

Item No. 6

APPLICATION NUMBER	CB/16/02901/FULL
LOCATION	Land at Hillfoot Road, Shillington
PROPOSAL	Erection of 41 dwellings with associated access, garaging, landscaping and ancillary works. Alterations to existing parking provision on Hillfoot Road to create 35 car parking spaces.
PARISH	Shillington
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Alex Harrison
DATE REGISTERED	06 July 2016
EXPIRY DATE	05 October 2016
APPLICANT	Canton Ltd
AGENT	Woods Hardwick Planning Ltd.
REASON FOR COMMITTEE TO DETERMINE	Call in by Cllr Graham <ul style="list-style-type: none">• Contrary to settlement and conservation area policies• Streets already overused and parking designated on public highway• Inappropriate to the setting of the area and is an important green space• Infills an ancient meadow at the heart of a typical 'ends' village which is damaging.
RECOMMENDED DECISION	Parish Council objection to a major application The application is a departure from the development plan that is recommended for approval Full Application - Approval recommended

Reason for recommendation:

The application is a balanced case. 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 Shillington which is considered to be a sustainable location for planning purposes and is close to existing residential development in the village. The proposal would have an impact on the character and appearance of the area and would adversely affect the historic significance of the site and wider area. However the harm is considered to be less than substantial and it not therefore demonstrably harmful when considered against the benefits of the scheme. The proposal would provide affordable housing and the whole scheme would make a significant contribution towards the Council's 5 year housing supply as a deliverable site within the period. The proposal also results in a number of contributions are sought to offset infrastructure impacts and enhance the right of way through the site. The proposal is 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 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 forms a parcel of open land located adjacent to the settlement envelope of Shillington. The site lies within the village conservation area. The site is landscaped on a large proportion of its boundaries but otherwise is an area of overgrown grassland which has a mowed/trodden path through the site constituting a public right of way. The land has no formal planning policy designation but is identified as a 'Significant Landscape Space' in the Shillington Conservation Area Appraisal 2006.

The site abuts existing residential development to the east and south. The western boundary abuts a row of unallocated highway parking spaces with dwellings beyond. A further landscaped area abuts the site to the north with open countryside beyond to the north and residential development beyond to the northwest.

The Application:

Full planning permission is sought for the construction of 41 dwellings on the site. The site will be accessed through the provision of two new points onto Hillfoot Road. On the western boundary. The dwellings are proposed in a mixture of housing types with 2-4 bed homes.

The right of way through the site is retained and formalised with a hardstanding route running alongside a green strip which forms the sustainable drainage pond and landscaped area.

The development will provide 35% affordable housing across the scheme.

To provide the access points a number of the unallocated highway parking spaces would be lost. These have been re-provided within the highway as part of the scheme along with a reconfiguration of all parking spaces to show a parallel arrangement, resulting in a net gain of 8 spaces.

The application has been amended since its original submission to address amenity concerns with some plots and removes previously allocated parking spaces from the highway.

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

CS15 Heritage
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
DM13 Heritage in Development
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 Guidance SPD (May 2015)
Shillington Conservation Area Appraisal 2006
Shillington village Design Statement 1999

Relevant Planning History:

None

Consultees:

Parish/Town Council The Parish Council do not support this application on the following grounds:

1. The site lies outside the settlement envelope and wholly within the Shillington Conservation Area in the centre of the village where many of the village's oldest buildings are located.

Shillington is described in the last Conservation Area Assessment (2006) as *'a village surrounded by a number of 'Ends', loosely strung along a figure of eight shaped framework of minor roads.'* 'The village core and its related 'Ends' are connected by a remarkably dense network of footpaths running across fields and along field boundaries' Hillfoot Road is at the core of the village and development of the application site would have a devastating affect on the character of not only the conservation area but the whole village and would not be in keeping with Shillington's rural nature.

In the last Conservation Area Assessment the site was identified as a 'significant landscape space' and it was stated that *'to maintain the distinctive character and appearance of the Conservation Area it will be necessary to (a) Seek to retain, where necessary, important views, significant landscape space, hedgerows and other important boundary treatment as identified in the conservation area plan and (b) Ensure that development proposals are resisted on sites identified as significant landscape space in the conservation area plan'*

In February 2015 the parish council submitted an application to Central Bedfordshire Council to have the application site designated as an 'Important Open Space' as part of the Allocations Local Plan. Because Central Bedfordshire Council's Development Strategy was withdrawn we understand that the process for assessing the application was put on hold. The application by the parish council to designate this land as an Important Open Space and thus protect it from future development clearly demonstrates the view of the village that the development of the site would adversely affect the character and amenity of the area. This is also backed up by reference to the site in the 2009 Shillington Parish Plan.

2. Impact on traffic, highways safety and parking.

The Traffic Statement accompanying the application is considered inadequate and contains a number of inaccuracies. The person preparing the desktop statement clearly has no knowledge of the local area and the 'similar sites' referred to in the statement are in no way similar to Shillington. Section 5.8 (page 11) of the Transport Statement regarding traffic movements states that *"The proposed development is predicted to generate 18 two-way trips during the AM peak hour (8.00am-9.00am) and 17 two-way trips during the PM peak hour (5.00pm-6.00pm)"*. To suggest that traffic from 41 properties would only generate this small number of traffic movements at peak times is unbelievable. Peak travel times are likely to be outside the parameters in the proposal. If there were a large number of London commuters they would certainly be leaving home far earlier in the morning and returning later than suggested. The suggestion that there would or could be a reduction in car usage in favour of bicycle or walking is very unlikely given the lack of public transport, our rural location and narrow unlit roads. A development of 41 houses on this site would undoubtedly generate far more traffic than the Traffic Statement suggests, on roads which are already unable to cope with the existing level and speed of traffic

and the parish council would strongly request that Central Bedfordshire Council insist that the applicant provide a full transport assessment survey before the application is determined.

The existing pavement along the front of the application site is a popular route for children walking to Shillington Lower School, many of whom are encouraged by the school to walk on their own during their last term at the school in readiness for their move to the middle school when they are expected to walk to the bus stops. The existing route is considered extremely safe, because there are few roads to cross on the route to school, but the addition of two new accesses into the application site and increase in traffic movements is a grave concern.

Parking in Hillfoot Road and Church Street is a major issue. Some years ago, in consultation with and at the request of residents of Hillfoot Road, Shillington Parish Council and Bedfordshire County Council jointly funded the provision of 27 echelon parking bays adjacent to the application site. These have worked well but there are still not enough parking spaces for the large number of properties in Hillfoot Road and Church Street which do not have their own off road parking. The parish council (with Central Bedfordshire Council's traffic management team and previously with Bedfordshire County Council) have strived to provide a solution to the problem. This has not been achieved to date and the addition of 41 new properties in this area will only worsen the situation. Despite most of the new properties having their own allocated parking spaces within the development site, it would in the council's opinion be most likely that those residents occupying the properties fronting onto Hillfoot Road, would instead park in the roadside parking bays at the front of their properties. This would impact on existing residents who already struggle to find space to park.

The application is somewhat misleading as it refers to 'alterations to existing parking provision on Hillfoot Road to create 35 car parking spaces' which could be taken to mean that 35 additional car parking spaces are to be created when in fact only 8 additional spaces will be created. Two of these additional spaces are shown as 'allocated' for residents of the development site and six for visitors (of the development site?). Section 10.4 of the Central Bedfordshire Council's Design Guide (Movements and Streets) states that '*All on street parking within the extent of the adopted highway will be unallocated*'.

Many of the older buildings in Church Street and Hillfoot

Road have shallow or no foundations as was common during the period in which they were constructed. The roads in this area are generally narrow and are made more so by on street parking. For this reason, and because of the 90° junction of Hillfoot Road and Church Street, Church Street has been identified by Central Bedfordshire Council as 'unsuitable for large vehicles' and signs to this effect are displayed in Church Street and Hillfoot Road. Large vehicles still continue to use the road however, and 'The Old Bells' (listed building) located at the junction has been hit on a number of occasions by large vehicles trying to navigate the junction. A concrete bollard was erected on the corner to protect the building but this in its self has been demolished by vehicles on two occasions and is currently missing as a result of being hit! There are concerns that if this application is approved, large construction vehicles visiting the application site will use Church Street to access Hillfoot Road putting the buildings in both roads at risk of damage and also creating traffic safety issues.

Section 14.1 (page 9) of the Transport Statement regarding the bus stop (shelter?) located near Bells Close states *"Due to the positioning of the secondary private access, this bus stop will need to be relocated to ensure it is outside of the 2.4m x 43m vision splay."* Given the lack of a suitable location identified when the relocation of the bus stop on the opposite side of the road was investigated in 2014, it is inconceivable that a suitable new location for this bus stop could be found. The village would not want to lose this bus stop.

3. Statement of Community Involvement

The Statement of Community Involvement contains a number of inaccuracies. It states that "In addition to consulting with Shillington residents, the applicant wrote to Shillington Parish Council to seek their views on the proposed development. No comment from the parish council has been received yet." The parish council has received no correspondence from the applicant seeking the council's views. The only correspondence received was prompted by the parish clerk emailing the applicant's agents three days before the public consultation event (which the parish council had only heard about 'through the grape vine') asking for details of the event.. Prompted by this request the applicant's agent then emailed the parish clerk details of the event (i.e. date, time, location) but did not invite the parish council's comments. A parish councillor attending the public consultation exercise suggested to the applicant's agent that they should meet with the parish council to discuss the proposals, but even

this did not prompt them to do so. We understand that our ward member was also not consulted on the proposal.

The Statement of Community Involvement states that 'Issues relating to parking provision have been directly addressed within the revised layout following the consultation event whilst the production of expert technical reports will primarily alleviate concerns over traffic, amongst other issues raised. Other matters can also be addressed and mitigated through the planning processes. Clearly residents concerns raised at the public consultation on 9 June have not been addressed as the concerns raised at the public consultation are the same as those raised by residents at the meeting of the parish council held on 16 August to consider the application which was attended by over 50 concerned residents.

4. Impact on Local Infrastructure

Concerns are expressed about the impact this development could have on the existing local infrastructure. Shillington Lower School is we understand at capacity. Residents have to travel to Stondon, Barton, Shefford or even Hitchin to see a doctor. For many years there have been problems with the sewage system with areas of the village experiencing extremely unpleasant sewage odour emanating from the underground pipes which carry waste from not just Shillington but also neighbouring villages including Meppershall and Stondon both of which have already seen a significant increase in population due to new housing in recent years. The public bus service is limited.

Not only would this development, if approved, impact on the existing infrastructure, but consideration should be given to the impact the recently approved applications for a further 9 houses off Hillfoot Road, 19 houses at High Road and 15 houses in Hanscombe End Road will have, as well as the additional 13 new houses in Scyttels Court, 12 at Chalkley Bush Close, 11 at Marshalls Avenue and 20 at Wilson Close which have been built in recent years. Nearly 100 new properties already agreed or built. This application should not be considered in isolation.

5. Surface Water Drainage

Neighbouring properties in Bells Close, at present experience surface water run off from the application site and at certain times there is a degree of flooding making the Close impassable on foot. There are concerns that the Flood Risk Assessment and Surface Water Drainage Strategy accompanying the application does not fully address the issues and the parish council would strongly request that Central Bedfordshire Council insist that a

detailed drainage scheme to be submitted before the application is determined.

6. Affordable Housing

Section 5.11 (page 27) of the CBC Design Guide (Residential development) states that “*All developments should be tenure blind so that affordable housing cannot be differentiated from market housing...*”. Clearly by locating all the affordable housing in one part of the site affordable housing will be differentiated from market housing.

Following amendments

The parish council wish its original comments to stand and would reiterate that the application is somewhat misleading as it refers to ‘alterations to existing parking provision on Hillfoot Road to create 35 car parking spaces’ which could be taken to mean that 35 additional car parking spaces are to be created when in fact there are already 27 parking spaces adjacent to the site (provided at the request of residents of Hillfoot Road and jointly funded by Shillington Parish Council and Bedfordshire County Council some years ago) and only 8 new spaces will be created. 4 of those new spaces will replace space on the road where 4 vehicles can currently parallel park, thus effectively there will only be 4 additional parking spaces created.

Highways

There are issues with use of the public highway for allocated parking - the plan indicates that two spaces are to be allocated to plot 41. Whilst I acknowledge that they are providing additional parking outside the site I do feel that all allocated parking should be within the site especially when in practice I suspect those new spaces in front of the new dwellings will be ‘claimed’ by the occupiers.

Comments awaited following amendments

Historic England

Provided the following conclusion:

‘The application site makes a positive contribution to the significance of the Conservation Area and setting of the Grade I listed Parish Church. Developing the site could result in harm to the significance of those heritage assets in terms of paragraphs 132 and 134 of the NPPF. The Council should assess any public benefit derived from the proposed housing as required by paragraph 134 but if the ‘clear and convincing justification’ for the harmful impact required by paragraph 132 is not found we recommend the application is refused.’

Conservation Officer

The setting of Parish Church of All Saints (Grade I listed building)- the tall brick tower and high roof of the church and the raised churchyard, together with the elevated hilltop ridge situation, make a most prominent and distinctive landmark landscape feature, visible from far around. There are both some near glimpses and local views between and over roofs of the village buildings and far longer views at considerable distances and in all directions.

The points raised by CPRE Bedfordshire and many others, regarding the proposed development affecting setting and views to and from the church needs careful consideration. The closest part of the application site to the churchyard is some 150m distant, the east end of the church is around 190m, with the terraced houses on the west side of Hillfoot Road and some other dwellings in between. These restrict a clear view of the churchyard and the church. From parts of the application site and the public footpath, there is some degree of intervisibility possible, with a view to the church tower. To some extent, development of the site would inevitably have some, albeit limited, degree of impact. That impact, however, is much restricted by the distance involved and the intervening dwellings. Any actual (less than substantial) harm, in terms of NPPF para. 134 would, it is considered be negligible- and not sufficiently significant to amount to a sound reason for refusal of permission.

What is of importance, however, in terms of the conservation area and the village built form, with the distinctive relationship of remote ends to the core part of the village, is the separating affect of the open space. This makes the clear break, despite some encroachment of 20th century housing, to Hillfoot End, to the north. With regard to the historic village pattern, this gives the open space, considerable influence in the overall village identity. Should this residential development be considered acceptable in principle, then the loss of this Significant green open space will require careful weighing in the evaluation of the impact- and any possible harm- to this historic settlement pattern against the public benefits (NPPF para. 134).

As submitted, the house types are of a traditional standard design. The range and final selection of materials- for roofs, walls, rainwater goods and paving, edgings and surfacing (and hard and soft landscape treatment generally), together with architectural detailing, such as brick arches over window and door openings- will need careful handling and refinement to meet the usual

conservation area criteria- sustaining and enhancing the significance of the heritage assets and making a positive contribution to local character and distinctiveness- should the principle of this type of development be considered to be acceptable.

Landscape Officer

I am very concerned about the scale of this proposal and the loss of this open space within the village of Shillington. The site is an open grassy field, bordered in part by hedges but it provides an important function both in terms of enabling attractive views of the Church and the cottages of Hillfoot Road and also through retaining a sense of space between residential streets.

Shillington lies at the southern part of the Landscape Character Area 8D - Upper Gravenhurst- Meppershall Clay Hills - views from the north sweep across the village and its landmark church and on to the Chiltern Hills. One of the key visual sensitivities of the area are the views to the stone churches which crown the hills - this valued aspect includes the more intimate views within the settlement as well as the long distance views across the wider landscape.

Shillington is also distinctive for its settlement pattern of "Ends " - hamlets forming settlements around a sequence of small-scale pastures, typically surrounded by strong hedgerows. This domestic scale of agriculture contrasts with the much more extensive arable landscape present on the clay hills and vales and the chalk hillsides to the south.

In my view , the Application would result in a loss of landscape character ,resulting from the scale of infill . Although the route of the footpath is retained within a narrow green corridor, and would provide some views of the church , I do not consider the scale of the open space is a sufficient to create a feature for the village which responds to the setting. The views to the terraced properties of Hillfoot Road are important as the foreground to the Church - the assemblage of the buildings is particularly attractive. The existing residents on the eastern boundary enjoy open views across the meadow to the Church, other surrounding properties also benefit from rural views which would be lost through the urbanisation of this site.

I would like to provide more comment on the judgements made in the LVIA but in my view, this has underestimated the residual impact on the loss or detracting in the views from sensitive receptors eg local residents and users of the right of way crossing the site.

If this development were to be permitted, I would want to see a comprehensive revision of the planting specification. The proposed hedges eg beside the gardens fronting the access road and surrounding the LEAP are described as "evergreen" . New planting in the village needs to reflect the rural character of the village and although some evergreen species are suitable, particularly flowering ornamental evergreens such as Escallonia or species typical of cottage gardens such as Hebes . I am concerned that the typical urban style planting of Prunus, Photinia and Viburnum are intended for these hedges as these species are listed under shrub planting. I would also wish to see the ornamental birch removed from the planting list as this has too suburban a connotation and also tends to mature with a poor crown, requiring management.

I object to the Application as I consider the density to great to accord with Policy 14- High Quality Development, and 16 - Trees and Landscape. The loss of open space within the village and the impact of views within the settlement would result in a decline in landscape character.

Trees and Landscape

Looking at the information provided it would seem to be acceptable with retention of a number of boundary trees and enhancement of the Right of Way through the site to create a "Green Corridor". New hedging and Fruit trees are proposed and I would agree with Ecology comments that it may be preferable to incorporate trees into areas of the public realm as opposed to gardens.

An Illustrative Masterplan has been supplied but we will require detailed Landscape Plans showing location of proposed planting and densities

Ecologist

Having read through the submitted information I acknowledge the habitat and species surveys undertaken. No protected species interest has been found to be associated with the site but 6 territories of song thrush were identified in the boundary hedgerow / scrub habitats. The ecological survey notes the value of the hedgerows for bats and bird species, including song thrush which are UK Species of Principal Importance and the fact that so many were recorded on this site is quite significant. The protection of this habitat will be essential in minimising the impact to biodiversity on this site.

It is noted in the DandA that existing trees and landscaping are to be retained which is welcomed as this supports established habitats which in turn enhance the

setting of a development. The ecological report recommends that boundary features are maintained, particularly the northern boundary. Some of the plans show this as retained, figure 24 shows the 'developed sketch layout' within which hedgerows are retained, albeit within individual dwellings curtilages rather than the public realm which would be preferred as a way to ensure their continued appropriate management. It also appears that some of the garages on the northern boundary are very close to the hedgerow which could potentially be problematic.

I welcome the use of fruit trees in the planting pallet but once again I am sceptical over positioning them in private gardens as often these are removed shortly after occupation. A community orchard would be a desirable addition to the scheme so it may be more appropriate to group fruit trees in an area of POS.

The NPPF calls for development to deliver a net gain for biodiversity and the retention of a central green corridor along the RoW will provide an opportunity for habitat provision, as will new attenuation basins. The protected species report identified House Sparrow in the area and I would like to see 10 x integrated sparrow terraces and 10 x bat tubes to be incorporated into the built fabric of homes, positioned in accordance with RSPB and BCT guidance. Japanese Knotweed was also identified on site which will need to be removed safely to prevent its spread.

To ensure appropriate habitat protection and enhancement measures are in place together with ongoing maintenance programmes I would advise a condition is applied.

Sustainable Drainage	Urban	We consider that planning permission could be granted to the proposed development if planning conditions are included to investigate and confirm the most sustainable form of managing the surface water within the site and secure the appropriate construction and future management of this.
Internal Drainage Board		Please note the Board has no comments to make regarding the above planning application.
Pollution Team		No objection subject to a contamination condition.
Sustainable Officer	Growth	I welcome the applicant's approach to sustainability standards outlined in the Energy and Sustainability Statement.

To ensure that policies CS13, DM1 and DM2 requirements and standards are achieved I request the following planning conditions to be attached:

- 10% energy demand of the development to be delivered from renewable or low carbon sources or energy demand reduced through energy efficiency measures if preferred by the developer;
- Water efficiency to achieve the higher water efficiency standard of 110 litres per person per day;
- Development is to design with climate change in mind and ensure that dwellings are not at risk of overheating.

The following evidence should be provided to discharge the above conditions:

- SAP calculations to show compliance with the Part L 2013 and delivery of 10% energy demand of the development is delivered from renewable sources or reduced through application of energy efficiency measures;
- Part G calculation output sheet to show that all dwellings achieve the higher water efficiency standards of 110 litres per person per day;
- Statement to demonstrate how the development and building design minimises risks of climate change and cover issues such as overheating and ventilation in dwellings; surface water management and landscaping to accommodate predicted climate changes.

CPRE

Provided an extensive objection on the grounds of:

- Out of character with Shillington and affects views to and setting of the Church
- Development would be unsustainable and an overdevelopment of Shillington
- Core strategy Policies are still relevant and can be considered as determined by a previous Henlow appeal
- Site is outside of the settlement and is not an exception scheme
- Does not amount to sustainable development.

Concluding with the following paragraph:

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, as illustrated in the final conclusion of the Inspector in the Henlow Appeal Case.

Housing Development Officer I support this application as it provides for 14 affordable homes which reflects the current affordable housing policy requirement of 35%. The supporting Design and Access Statement also indicates a fully tenure compliant scheme with the provision of 73% affordable rent (10 units) and 27% intermediate tenure (4 units).

I would like to see the affordable units dispersed throughout the site and integrated with the market housing to promote community cohesion and 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 is located on the edge of historic core of the settlement of Shillington (HER 17113), a heritage asset with archaeological interest as defined by the *National Planning Policy Framework (NPPF)*.

A settlement at Shillington is recorded in the Domesday Survey of 1086 AD when it is clearly a well established and densely populated. It was centred on the parish church (HER 1119), located to the west on the top of a chalk knoll, with rest of the village developing at the foot of the knoll around Church Street and High Road. Shillington has a complex settlement history. There were a number of manors within the parish and also a total of eight subsidiary settlements or "ends"; for example Aspley End (HER 17115), Hanscombe End (HER 17114), Hillfoot End and Upton End (HER 4487). Frequently "ends" are the result of the expansion of settlement due to population pressure in the 12th and 13th centuries, however, it has been suggested that the Shillington "ends" may not be the result of this process and are in fact earlier in origin (White 1978). There are a two medieval moated sites close to the village Church Panel (HER 384) and north of Aspley End (HER 405). Small areas of medieval ridge and furrow earthworks also survive around the village (HER 4485). An archaeological investigation of land immediately to the east of High Road undertaken in 2012 identified linear features dating from 11th -14th centuries AD, possibly remain of a system of paddocks relating to the medieval village, a widespread alluvial deposit suggesting an episode or episodes of flooding in the late medieval or post-medieval periods and a post-medieval ditch, probably a boundary feature. In the wider area around Shillington there are a number of a cropmarks (HER 9412, HER 14678, HER 16816 and

HER 16759) which include enclosures and linear features that may be of later prehistoric date. There is also evidence of Roman occupation in the surrounding area including a Roman building identified during pipeline construction to the north (HER 15256), surface finds of Roman material (HER 16326) and a large number of metal detector finds (e.g. HERs 18394 and 18585). Evidence from archaeological investigations in other villages in Central Bedfordshire have shown that the structure of rural settlements was both dynamic and fluid in the Saxon and medieval periods with settlements growing, contracting and shifting around the landscape through time. There is growing evidence that areas beyond the presently identified historic cores of villages contain the remains of earlier phases of settlement. Therefore, the proposed development site has the potential contain archaeological remains belonging to earlier phases of occupation at Shillington.

Following pre-application advice from the Archaeology Team (CB/15/02780/PAPC) the applicant commissioned an archaeological field evaluation of the proposed development site comprising a geophysical survey (Davies and Reeves November 2015) and a programme of trial trenching (Albion Archaeology March 2016); reports on the geophysical survey evaluation (incorporating a *Heritage Statement*) accompany the application. The geophysical survey only identified the possible remains ridge and furrow, part of the medieval field system of Shillington. The trial trench evaluation largely confirmed the results of the geophysical survey, identifying furrows across much of the site. A ditch was also identified in two trenches in the south east corner of the site which appears to correlate with a boundary feature recorded on a map of 1881. The features contained a finds assemblage dating from the Roman to post-medieval periods, but it is suggested that the earlier material is residual and that the archaeological features date to the late medieval and post-medieval periods. It is concluded that the archaeological features identified within the proposed development site represent the prolonged agricultural activity close to but outside the focus of settlement (Albion Archaeology 2016, 16). The archaeological remains are considered to be of low significance with a low potential to address research objectives relating to medieval/post-medieval settlement. This is a reasonable description and assessment of the archaeological resources of the proposed development site and the significance of those resources.

Groundworks associated with the construction of the proposed development are identified as having the

potential to have a damaging impact on the archaeological remains which survive within the site. However, because of the low significance of the identified heritage assets with archaeological interest within the site and their low potential to address research aims the significance of the impact is described as slight to neutral. This is an appropriate assessment of the impact of the proposed development on archaeological remains.

The proposed development contains low density remains of medieval agricultural activity and a late medieval to post-medieval boundary. Development of the site will result in the destruction of these features and the result in a loss of significance to the heritage assets with archaeological interest they represent. However, because the archaeological remains are of limited importance the loss of significance to the heritage assets with archaeological interest does not represent a constraint on the proposed development and no further archaeological investigation will be required as a consequence of this development. Therefore, I have no objection to this application on archaeological grounds.

Anglian Water

Assets Affected

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

Wastewater Treatment

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

Foul Sewerage Network

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Surface Water Disposal

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.

Trade Effluent
Not applicable

Rights of Way Officer

Pleased that the existing diagonal legal line is being retained. Although the path currently has no legal width, I would question whether the intended 2m width is going to be wide enough within the surrounding landscaping of the proposed swale, especially as planting grows and possibly encroaches. I would also like confirmation of the surfacing material intended to be used.

With regard to the new road crossing within the site, we would expect dropped kerbs either side of the road and appropriate new signage for users of the footpath as well as the road.

Ramblers Association

I have looked at the online plans for the erection of 41 dwellings and associated amenities in Hillfoot End, Shillington. There is a footpath which crosses the site but I note it is included in the plans with the comment it will be part of the development and will be "enhanced". This matter is my only concern.

Other Representations:

Neighbours

137 letters have been received either raising objection (133) or making comments (4) on the application: the following summarised planning objections/issues are raised:

- Will adversely affect the character of the village. The proposal is an overdevelopment of the site and at too high a density.
- Local highway network is unable to accommodate the additional traffic with traffic bottlenecking at each end of Hillfoot Road. Increased risk of accidents in the village. Findings of the Transport Assessment questioned. Traffic calming measures should be provided in the area.
- Proposed access is poor.
- Site is within the Conservation Area.
- Retaining open land in the historic centre is crucial to maintaining its character and amenity space.
- Site is identified in Shillington Green Infrastructure Plan as an area to maintain the green centre of the

village.

- Development would remove one the 'ends' of the village and 'close in' the village in this location.
- Will damage the outlook and view of the listed church
- Development is unsustainable and the village does not have the right infrastructure.
- This scheme, along with other approved schemes is too much for the village.
- Lower school, doctor's surgery and other services not able to accommodate the growth
- Development is too large
- Development is in the wrong part of the village.
- Parking spaces not big enough.
- Development will increase noise and air pollution.
- Privacy and amenity impacts highlighted generally as affecting dwellings in the area.
- Adverse impact on wildlife in the area. Bat and bird boxes should be required.
- Adverse affect on sewerage in the village.
- Shillington has surface water drainage problems already and this will make things worse.
- Footpath should include dog fowling/litter bins with additional information and wayfinding at the site.
- More detail of the play area required.
- Concerns over Construction Traffic Management
- Quality of housing proposed is not outstanding.
- The site is not allocated and should be subject to the call for sites process first.

Determining Issues:

The main considerations of the application are;

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

Considerations

1. Principle of Development.

- 1.1 The application site is an undeveloped parcel and is overgrown with a right of way path running through it. The site has a clear relationship with existing built form of the village on 3 of its sides. The site lies outside of the settlement envelope of Shillington. 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 (4.76 years, or around 95%) 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, 41 dwellings would be provided by the development and 35% of those would be affordable homes. The applicant has committed to a legal obligation that would ensure the delivery of 100% of the units within a five year period from the date of a decision. 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. Shillington is categorised as a Large Village under Policy CS1 of the Core Strategy. There are various facilities in the village including a shop, a pub, lower school, Church, village hall. There is also a bus service through the village and therefore Shillington is 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 on Hanscombe End Road.

- 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 The application site located outside of the settlement envelope for the village and is therefore in an open countryside location. The site has a right of way running through which is identified through a flattened route across in what otherwise is an overgrown area of grassland with views across which gives it a sense of openness. The site rises to the east, elevating it from Hillfoot Road. The boundaries of the site are shown to be subject to mature planting of various species, regularly broken up with gaps, the majority of which are subject to residential boundary treatments. Access to the site by foot is gained at the southwestern and north western points, where the right of way runs although it is noted that the route beyond the north-eastern corner is heavily overgrown and not easily accessible.
- 2.2 The application proposal would permanently remove the openness from the site by introducing built form onto it. The changes would be significant and permanent. In visual terms the openness of the site is a characteristic of the area however it is also acknowledged that the land parcel is not subject to any formal designation in the Local Development Framework such as an Important Open Space or Important Countryside Gap (its identification through the Conservation Area Appraisal will be considered below). That is not to say that it is not a site that has local importance and value in the eyes of residents and the concern raised through the consultation period is duly noted. The comments from the Landscape Officer are also acknowledged.
- 2.3 As stated the development of the site would result in the loss of its openness and an increase in built form in the area. The development has to be considered not only against the loss of landscape but also the relationship of the site with its surroundings. The site abuts development on three of its four sides. Shillington is characterised by a village core surrounded by a number of 'Ends' loosely strung along the road network. The site relates directly to the village core and its relationship with existing built form means that the loss of the countryside parcel in this instance is significantly less than other edge of settlement sites. The nature of the area is such that the development does not give the impression that the village boundary is being stretched or pulled into the open countryside to the detriment of its character.
- 2.4 In terms of its detailed design the development is one of relatively low density that provides a suitable frontage to Hillfoot Road. The dwellings are considered to be appropriately scaled and reflective of the character of the area ensuring that while being visible they would not be overly prominent in the streetscene. Some of the existing landscaping at the boundaries is to be removed to allow for

the development. Notably the western boundary fronting Hillfoot Road would be cleared, opening the entire site to the streetscene. The layout plan shows new hedge planting would be done to this side which would soften the impact of development and can be secured through condition. The Tree Officer has been consulted on the application and raises no objection to the development.

- 2.5 The right of way is retained as part of the application site and the layout shows that it can be regarded as being enhanced through this application by virtue of providing a hard surface route and improved landscape appearance in this area.
- 2.6 Taking the design of the scheme on its own merits the development is considered to provide residential development as an appropriate density that takes account of the scale of neighbouring dwellings. It would not be overly prominent and the surrounding character of the area is such that development should integrate into the village without causing detrimental harm.
- 2.7 In considering the impact on the character of the area, it has to be done taking account of the Council's current housing land situation. Para 14 of the NPPF states that adverse impacts of a scheme would need to significantly and demonstrably outweigh the benefits of the scheme to warrant a reason to refuse planning permission. With this application there is an adverse impact through the loss of the openness in this area however it is not considered to be significant to outweigh the benefit of housing provision due to its relationship with the existing settlement.

3. The Historic Environment

- 3.1 The Shillington Village Design Statement is a Supplementary Planning Guidance Document carried over from Mid Bedfordshire Council which was adopted in 1999. The document seeks to illustrate some of the distinctive element and characteristics of the village that should be considered in new design. The document states that development must not impinge on or detract from views of All Saints Church and this is a relevant consideration with this application. The application site currently affords uninterrupted views to the Church at all points on the right of way route. Development of the site will result in these views from the right of way being removed at the north-eastern part of the footpath route. The layout as proposed would retain views that are currently experienced and therefore the impact on views is partial across the site.
- 3.2 The site is located entirely within the village Conservation Area. The site is identified within the Shillington Conservation Area Appraisal (2006) as a significant landscape space although it does not benefit through a formal Core Strategy policy designation. Development will result in the loss of the vast majority of this landscape space. The Conservation Officer has pointed out that the separating effect of the open space is an important consideration and with regard to the historic village pattern, the open space has considerable influence in the overall village identity. Its importance is also highlighted by the concerns of the Landscape Officer. The comments from Historic England also point out the positive role the open space plays in the Conservation Area.
- 3.3 As well as being within the conservation area, the development affects the setting of the Grade I listed Parish Church. The Local Planning Authority has particular duties when considering applications that affect the setting of listed

buildings. These are set out in the Planning (listed Buildings and Conservation Areas) Act 1990. Section 66 states that... 'In considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting...'. Section 72 makes it a duty to '*pay special attention... to the desirability of preserving or enhancing the character of appearance*' of a conservation area.

- 3.4 The NPPF reinforces the statutory weight given to heritage assets. At para 129 it states that Local Planning Authorities should 'avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Para 132 states that when considering the impact of development...great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. At para 134 it states that 'harm may be weighed against the public benefits' of a proposal where the proposal will lead to less than substantial harm.
- 3.5 The comments received from the Conservation Officer and Historic England are such that it is acknowledged that the development of this site, and the loss of the open space will impact on the character of the conservation area and the setting of the Grade I listed church. Considerations have to be made as to whether or not these impacts are detrimental and, if so, whether or not the harm outweighs the public benefits of the scheme.
- 3.6 The application site does make a contribution to the character of the conservation area in that it provides an open character to what is a populated and built up area. The pattern of the village is such that it is not a clear end to the village as development almost immediately continues along the highway to the northwest. It was observed at numerous site visits that the site is unkempt and overgrown which has made it inaccessible outside of the mowed/trodden footpath route running through it. It is privately owned. Regardless of its accessibility and how it is currently maintained it sits as a feature of the streetscene in this area and therefore its development to provide housing will materially affect the character and appearance of this part of the conservation area. The setting of the Church is considered to be affected to the extent that views across the site to the Church would be affected. However it is noted that the scheme retains and enhances the footpath route across the site. From this public realm area views to the Church should be afforded on the majority of the route which means that it is considered that while views are reduced they are not removed and the harm to this extent is not considered to be substantial.
- 3.7 The scheme therefore adversely impacts the historic significance of the site and wider area. As stated above the NPPF advises that these impacts should be considered against the public benefits of the proposal. This is considered in more detail in section 8 of this report below. To summarise, it determines that the case is balanced. The impacts are apparent however; given the Council's housing land supply scenario and the relationship of this site to built form of the village, there are benefits that are also apparent and have to be given appropriate weight in considering the application. There are a number of reasonable and relevant contributions that can be sought from the developer in order to make this scheme acceptable in planning terms. It is therefore considered that the

impacts are acknowledged and not ideal however they amount to less than substantial harm and they are, in this instance, outweighed by the benefits and there is no substantial and demonstrable harm to the historic significance that would justify a sustainable reason to refuse planning permission.

4. Neighbouring Amenity

- 4.1 The application site sits adjacent to existing built form on the majority of its boundaries, all of which are residential. The layout was amended over the course of the application to relocate plots as the southern part of the site to establish a greater distance between the proposed units and existing dwellings at Bell Close and Elmhurst Gardens. This has been achieved and the relationship is now considered to be acceptable. At the north-eastern corner, an existing property has a balcony facing the site. The applicant has addressed this by positioning Plot 14 so that it would not be overbearing to this balcony feature and would not result in the balcony looking into gardens of the proposal. The remainder of the site has been proposed with suitable distances to existing dwellings to ensure that while there maybe habitable windows facing towards existing homes, notably in Present Close, Bell Close, Elmhurst Close and Wheelwright Close, there would not be direct overlooking impacts from them.
- 4.2 It is acknowledged that there have been a number of objections raised on the ground of noise impact. The introduction of residential development on the site will increase noise levels but not to an overly excessive degree. The area is predominantly residential already and while there may be an impact on adjacent properties to the site it would not be considered detrimental to the amenity of their occupiers in principle.
- 4.3 In terms of the provision of suitable amenity space for future residents the proposed layout has been design taking account of the Design Guide recommendations of a minimum of 50 sq. metres (minimum 10 metres depth) garden area for 2 bed homes and 60 sq. metres (minimum 12 metres depth) for 3 beds and upwards. This has been achieved across the majority of the development and it is considered that the development provides suitable garden sizes for future residents.
- 4.4 The amended scheme shows a layout that takes account of the Design Guide recommendation for back to back distances between dwellings of 21 metres. This provides suitable distances between the proposed dwellings and there would be no overlooking issues within the development as a result.
- 4.5 As a result it is considered that the development does not harm the amenity of existing residents and will provide suitable amenity levels for proposed residents.

5. Highway Considerations

- 5.1 The scheme has been amended since it original submission as the initial layout showed two parking spaces for Plot 41 allocated in the public highway. The amendment removes these and provides the parking within the application site.
- 5.2 Following the amendment the scheme is considered to provide suitable parking

and turning space within the site for the development proposed. The parking provision relies on the use of garages to accommodate the numbers and these have been proposed to be Design Guide compliant and therefore can be considered as parking spaces. No allocated parking is proposed in the highway and the amended layout to these highway spaces has allowed for the provision of an additional 8 spaces in the public highway. This can be regarded as a benefit to the scheme given the number of existing dwellings in the area that do not benefit from parking provision.

- 5.3 Visitor parking is provided within the site amounting to 12 spaces within the street and this is acceptable in light of the Design Guide recommendations of one space per 4 dwellings. The layout plan shows 7 of the highway parking spaces on Hillfoot Road set aside as visitor spaces. These have not been considered as they are on the public highway and it is not possible for any allocation on these types of spaces. Discounting these spaces does not adversely affect the parking provision for the scheme
- 5.4 The roads within the development are designed so that the main spine road is to an adoptable standard. A number of tegula paved shared drives are proposed off these which include the provision of bin collection points to ensure all properties can be served by Council waste vehicles.
- 5.5 The application proposes a number of works to the public highway. The unallocated parking spaces adjacent to plots 26, 35 and 41 have been realigned and set away from the road as a result the public footway is also realigned to accommodate the relocation. Adjacent to proposed Plots 1, 2 and 3 additional parking spaces have been provided on the public highway
- 5.6 The provision of the new accesses to serve the development means that, in order to provide visibility splays the existing bus stop on Hillfoot Road will need to be relocated. It is shown on the layout as being located in the same area, outside of the visibility splays. This is considered acceptable however it is necessary for the applicant to re-provide the shelter and this can be secured as part of the S106 agreement.
- 5.7 The Highway Officer initially raised no concerns other than a need to remove allocated parking from spaces within the public highway. It is considered that this issue has been addressed through the changes and therefore the scheme is considered to be acceptable. The Highways Officer has been consulted on the changes and any comments received will be included on the late sheet.

6. Other Considerations

6.1 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.

6.2 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 will help to provide a net gain in biodiversity and this is considered a reasonable requirement for the applicant to meet in this instance.

6.3 Local Plan Process

Objection was received on the grounds that the site has been put forward to the Council under the 'call for sites' process, seeking its formal allocation for housing development in the new Local Plan and therefore the consideration should wait until this process is complete. The Council is obliged to determine applications as they are submitted on the basis of planning policies and other material considerations as they are apparent at that time. It is unreasonable to defer consideration until the local plan site allocation process is carried out and while the objection is noted it is not one that can be upheld.

6.4 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 – £28,344.12
Lower school - £94,480.40
Middle School - £95,070.14
Upper School - £116,581.17

To offset the removal of the bus shelter an obligation will be sought for the applicant to re-provide a shelter.

To aid the enhancement of the right of way a contribution will be sought for the provision of bins and an information/notice board on the route. A further contribution is considered reasonable to provide dog bins and wayfinding on this route and to fund a continuation of the footpath north of the site as it joins New Walk.

To help with the connectivity of the site and its relationship to the existing town a contribution will be sought to enhance the right of way route beyond the site to the northeast.

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.

7. Whether the scheme is Sustainable Development

7.1 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:

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
- *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*
- *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.

7.2 Consideration should still be given to the individual merits of the scheme in light of said 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.

7.3 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 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.

The report has identified that there is a detrimental impact on the historic significance of the site. The development removes some views through to the church from the site however this is not a holistic removal across the site and the enhanced right of way increases accessibility through the site which could

promote the views. The conservation area impact removes a recognised landscaped space although and the report has considered these impacts against the public benefits of the proposal. Archaeologically, no objection is raised to the scheme. Therefore there is not significant harm to the historic environment as a result of this development.

Some weight can be given to what is an enhancement to the right of way route through the site and beyond.

7.4 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 adjacent to an existing bus route and the bus stop would be relocated to ensure continuity with provision. The village is well served by existing footways making the site accessible to the village core. The report has detailed that Shillington 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.

7.5 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.

8. Planning balance.

8.1 In this case, the provision of housing and the provision of some affordable housing units would be a significant benefit by contributing to the 5 year supply. The scheme would also enhance the right of way route through the site, provide additional parking accessible to the public on Hillfoot Road and make contributions towards education and the provision of a relocated bus shelter. Contributions would also be sought for further enhancements of the public right of way in the form of contributions for street furniture such as bins and a hard surface for the small section of the route north of the site. The report has considered the impacts of the scheme and the case is finely balanced. 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, the impact it has on the character of the area and the heritage impacts of the scheme. 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, in accordance with a presumption in favour, should be supported.

8.2 Conditions

At the time of drafting this report conditions relating to highways and the Conservation Area are awaited. Any additional conditions will be included as part of the late sheet update.

Recommendation:

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