

Item No. 7

APPLICATION NUMBER	CB/16/02314/FULL
LOCATION	Land to rear of 104 to 168 Station Road, Lower Stondon, Henlow, SG16 6JH
PROPOSAL	Erection of 80 residential dwellings together with associated access and landscaping
PARISH	Stondon
WARD	Arleseey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Nikolas Smith
DATE REGISTERED	30 June 2016
EXPIRY DATE	29 September 2016
APPLICANT	Bovis Homes
AGENT	Optimis Consulting
REASON FOR COMMITTEE TO DETERMINE	Major application with Parish Council objection.
RECOMMENDED DECISION	Departure from the Development Plan.
RECOMMENDED DECISION	Full Application - approve

Reason for recommendation:

This development would fall outside of the Settlement Envelope for Stondon but would constitute sustainable development because the harm caused by it would not significantly and demonstrably outweigh the benefits, which include the delivery of up to 80 new homes within the five year period.

Background

Development Management Committee resolved to grant Outline Planning Permission for up to 80 units at this site subject to conditions and a legal agreement in September 2016. At the time of writing, that permission is pending as the s106 agreement is finalised.

This application is for Full Planning Permission and is for 80 dwellings at the site.

In resolving to grant Outline Planning Permission for residential development at this site, the Committee accepted the principle of residential development in this location, the suitability of the access to the site and heads of terms.

Site Location:

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

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

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

The Application:

Full planning permission is sought for the erection of 80 dwellings, with the following housing mix:

1 bedroom flat	9
2 bedroom house	16
3 bedroom house	40
4 bedroom house	11
5 bedroom house	4
Total	80

35% of the dwellings would be affordable homes with 73% for rent and 27% for shared ownership.

There would be a Local Area of Play (LAP) within the site.

Access would be taken from Station Road, through the existing Bovis development and into the site via Redwig Close. Two existing visitor parking spaces near to the proposed entrance to the development would be relocated within it.

Relevant Policies:

National Policy and guidance

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

Local Policy and guidance

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

- CS1 Development Strategy
- CS2 Developer Contributions
- CS3 Healthy and Sustainable Communities
- CS4 Linking Communities – Accessibility and Transport
- CS5 Providing Homes
- CS6 Delivery and Timing of Housing Provision
- CS7 Affordable Housing
- CS13 Climate Change
- CS14 High Quality Development
- CS15 Heritage
- CS16 Landscape and Woodland
- CS17 Green Infrastructure

CS18	Biodiversity and Geological Conservation
DM1	Renewable Energy
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM9	Providing a Range of Transport
DM10	Housing Mix
DM13	Heritage in Development
DM14	Landscape and Woodland
DM15	Biodiversity
DM16	Green Infrastructure
DM17	Accessible Green Spaces

Site Allocations (North) Development Plan Document (2011)

Central Bedfordshire Design Guide (2014)

Central Bedfordshire Sustainable Drainage Guidance SPD (2014)

Mid-Bedfordshire Landscape Character Assessment (2007)

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

Development Strategy

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

Relevant Planning History:

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

Approved: 4th November 2013

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

Approved: 22nd July 2015

CB/16/2132OUT Erection of 80 residential dwellings together with associated

Decision pending. DMC gave resolution to grant in September 2016.

Consultation responses:

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

Stondon Parish Council Objection for the following reasons:

Following the Parish Council meeting on the 27 July 2016 it was resolved to object to this application.

I have enclosed a list of reasons and supplementary information in regard to this matter.

Stondon Parish Council Planning Application response [CB/16/02314/FULL](#)

Item 1516 b) Land to rear of 104 to 168 Station Road, Lower Stondon - Major Developments approx. 80 houses together with associated landscaping and access [CB/16/02314/FULL](#)

We discussed this proposal at the July 2016 Stondon Parish Council meeting and resolved to **OBJECT** to this development in a number of areas.

- 1) This Development falls outside any identified the local development boundary and will need full assessment if is applicable and appropriate.
- 2) The Parish Council has never been consulted about this extensive development and is contrary to the information published in Design and Access statement page 11 item 2.12.3 in the Outline Application previously submitted.
- 3) We do not believe a viable assessment of traffic movement of lorries and deliveries has been done and the impact on the neighbours already living in the current development. No alternative access solutions have been proposed in the documents provided.
- 4) There is potentially a high risk of an accident or fatality from the additional traffic entering the estate, such as large trucks, delivery wagons, contractors cars etc. They will have to negotiate the narrow streets and paving that is at the same level of the road surface (i.e. no providing clear delineation between road and the pedestrian area) while children, parents and others are going to work and school
- 5) The traffic assessment does not include the proposed volume of additional traffic that will be present during the development of the Golf Course.
- 6) We have not seen an independent survey of the

agricultural land and believe that this maybe of a quality suitable for farming.

- 7) The local Schools cannot accommodate additional children without extensive redevelopment and this project does not propose to address this.
- 8) Inconsistent notification and consultation with the local residents on street signs and via letters etc, nor had any consultation with local residents been done at the time of this meeting.

In addition at Stondon Parish Council meeting on 27 July 2016

The Developer (Chris O'Conner, Bovis Homes, Justin Wickersham and Phillipa, Optimis Consulting), attended this meeting with a small number of the local residents (approximately 40 members of the public present).

- 9) The Developer recognised that a number of errors exist in the initial Outline application documents submitted but did not provide any dates on when the correction have been or will be addressed.
- 10) The Developer but did not provide any specific information on how they intend to assist the local community as part of this development plan just some vague assurances and in our experience vague assurances tend to disappear.

Local residents also identified the need for traffic calming in Station Road and issues entering and leaving the estate including contractors. Plus the lack of respect Bovis workers have shown local residents by parking on the road, breaking pavements and in one case damaging a driveway with no offer of resolving.

They, the local residents, also noted that there was no suggestion of introducing a 20 mph zone on the estate in line with many other local developments and they felt this would help with traffic safety.

The current Bovis Phase 1 development has put a stain on local community resources and this additional unplanned development is almost doubling the volume of houses adding more pressure on those limited local resources. Some of the promises made have still yet to surface including the Traffic Calming in Station Road. The MUGA connected with initial development had problems with implementation as Bovis took time to move on the project and some of the promises in connection with the

initial proposal have yet to appear including a link path to Birch Grove and other local amenities.

Once again this seems to be a large housing developer blatantly ignoring the local community and only looking for the maximum profit from minimum outlay. It does not seem to care about talking to the community or discussing the development and the benefits to propose to deliver to the community.

If Bovis Homes takes the time to come and talk to the local community in greater depth and provides a much more rounded and guaranteed set of proposals to the local community this may help in winning their trust. It does not help when a Developer, such as Bovis, shirks its responsibility's and fails to engage the community prior to moving forward on a development.

Neighbours

Site and press notices were displayed. Letters were sent to neighbours of the site. Amended plans were received. The amendments to the scheme were minor in scale in the context of the proposed development and so no further consultation exercise was undertaken in accordance with the National Planning Practice Guidance.

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

- There is no sufficient infrastructure in the area to accommodate the development
- Local traffic is already bad
- Station Road parking is already problematic
- There should be a separate access road
- Residents on the existing estate have been misled
- The internal roads cannot accommodate additional traffic on the scale proposed
- Speeding on Station Road is a problem
- Traffic calming on Station Road is delayed
- The scheme should not be called 'Phase 2'
- The application is premature
- Harm would be caused to the appearance of the site, the area and the landscape
- There would be noise and disturbance and a lack of privacy
- The five bedroom houses should be located elsewhere at the site
- There should be privacy fencing between existing and proposed houses
- The scheme would be over development
- Local people have already had to cope with the

existing development being built.

- Traffic will also be caused by the golf course extension
- Construction traffic should not be taken through the estate
- The LEAP would no longer be safe on account of additional traffic
- There could be an impact on house prices
- The traffic information submitted is inaccurate
- There would be a loss of light for existing residents
- The site is too small
- There would be a harm to existing local ecology
- There would be harm caused to the existing streetscene

Consultee responses:

Highways

There is no justifiable reason to raise and sustain a highway objection to this proposal.

The outline application demonstrated that there is no issue with the ability of the surrounding highway network to accommodate the increase in traffic generation and the proposed layout is compliant with the CBC Design Guide with regard to highway elements.

Trees and Landscape

Proposal is for permission to allow development of this area of land for housing and associated infrastructure.

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

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

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

We will require conditioned landscape detail.

Ecology

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

should ideally be seeded with a species rich grassland mix and I would like to see integrated bird / bat bricks used in all properties at a ratio of 1 per unit. SuDS should be multifunctional, providing ecological and GI benefits in addition to attenuation. A nectar / berry rich planting palette would also achieve biodiversity gains.

Sustainable Growth

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

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

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

I would like more information on how policies' requirements will be met to be submitted with the full planning application. The information should cover:

energy and water efficiency, renewable energy contribution, climate change adaptation measures to minimise risk of overheating in dwellings and proposed ventilation strategy.

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

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

LDF Team

The proposal site is located outside of the settlement envelope of Stondon which is categorized as a Large Village.

At the time of writing (20/07/16) the Council cannot demonstrate a five year supply of deliverable housing land. This means that under the provisions made in paragraph 49 of the National Planning Policy Framework 2012, policies concerned with the supply of housing (including DM4, DM14, and CS16 of the North Core Strategy) must be regarded as 'out-of-date', and that permission should be granted unless the harm caused "significantly and demonstrably" outweighs the benefits.

However, recent case law and legal advice (FTB, 4th May 2015) tells us that these policies should not be disregarded. On the contrary, 'out of date' policies remain part of the development plan, and the weight attributed to them will vary according to the circumstances, including for example, the extent of the five year supply shortfall, and the prospect of development coming forward to make up this shortfall.

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

Minerals and Waste

The application site is adjacent to a permitted golf course

extension to the west and south. This is acknowledged on the drawings, but is not fully assessed within the application. There are three issues that need to be considered.

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

Clearly the timing of the two operations is the critical factor here. The golf course development must commence by the 22nd July 2018 and be completed within a further two years. Either the applicants should be asked to amend the noise assessment to take account of this or a condition should be imposed to prevent the occupation of the houses until the golf course development is complete. The latter would also avoid any potential issues with regard to dust and vibration.

Potentially, a condition could be worded to say that the houses should not be occupied 'before the 22nd July 2020 or until the Council confirms in writing that the adjacent golf course development is complete, whichever is the sooner'. In practice, it is anticipated that the golf course development will commence shortly, so the acceptable date could be as early as the second half of 2018.

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

3. Once the golf course is complete, there would appear to be some potential for golf balls to come across the

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

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

N.B. An updated Noise Report was later submitted.

Pollution Control

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

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

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

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

Section 60 of the Control of Pollution Act 1974 [9] enables a local authority, in whose area work is going to be carried out, or is being carried out, to serve a notice of its requirements for the control of site noise on the person

who appears to the local authority to be carrying out the works and on such other persons appearing to the local authority to be responsible for, or to have control over, the carrying out of the works.

This notice can perform the following functions.

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

However, before specifying any particular methods or plant or machinery, the local authority has to consider the desirability, in the interests of the recipient of the notice in question, of specifying other methods or plant or machinery that will be substantially as effective in minimizing noise and vibration and that will be more acceptable to the recipient.

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

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

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

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

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

Unfortunately condition 15 of the golf course permission specifies hours of work from 0700 to 1900 hrs Monday to Friday and 0700 to 1300 hrs Saturdays whereas under The Control of Pollution Act 1974 section 60 CBC (pollution) require all noisy construction works (works which are audible at the site boundary) in the district to be undertaken between the hours of 0800 to 1800 hrs Monday to Friday and 0800 to 1300 hrs on Saturdays and at no time on Sundays, Bank or Public Holidays. This situation has occurred before and whilst developers can complain that one part of the council has permitted them to work certain hours and another has restricted them to different times we have had to serve S60 CPA notices in similar circumstances before.

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

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

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

Housing Development Officer

I support this application as it provides for 28 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 20 units of affordable rent and 8 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.

Anglian Water

Section 1 – Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted:

“Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.”

Section 2 – 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.

Section 3 – 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.

Section 4 – Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We have calculated the permitted 1 in 1 year discharge rate to be 7.93 l/s, the proposed discharge rate is too high and may cause a risk of flooding downstream. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency. We will request that the agreed strategy is reflected in the planning approval.

Adult Social Care

Summary:

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

Public Art

Central Bedfordshire Council actively encourages the inclusion of Public Art in new developments and looks to developers / promoters of sites to take responsibility for funding and managing the implementation of Public Art either directly or through specialist advisers and in consultation with Town and Parish Councils and Central Bedfordshire Council.

Key requirements are:

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

Public Artists can include:

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

If the application were to be approved I request a Condition be applied with suggested wording but await your advice on this:

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

The Public Art Plan should detail:

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

Education No objection subject to contribution.

Leisure No objection.

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

To the east of the proposed development site lie a series of enclosures (HER 19455) that were investigated prior to the construction of the current Bovis housing development. These enclosures may have formed agricultural paddocks and were dated to the early-middle Iron Age (Albion Archaeology 2013). To the south of the proposed development site lies another single enclosure which also dates to the early - middle Iron Age (HER 16973) and a water pit (HER 20309) which may be late Bronze Age in date (Albion Archaeology 2015). Given the

co-location of these features and the similar date range it is likely that they all form part of a broadly contemporary landscape.

This application is accompanied by a geophysical survey report (Stratascan, dated 05/05/16) and an archaeological desk-based assessment (CgMs, dated May 2016). The geophysical survey suggests that no archaeological features of a substantial size are present within the application area. The archaeological desk-based assessment concludes that while the Central Bedfordshire Council Historic Environment Record (HER) mapping suggests that cropmarks HER 16973 partially cover the proposed development site, the geophysical survey suggests that there are in fact no archaeological features within the application area.

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

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

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

Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (CLG 2012).

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

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

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

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

Green Infrastructure

The application does not clearly demonstrate a net gain in green infrastructure. There is little information about the design of the central green space, and how it would

contribute to green infrastructure enhancement, and is integral to the overall design and sense of place of the scheme.

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

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

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

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

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

I would not recommend the granting of planning permission until the development can demonstrate a net GI gain, and includes proposals for SuDS that are in line with CBC's Sustainable Drainage SPD, and have clear information on adoption proposals.

Landscape Officer

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

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

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

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

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

SuDS Team

We consider that planning permission could be granted to the proposed development and the final design, sizing and

maintenance of the surface water system agreed at the detailed design stage

Internal Drainage Board No objection

NHS

The current situation in Lower Stondon is that there is one GP surgery which will be affected by the proposed development that, in the opinion of NHS England, does not have the capacity to absorb the additional requirement for general medical services (GMS) should this application be successful.

Should the proposed development go ahead it will result in circa 192 additional patient registrations for primary care.

There is a GP surgery in Lower Stondon which provides primary healthcare services to this community. The practice as it currently stands would not be able to provide a good primary care service to the additional patients as a result of this development. Lower Stondon Surgery is deemed constrained.

‘Constrained’ means a practice working to over-capacity for the size of their premises and the clinical space available to provide the required services to their patients. A practice in this situation would usually need to be re-configured, extended or even relocated to absorb a significant number of new registrations.

Despite premises constraints GP Practices are not allowed to close their lists to new registrations without consultation with, and permission from, the Commissioning Team of NHS England. Even when surgeries are significantly constrained NHS England would not wish an individual patient to be denied access to their nearest GP surgery. Patient lists are therefore only closed in exceptional circumstances.

However, when a large number of new dwellings and registrations is planned the preferred option is to try and find a way to absorb those significant demands upon surgeries by providing additional resources, e.g. re-configuring or extending the practice, increasing clinical space and human resources and thus keeping the patient lists open. A developer contribution under these circumstances is considered fair and reasonable.

The building housing Lower Stondon Surgery is a single storey circa 1990 purpose built premise. While it is

unlikely the building could be significantly altered externally, there may be opportunities for an extension and re-configuration to increase the clinical areas.

As noted above there is no capacity to absorb the patients this development would generate and therefore a S106 contribution is requested to help support Lower Stondon Surgery increase its clinical capacity and to make this scheme favourable to NHS England.

Below is the calculation of the contribution sought based on the number of dwellings proposed, for GMS provision:

80 dwellings x 2.4 = 192 new patients

192/2000 = .096 of a GP *GP based on ratio of 2,000 patients per 1 GP and 199m² as set out in the NHS England "Premises Principles of Best Practice, Part 1 Procurement & Development"

.096 x 199 = 19.104m² additional GMS space required

19.104 x £2,600 = £49,670 (*Build cost; includes fit out and fees)

£49,670 / 80 = £620.88 (rounded to £621 per dwelling)

NHS England would be grateful if you would ask for a contribution of £49,670 relative to this planning application

Determining Issues:

The considerations in the determination of this application are:

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

Considerations:

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

S38(6) of the Planning and Compulsory Purchase Act (2004) and the National Planning Policy Framework (NPPF) (2012) set out that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (para 11).

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

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

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

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

2. The Principle of the development and housing delivery

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

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

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

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

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

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

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

Appearance of the site the area

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

The pre-ambule to Policy CS16 states that the countryside outside settlements is a highly valued resource for agriculture, recreation, landscape and wildlife. The Council will protect the countryside for its own sake, safeguarding it from the increasing pressures of development.

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

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

It is important that the site should not be developed in a fashion that would conflict with the existing built character of the area. Whilst relatively secluded, it would become part of the urban context of this part of Stondon.

The density at the site would be around 34dph, which would be broadly appropriate for a site on the edge of a settlement, like this one.

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

The buildings at the site would be well designed, and they would relate

successfully with the existing new build development to the east at Stondon Park. Houses would be two and two and half storeys in height which would be appropriate in this location. A block of nine flats would be a larger building, in footprint and height but it would be located at around the centre of the site where longer views of it would be reduced. It would not undermine the quality of the development as a whole.

The layout at the site would be legible and logical. The relationship, in visual terms, between the existing and proposed developments would be good.

Landscape impact

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

4. The impact on neighbours and future living conditions

Policy DM3 requires that new development to respect the amenity of neighbouring properties. The neighbours most likely to be affected by the development are those to the north on Station Road and those within the existing Stondon Park Development.

The layout of the site has been designed so as to respect living conditions at these properties. Houses at the north of the site would have gardens backing on to the gardens serving the houses on Station Road and there would be a minimum of 21m between facing habitable windows at existing and proposed properties. There would be no significant overlooking, light or outlook issues.

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

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

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

All of the properties would be served by reasonably sized gardens and would have acceptable outlook. Internal space standards would be acceptable.

Planning permission has recently been granted for an extension to the Mount Pleasant Golf Course to the south and west of the site. This will involve the

transportation of large amounts of earth to the site. Construction could take around two years.

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

5. Access to the site and other highways implications

Highways

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

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

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

A planning condition would require a scheme for traffic calming measures between the entrance to Stondon Park at Station Road and the entrance to the proposed development.

All of the units would be provided with car and cycle parking in general alignment with the Council's standards. Where garages would be provided that would not meet the Council's internal space standards, they would not be counted as a parking space.

The highways implications of the development would be acceptable.

6. Heritage Assets

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

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

7. Trees and hedgerows

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

8. Ecology and biodiversity

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

9. Land quality

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

10. Flood risk and Drainage

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

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

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

11. Energy efficiency

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

A condition would require details of energy efficiency measures.

12. Planning obligations

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

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

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

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

The following contributions would be secured through a legal agreement:

Stondon Lower School - £184,352.00

Robert Bloomfield Middle School - £185,502.72

Etonbury Upper School - £227,475.46

The Council's Education Team is satisfied that there is sufficient early year's capacity in the area and so contribution is sought.

Stondon Village Hall - £125,000.00

Stondon allotments - £15,000.00

Lower Stondon Surgery - £49,670.00

13. The planning balance and conclusions

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

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

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

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

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

Recommendation:

That Planning Permission is approved subject to the successful completion of a legal agreement and the following conditions:

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **Notwithstanding the submitted materials schedule, no development shall commence at the site before details (including samples) of materials to be used in the external construction of the buildings at the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

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

- 3 **Notwithstanding the submitted details, no development shall commence at the site before a landscaping scheme for the site, including a timetable for its implementation and a programme for its management and maintenance has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.**

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

- 4 The car and cycle parking shown on the submitted plans shall be provided in advance of the unit to which it relates and all of the proposed car and cycle parking shall be provided in advance of the occupation of the last unit at the site.

Reason: To ensure that sufficient car and cycle parking is provided at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the central Bedfordshire Design Guide (2014).

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

Reason: In the interest of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 6 **No development shall commence at the site before details of the**

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

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

- 7 No development shall take place until details of play areas together with a timetable for their implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.

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

- 8 Notwithstanding the submitted information, no development shall commence until a detailed surface water drainage scheme and maintenance and management strategy for the site, has been submitted to and approved in writing by the Local Planning Authority in consultation with Anglian Water. The scheme will include details of how the scheme shall be maintained and managed after completion. The scheme shall include provision of attenuation and a restriction in run-off rates. The scheme shall be implemented in accordance with the approved final details before the development is completed.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF and to ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written statement - HCWS161.

- 9 No development shall commence at the site before 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 has been submitted to and approved in writing by the Local Planning Authority. 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.

- 10 **No development shall take place at the site before a scheme for biodiversity enhancement at the site including a timetable for its delivery has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

Reason: To ensure that biodiversity is properly protected at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework (2012).

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

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the NPPF (2012) that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

- 12 **No development shall commence at the site before a scheme for traffic calming between the junction of Stondon Park (the Bovis Homes development approved under reference CB/12/02929/FULL) and Station Road and the entrance to the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be completed in advance of the first occupation of any dwelling at the site.**

Reason: To ensure that the site is safe, in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the NPPF (2012).

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

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

- 14 **Other than where specifically required by a condition attached to this decision the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans and reports referenced Design and Access Statement dated May 2016, Level 1**

Flood Risk Assessment and Surface Water Drainage Strategy Revision A dated June 2016, Foul Sewerage and Utilities Assessment dated May 2016, Framework Travel Plan dated May 2016, Geo-Environmental Investigation Report dated April 2016, Preliminary Ecological Assessment dated March 2016, Arboricultural Impact Assessment dated April 2016, Transport Assessment dated May 2016, Planning Statement dated May 2016, Planning Obligations Report dated May 2016, Environmental Noise Survey and Assessment (updated), Archaeological Desk Based Assessment dated May 2016, Landscape and Visual Impact Assessment dated May 2016, Agricultural Land Classification document, LST1-02-100, LST1-02-110, LST1-02-120, LST1-02-130, S3180/03 rev A, Tree Constraints Plan, LST1-02-170, LST1-02-230, LST1-02-150A, LST1-02-210A, LST1-02-220A, LST1-02-140B, LST1-02-200A, LST1-02-190A, LST1-02-180A, LST1-01-160A, LST1-02-317A, LST1-02-316A, LST1-02-313, LST1-02-312, LST1-02-310, LST1-02-311, LST1-02-309, LST1-02-308, LST1-02-307, LST1-02-306, LST1-02-305, LST1-02-304, LST1-02-303, LST1-02-302, LST1-02-300, LST1-02-301, LST1-02-314A, LST1-02-315A

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

INFORMATIVE NOTES TO APPLICANT

1. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
2. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
3. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's 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.

- 4. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

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

DECISION

.....
.....