohesion & tenure blindness. I would also expect the units to meet all nationally prescribed space standards. We expect the affordable housing to be let in accordance with the Council's allocation scheme and enforced through an agreed nominations agreement with the Council.

Archaeology

The proposed development site is located within an extensive cropmark complex (HER 9093) and within the historic core of the village of Upper Caldecote (HER 17082). These are heritage assets with archaeological interest as defined by the *National Planning Policy Framework (NPPF)*.

The cropmark complex (HER 9093) extends southwards for more than a kilometre and contains a range of sites and features. Archaeological investigations in advance of quarrying at Broom Quarry to the south and its eastwards extension showed that these cropmarks did contain a number of features that belonged to geological features. However, they also included the remains of an extensive archaeological landscape containing substantial evidence of settlement, funerary and ritual sites and features and systems of land division dating from the Neolithic to the medieval periods (Cooper and Edmonds 2007 and HER 9095). Some of the sites had high quality preservation of deposits including some with waterlogging, there was also a very rare "C-shaped" monument dating to the Bronze Age. It has been suggested that the rarity and preservation of some of the sites investigated at Broom Quarry might have been sufficient significance (i.e. national importance equivalent to a Scheduled Monument) to merit preservation *in situ* (Firth and Oake 2011, 259). An aerial photograph of the proposed development site (TL1745/1/6) contains a large number of features some of which, on the basis of the investigations carried out elsewhere within HER 9093 and at other related locations, will be of geological origin but others will represent archaeological and have the potential to be sites that may be of such significance that they require preservation *in situ*.

The village of Upper Caldecote (HER 17129) is in an area known to have been settled by the *Giffr* tribe in the early Saxon period and archaeological remains of early to middle Saxon occupation have been found in the surrounding area (Cooper and Edmonds 2007). The first documented reference to Caldecote is in the 12th century and is likely to refer to the present settlement that developed around the village green, although its origins are likely to be earlier than that. The settlement continued to develop and change throughout the medieval and post-medieval periods. Elsewhere in the Ivel Valley locations

on the edge of present village cores, such as the proposed development site, have been shown to contain the remains of Saxon and early medieval settlement e.g. Stotfold (HERs 74, 16829 and 19534), Langford (HERs 17135 and 19481) and Henlow (HER 19887 and EBD 718).

The site is within an area of cropmarks that has been shown to contain well preserved remains of occupation and other activity dating from the Neolithic to medieval periods; it is also within the historic settlement core of Upper Caldecote. Paragraph 128 of the *NPPF* states the following regarding applications that have the potential to affect heritage assets:

"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation."

In this case, given the cropmark evidence from the proposed development site and its potential to contain well preserved archaeological remains a Heritage Statement incorporating the results of an archaeological field evaluation comprising at least a geophysical survey/air photograph analysis and trial trenching is required to provide the appropriate level of information. The application does include a *Desk-Based Assessment* (Heritage Planning Services 2016) but not the results of an archaeological field evaluation.

The *Desk-Based Assessment* states that the proposed development site as having high archaeological potential (8.1), but it does not specifically discuss air photograph TL1745/1/6 which is specifically relevant to the site. The *Assessment* goes on to identify groundworks associated with the development of the site as having the potential to damage archaeological remains at the site (8.2). It also suggests that the site should be subject to a phased programme of archaeological investigation "beginning with a programme trench evaluation"; though it is not clear whether this investigation should be done pre-

determination or post planning consent.

Although the site has clear archaeological potential, the submitted *Desk-Based Assessment* only identifies that potential in the general sense in that it is likely to contain archaeological remains. It does not provide any characterisation of the archaeological resource and appears to assume that any development impact on archaeological remains can be mitigated by investigation and recording. This is not a safe assumption. The cropmark complex HER 9093 and its associated archaeological landscape have been shown to contain sites and monuments that are potentially of sufficient significance to merit preservation *in situ* because of their national importance in line with paragraph 139 of the *NPPF* which says that non designated heritage assets of equivalent significance to Scheduled Monuments should be subject to the same policy as designated heritage assets. The proposed development site has the potential to contain remains of this quality. Without the evidence from a field evaluation it is not possible to characterise the archaeological resources of the site or define their significance. It is not appropriate to undertake the field evaluation as part of a post planning consent scheme of investigation secured by a condition on an outline consent because the principle of development has already been established and it would not be possible to protect significant archaeological remains *in situ*.

On the basis of the submitted desk-based assessment it is not possible to assess the impact of the proposed development on a site of acknowledged archaeological potential. An archaeological field evaluation is required to provide the appropriate level of information. The applicant should be asked to commission and archaeological field evaluation as soon as possible. It may be worthwhile for the applicant to withdraw the application until the archaeological evaluation has been completed and resubmitting the application when the evaluation report is available.

If the required information from an archaeological field evaluation is not forthcoming this application should be refused on the grounds that insufficient information on the archaeology of the site has been made available to enable the impact of the proposal on the significance of heritage assets with archaeological interest contrary to paragraph 128 of the *National Planning Policy Framework*.

Following the submission of additional information:

The evaluation comprised the excavation of seven trial

trenches distributed across the site with some of the trenches located to investigate potential archaeological features identified from aerial photographs. Archaeological features were identified in the trenches in the western part of the site (Trenches 3, 4 and 7) including both pits and linear features. Although dating evidence recovered from these features was limited, pottery suggests that they are likely to be of medieval (12th-13th century AD) in date. It is also suggested that one of the undated features may be prehistoric in origin.

The northern part of the proposed development site is known to be within the identified historic core of the settlement of Upper Caldecote (HER 17192) and the evaluation report suggests that the archaeological features identified in the trial trenches are likely to relate to this heritage asset with archaeological interest. If any of the features are prehistoric in date they are likely to belong to the wider archaeological landscape known from aerial photographs and archaeological investigation to the south (HER 9093).

The proposed development site contains archaeological remains that are likely to relate to the historic settlement of Upper Caldecote and possibly also prehistoric remains. The investigation of rural Saxon and medieval settlements to examine diversity, characterise settlement forms and understand how they appear, grow, shift and disappear is a local and regional archaeological research objective (Wade 2000, 24-25, Oake 2007, 14 and Medlycott 2011, 70). Paragraph 141 of the *NPPF* states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (CLG 2012).

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

Pollution Team

Had no comments to make

Waste Officer

We would like a condition to be included for the developer to provide adequate funds for the provision of all bins.

The Council's waste collection pattern for Upper Caldecote is:

- Week 1 – 1 x 240 litre residual waste wheelie bin, 1 x 23 litre food waste caddy
- Week 2 – 1 x 240 litre recycling wheelie bin, 2 x reusable garden waste sacks and 1 x 23 litre food waste caddy.

Please note that bins are chargeable for all properties and developers will be required to pay for all required bins prior to discharging the relevant condition. Our current costs for these are £25 + VAT per 240 litre bin and £5+VAT per set of food waste bins.

Vehicle tracking information will be required to demonstrate our collection vehicles can access the development; the minimum measurements that should be used are detailed below. Parked cars also need to be taken into account to ensure access for our collection vehicles is not blocked.

If there are private roads on the development or road ways that are too small for our vehicles to safely access (and exit in forward gear), bin collection points will need

to be provided (at entrance to adopted highway), for example this may be the case for plots 10, 11 and 12. The developer will need to demonstrate the bin collection points are sufficiently sized to hold at least two bins per property on collection day. Residents would not be expected to pull their bins further than 25m to a bin collection point.

Sustainable
Officer

Growth

The proposed development should comply with the requirements of the development management policies: DM1: Renewable Energy; DM2: Sustainable Construction of New Buildings; and Core Strategy policy CS13: Climate Change.

Policy DM1 requires all new development of more than 10 dwellings to meet 10% energy demand from renewable or low carbon sources. The proposed development is above the policy threshold and therefore all dwellings should have 10% of their energy demand sources from renewable or low carbon sources.

Policy DM2 requires all new residential development to meet CfSH Level 3. The energy standard of the CfSH Level 3 is below standard required by the Part L2013 of the Building Regulations. The development should therefore as minimum comply with the new Part L2013 of Building Regulations and deliver 10% of their energy demand from renewable sources. In terms of water efficiency, the development should achieve 110 litres per person per day as this is the closest standard to the Level 3 of the CfSH.

Policy CS13 requires that all development takes into account climate change and its impacts on the development. The development therefore should be designed with climate change in mind taking account of increase in rainfall and temperature. The development should 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.

The Design and Access Statement proposes that the dwellings will meet renewable energy policy requirement through installation of solar panels, but this will be confirmed later at detailed design stage and details will be submitted at the Reserved Matters stage. The Statement does not provide information on proposed water and energy efficiency standards or climate change measures.

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

Should permission be granted for this development I would expect the following conditions to be attached to ensure that policies CS13, DM1 and DM2 requirements are met:

- 10% energy demand of the development to be delivered from renewable or low carbon sources;
- Water efficiency to achieve water standard of 110 litres per person per day;
- Development to include climate change adaptation measures to minimise risk of overheating.

Other Representations:

Neighbours

54 letters have been received:

47 are made either in objection (37) or raising comments (10) highlighting the following planning issues:

- Development is outside of the settlement envelope and is out of character with the area, making it more urbanised. Development is too dense.
- Harmful impact on open space to the north of the site.
- Upper Caldecote does not have the infrastructure or services to accommodate the growth proposed.
- Traffic on Biggleswade road already high and the proposal would generate high numbers of vehicles. Causing problems at times such as school drop off and pick up.
- The proposed access is unsafe and development will increase speeding in the village. Traffic calming measures should be installed.
- Under provision of parking proposed.
- The number of dwellings is too high and should be nearer 20. Proposal would expand the village by 9% and cannot be considered small scale.
- There are other available sites on the outskirts of the village that would have a lesser impact.
- Development is contrary to the Northill Neighbourhood Plan
- There have been instances of flooding in the village. The water supply, drainage and sewerage infrastructure is inadequate.
- Unacceptable amenity impact on properties on

Harvey Close.

- Concern over the removal of existing landscape features on the site.

7 letters of support received raising the following planning points:

- Within the village boundary
- Flooding instances were between 20 and 25 yrs ago
- Traffic problems are non-existent
- Will enhance The Pastures with good mix and size of housing.
- Village needs housing if it is to thrive including affordable.
- Hope to result in associated expansion of amenities and infrastructure.

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. Neighbouring Amenity
4. Highway Considerations
5. Other Considerations
6. Whether the scheme amounts to sustainable development
7. The Planning Balance

Considerations

1. Principle of Development.

- 1.1 The application site is an undeveloped parcel of arable land and is overgrown. The site is considered to have a relationship with existing built form to the immediate east and north. The site lies outside of the settlement envelope of Upper Caldecote which is designated as a large village and CSDMP policy DM4 limits the extent of development allowed within and outside of settlement envelopes. The policy does not allow for new development in the open countryside and therefore the proposal is contrary to this policy.
- 1.2 At the time of writing the Council cannot demonstrate a five year supply of deliverable housing land. This means that under the provisions made in paragraph 49 of the National Planning Policy Framework 2012, policies concerned with the supply of housing (including DM4, DM14, and CS16 of the North Core Strategy) must be regarded as 'out-of-date', and the NPPF states that permission should be granted unless the harm caused "significantly and demonstrably" outweighs the benefits.
- 1.3 However, recent case law tells us that these policies should not be disregarded. On the contrary, 'out of date' policies remain part of the development plan, and the weight attributed to them will vary according to the

circumstances, including for example, the extent of the five year supply shortfall, and the prospect of development coming forward to make up this shortfall.

- 1.4 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 (4.89 years, or around 97%) and so appropriate weight can be given to housing restraint policies.
- 1.5 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.
- 1.6 With this scheme, 40 dwellings would be provided by the development and 35% of those would be affordable homes. The applicant will be required to commit to a legal obligation that would confirm the extent of deliverability of the development on the site within a five year period to show how it would contribute to the Council's housing land supply. The development would positively contribute towards the supply of housing to help meet need and weight should be attributed to that benefit in the planning balance.
- 1.7 Sustainability
Concern has been raised regarding the sustainability of the proposal. Upper Caldecote is categorised as a Large Village under Policy CS1 of the Core Strategy. There are various facilities in the village including a shop north of the site, a pub, lower school, Church, community facilities. There is also a bus service through the village and therefore Upper Caldecote is on balance considered to be a sustainable location in planning terms.
- 1.8 Settlements that are classified as Large Villages are considered to be able to accommodate small scale housing and employment uses together with new facilities to serve the village. Although small scale development is not defined, the scale of the proposed development should reflect the scale of the settlement in which it is to be located. The scale of this proposal is considered to be reflective of the scale of development of the area, namely The Pastures, east of the site.
- 1.9 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 the benefit of housing provision. This is particularly apparent as the application site has a clear relationship with existing residential development in all directions.
- 1.10 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 considered in the report below.

2. Affect on the Character and Appearance of the Area

- 2.1 Development of the site will increase the built form in the area. Development results in a loss of open countryside and this is considered to be an adverse impact.
- 2.2 With regards to the residential scheme, detailed design considerations will be left for any subsequent reserved matters layout. An indicative layout was submitted with the application which shows a development of mixed dwelling types within the site. Little weight is given to this layout with this outline application but it does indicate that the site could accommodate the quantum of development proposed. Any reserved matters proposed would expect to provide a high quality development that is designed in accordance with the Council's adopted design guide and this would likely affect the indicative layout as garden and parking standards are taken account of.
- 2.3 Views from the south towards the site mitigated against with the inclusion of strong landscaping on the southern boundary of the residential scheme. This would reduce the impact on the character of the area and can be secured through condition. The Landscape Officer does not object to the application but stresses the importance of preserving the rural character from public realm viewpoints. Stronger planting on the southern boundary will help to achieve this and a more robust planting screen will be expected at the northern boundary. These can both be secured as part of reserved matters and are achievable in principle. While it is acknowledged that there would be a permanent impact on the character of the area and the landscaped, it is considered to be acceptable in this instance.
- 2.4 On the basis of the considerations made above the scheme is considered to not adversely harm the character and appearance of the area in spite of a loss of open countryside. Furthermore the indicative layout suggests that a development of 40 units on the site could be accommodated if greater provision for boundary planting were provided. The proposal is therefore considered acceptable in light of the policies of the NPPF and policy DM3 of the Core Strategy and Development Management Policies 2009.

3. Neighbouring Amenity

- 3.1 The site does not adjoin any residential curtilages on either its northern, southern or western boundaries and there would be no amenity impact in these directions as a result. To the east the site abuts The Pastures, a relatively modern housing development which leads to a number of cul-de-sacs and the recreation ground to the south. There are a number of dwellings on Harvey Close that will back onto the site with a number to the north of these looking onto the application site on the other side of the road. Detailed design considerations are a reserved matter and this makes it difficult to ascertain specific impacts on neighbouring properties. It is considered that any subsequent reserved matters application would design a scheme that takes account of neighbouring properties to ensure there would be no harmful impact to existing residents.
- 3.2 Taking account of the indicative layout submitted it is considered that a scheme could be achieved in principle that would not have a detrimental impact on neighbouring amenity although there are concerns over the closeness of plot 26 to the rear boundary of 12 Harvey Close and the closeness of plot 32 to Nos 2 and 4 Harvey Close but these can be addressed through a reserved matters

application.

- 3.3 In terms of providing a suitable level of amenity for potential occupiers, any detailed scheme would be expected to be designed in accordance with the Council's adopted Design Guide and this guide includes recommendations to ensure suitable amenity levels are provided. Therefore it is considered that the adopted policy can ensure that a suitable level of amenity could be provided for new residents.

4. Highway Considerations

- 4.1 The Highway Officer has considered the scheme and raised no objection to the application. The access arrangement is such that it utilises an existing access from Biggleswade Road, accessing from an existing housing development. The nature of the road at The Pastures is such that it is considered to be able to accommodate the additional traffic movements generated from this scheme and this is the case for the roads in the wider village area.
- 4.2 In terms of parking the residential scheme will be required to meet the design guide parking standards for both residents and visitors but this is a design detail that would be considered at reserved matters stage. The indicative layout indicates that suitable parking arrangements can be achieved.
- 4.3 In terms of integrating with the existing settlement the indicative layout plan was updated to show the inclusion of a footpath link to the north of the site and also on both sides of the access road from the pastures. This is in addition to the southern link originally proposed. The new links are within highway land and therefore are achievable and can be secured through S106 agreement. The development is therefore considered to provide good connecting links for the site to the village.
- 4.4 The indicative layout shows the access road terminating at the southern end with no physical end point. The possibility of extending this road beyond the application site is not a matter that can be given significant weight as it is not an intention of this application. However it is noted as a concern and reserved matters proposals would be expected to propose development that includes termination points at highway ends in accordance with the Design Guide.
- 4.5 As a result there are no objections on the grounds of highway safety and convenience.

5. Other Considerations

5.1 Drainage

In terms of drainage, if a scheme were considered acceptable in principle it would be subject to ensuring details of suitable drainage systems are proposed and in place to accommodate drainage impacts. The application included details of sustainable urban drainage details and there are no objections to this in principle. It is necessary to condition the approval of drainage details on the outline consent to ensure the specifics of a scheme are acceptable in accordance with the Council's adopted Sustainable Drainage SPD and to ensure appropriate management and maintenance is secured.

5.2 Ecology

Objections have been received relating to the impact on wildlife. The application included an Ecological Survey and this has been considered by the Council Ecologist and no objection has been raised subject to a condition. The Ecologist has opined that a requirement for bat and bird boxes and appropriate planting will help to provide a net gain in biodiversity and this is considered a reasonable requirement for the applicant to meet in this instance.

5.3 Neighbourhood Plan

Objection was received on the grounds that the Proposal is contrary to the Northill Parish Neighbourhood Plan which sees, among other things to limit housing development to no more than 10 units. This is acknowledged however it is understood that the plan is not in draft form as yet and currently comprises a vision statement only. Therefore the neighbourhood planning process is very much in its infancy. As a result little weight is given to this concern. As the plan progresses greater weight can be applied to it as a material consideration but the intention cannot be used as a reason to delay the determination of development proposals submitted to the Council.

5.4 S106 agreement

Spending Officers were consulted and comments returned from Education and Leisure. NHS England were consulted on the application but no comments were received. The following contributions are requested and shall form heads of terms for the legal agreement that would be required if Members resolve to grant consent.

Education:

Early Years – £27,652.80

Lower school - £92,176.00

Middle School - £92,751.36

Upper School - £113,737.73

To help with the connectivity of the site and its relationship to the existing village an obligation will be included to provide the previously mentioned new footpath links adjacent to the site.

Timetable for delivery of housing:

In order to demonstrate that the development will contribute houses towards the Council's 5 year land supply the agreement will include a clause requiring the applicant/developer to submit a timetable for the delivery of the houses which will be agreed with the Council. Failure to enter into such an agreement will result in the application being refused on the grounds that it is not demonstrated that the site is deliverable.

6. Whether the scheme is Sustainable Development

- 6.1 The application has been submitted with the argument that the Council is unable to demonstrate a deliverable 5 year supply of housing land. Therefore the scheme is proposed to meet an assumed housing need in the area. However, at the time of writing the Council considers that it is close to being able to demonstrate such a supply. Paragraph 14 of the NPPF still applies and states that the presumption in favour of sustainable development is at the heart of the NPPF, for decision-making this means:

1. *approving development proposals that accord with the development plan without delay; and*
2. *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
3. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
4. *specific policies in this Framework indicate development should be restricted*

As such consideration has to be given to this scheme with the proviso that the Council's housing supply policies, including Core Strategy policy DM4, are not up to date. The wording of policy DM4 limiting residential development to small schemes within the settlement envelope should therefore be given some weight as it is noted that recent case law advises that the nearer an Authority gets to having a deliverable supply, the greater weight can be applied to policies such as DM4. This has been considered and in this instance the benefit of providing housing through this scheme, making a significant contribution towards the completion of a deliverable 5 year housing land supply is considered to outweigh the fact that the site is outside the settlement envelope bearing in mind its relationship with the existing settlement.

- 6.2 Consideration should still be given to the individual merits of the scheme in light of the presumption in favour of sustainable development. Paragraph 7 of the NPPF sets out the three dimensions to sustainable development; economic, social and environmental. The scheme should therefore be considered in light of these.

6.3 Environmental

The encroachment of built development beyond the settlement envelope results in a loss of open countryside which is a negative impact of the proposal. However the impact is not considered to be of such significance that it would warrant a reason to refuse planning permission. It will sit adjacent to existing residential properties and while materially altering the character of the area will not appear isolated, relating well to the existing settlement, and it is considered that this is an instance where the impact of developing adjacent the settlement envelope does not result in significant and demonstrable harm.

6.4 Social

The provision of housing is a benefit to the scheme which should be given significant weight. As is the provision of affordable housing. Both of these considerations are regarded as benefits of the scheme.

The site is close to an existing bus route and the village is well served by existing footways making the site accessible to the village core. The accessibility from the site is improved through the provision of footpath links to the north, east and south. The report has detailed that Upper Caldecote is regarded as a sustainable settlement and it is considered that it offers the services and facilities that can accommodate the growth from this scheme.

6.5 Economic

The economic benefits of construction employment are noted. As mentioned above financial contributions will be secured for education projects at schools in

the catchment area of the site to help accommodate the level of growth anticipated from this scheme which is considered to be a benefit.

7. Planning balance.

- 7.1 In this case, the provision of housing and the provision of policy compliant affordable housing units would be a significant benefit by contributing to the 5 year supply. The site is considered to relate to the existing settlement and represents a sympathetic extension to the village. The loss of open countryside is considered to be an adverse impact. It is considered that the benefits are considered to outweigh the adverse impact on the character of the area that would occur from developing land in the open countryside. In light of the comments made above it is considered even though the development is contrary to policy DM4 of the Core Strategy and Development Management Policies 2009 the individual merits of this scheme are such that the proposal can be regarded as sustainable development in the eyes of the NPPF and no significant and demonstrable impacts have been identified. As such the application is recommended for approval.

Recommendation:

That Planning Permission be Granted subject to the completion of a S106 agreement and the following:

RECOMMENDED CONDITIONS / REASONS

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

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

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

Reason: To comply with Article 3 of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended)

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

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

- 4 **No development shall take place until details of the existing and final**

ground, ridge and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties. Thereafter the site shall be developed in accordance with the approved details.

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 5 No development shall take place until details of hard and soft landscaping (including details of robust planting schemes at the southern and northern boundaries, boundary treatments and public amenity open space, Local Equipped Areas of Play and Local Areas of Play) together with a timetable for its implementation 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 would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009

- 6 No development shall take place shall take place until a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 5 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 5.

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

- 7 No development shall take place until a detailed surface water drainage scheme for the site including a management and maintenance plan has been submitted to and approved in writing by the Local Planning Authority. The scheme design shall be based on sustainable drainage principles in accordance with the Council's Sustainable Drainage SPD and an assessment of the hydrological and hydrogeological context of the development. The scheme shall be implemented in accordance with the approved details 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.

- 8 **No development shall take place until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing the works shall be carried out in accordance with the approved details prior to the occupation of any dwelling subsequently approved.**

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policy DM2 of the Core Strategy and Development Management Policies 2009.

- 9 **No development shall take place (including ground works or site clearance) until a method statement for the creation of new wildlife features such as hibernacula and the erection of bird/bat boxes in buildings/structures and tree, hedgerow, shrub and wildflower planting/establishment has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:**

- a) purpose and objectives for the proposed works;**
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);**
- c) extent and location of proposed works shown on appropriate scale maps and plans;**
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;**
- e) persons responsible for implementing the works;**

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework.

- 10 **The details required by Condition 2 of this permission shall include a scheme of measures to mitigate the impacts of climate change and deliver sustainable and resource efficient development including opportunities to meet higher water efficiency standards and building design, layout and orientation, natural features and landscaping to maximise natural ventilation, cooling and solar gain. The scheme shall then be carried out in full in accordance with the approved scheme.**

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF.

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

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

12 Any subsequent reserved matters application shall include the following;

- Estate roads designed and constructed to a standard appropriate for adoption as public highway.
- Pedestrian and cycle linkages to existing routes including to Harvey Close and Water Lane
- Vehicle parking and garaging in accordance with the councils standards applicable at the time of submission.
- Cycle parking and storage in accordance with the councils standards applicable at the time of submission.
- A Construction Traffic Management Plan detailing access arrangements for construction vehicles, routing of construction vehicles, on-site parking and loading and unloading areas.
- Materials Storage Areas.
- Wheel cleaning arrangements.
- A Residential Travel Plan.

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times.

13 **Prior to commencement of development full engineering details of the access arrangement and off-site highway works shown for planning purposes on Wormald Burrows Partnership plan E3565/700/A dated 20/06/16 shall be submitted to and approved by the Local Planning Authority and no dwelling approved under any subsequent reserved matters application shall be brought into use until such time as the agreed works have been implemented.**

Reason: To ensure the provision of appropriate access arrangements and associated off-site highway works in the interests of highway safety

14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers E3565/700/B, CBC/001.

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

INFORMATIVE NOTES TO APPLICANT

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

2. AN1/. 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.

AN2/. 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.

AN3/. 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 6, Article 35

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

DECISION

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