

Item No. 8

APPLICATION NUMBER	CB/16/04460/OUT
LOCATION	Land opposite the Playing Field, Mill Lane, Potton
PROPOSAL	Outline Application: residential development of up to 62 dwellings including all ancillary works with all matters reserved except access.
PARISH	Potton
WARD	Potton
WARD COUNCILLORS	Cllrs Mrs Gurney & Zerny
CASE OFFICER	Donna Lavender
DATE REGISTERED	27 September 2016
EXPIRY DATE	27 December 2016
APPLICANT	Denison Investments Ltd
AGENT	Woods Hardwick Planning
REASON FOR COMMITTEE TO DETERMINE	Ward Councillor (Cllr A Zerny) call in on the following grounds: <ul style="list-style-type: none">• Outside the Settlement Envelope• Cumulative impact on Potton• Narrow access
RECOMMENDED DECISION	Furthermore, Major application with Town Council objection. Outline Application - Recommend for Approval subject to the completion of a 106 Agreement

Reason for Recommendation

The proposal for residential development is contrary to Policy DM4 of the Core Strategy and Development Management Policies Document 2009, however at this time the Council cannot demonstrate a 5 year housing supply and therefore developments should be considered in the context of Sustainable Development. The application site is adjacent to the existing settlement envelope of Potton which is considered to be a sustainable location for planning purposes. The proposal would have an impact on the character and appearance of the area however this impact is not considered to be significant or demonstrably harmful. The proposal is also considered to be acceptable in terms of highway safety and neighbouring amenity and therefore accords with Policy DM3 of the Core Strategy and the Council's adopted Design Guidance (2014). The proposal would provide policy compliant affordable housing and the whole scheme would contribute to the Council's 5 year housing supply as a deliverable site within the period. Financial contributions to offset local infrastructure impacts would be sought for education and leisure facilities. These benefits are considered to add weight in favour of the development and therefore the proposal is considered to be acceptable.

Site Location:

This site lies to the south of Mill Lane in Potton and consists of vacant meadowland. To the south and west lie open countryside and to the east lies a mainly residential area of semi-detached and terraced properties. To the north lies a recreation ground with play area, two sports pitches, a pavilion and a car park. Immediately adjacent

lies a large detached property with a small development of detached houses to the northeast.

The site falls within the Greensand Ridge Nature Improvement Area and is adjacent to but outside of the Potton Settlement Envelope. It is also designated as falling within a Minerals Safeguarding Area.

The Application:

The application is to establish the principle of residential development up to 62 dwellings including a 40% affordable housing provision. The application is submitted in Outline with all matters reserved except for access which is proposed from the Mill Lane. A parameter plan has been supplied demonstrating where the dwelling houses could be facilitated alongside landscaping, ecological habitat, Green Infrastructure and surface water drainage.

The application is accompanied by the following statements:

- Minerals Resource Assessment
- Design & Access Statement
- Geophysical Survey Report
- Reptile Survey Report
- Ecology Report
- Heritage Statement
- Flood Risk Assessment & SuDs Strategy
- Supporting Planning Statement
- Green Travel Plan
- Transport Assessment
- Landscape Visual Appraisal
- Indicative Landscape Masterplan
- Utilities Assessment

The site and development has been considered in relation to the EIA regulations (2011) as amended in March 2014 and is below the threshold for the requirement of an Environmental Statement.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 8: Promoting healthy communities

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

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment

Section 13: Facilitating the Sustainable use of Minerals

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
 CS7: Affordable Housing Provision
 CS13: Climate Change
 CS14: High Quality Design
 CS15: Heritage
 CS16: Landscape & Woodland
 CS17: Green Infrastructure
 CS18: Biodiversity
 DM1: Renewable Energy
 DM2: Sustainable Construction of New Buildings
 DM3 - High Quality Design
 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

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.

Minerals and Waste Constraints

Minerals Safeguarding Zone

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

MSP 11

MSP 12

Supplementary Planning Guidance/Other Documents

1. Central Bedfordshire Design Guide (March 2014)
2. Central Bedfordshire SuDs Guidance (April 2014)
3. Building for Life 12 (April 2014)

Relevant Planning History:

Application Number	MB/03/01597/FULL
Description	Extension of time to application 37/98/1657 for change of use from grazing land to recreational ground facilities.
Decision	Full Conditional Approval
Decision Date	16/12/2003

Town Council:

Potton Town Council It was **resolved** to object the application for the following: (03/11/16) (*Verbatim*)-

- Access to the site is via an unadopted narrow highway.

- Location is close to play area, playing fields and School, an increase in traffic would be dangerous and create congestion.
- Impact on local businesses.
- Infrastructure.
- Environmental impact.
- The development is outside the settlement envelope of Potton.
- Sustainability – Public Transport and Healthcare.

Internal Consultees:

1. CBC Housing Development Officer (11/11/16) - Supports the scheme as it offers 40% Affordable housing provision in excess of the local policy requirements.
2. CBC Minerals & Waste Officer (12/10/16) & (27/10/16) - Minerals Safeguarding Area and Minerals Resource Assessment required.

On receipt of assessment, no further concerns expressed subject to an updated planning statement which includes the provision for re-use of materials extracted from site.
3. CBC MANOP Officer (19/10/16) - Advises that the needs of older people should be considered as part of this proposal.
4. CBC Trees & Landscape Officer (20/10/16) - No Objection, subject to the imposition of conditions requiring an Arboricultural Impact Assessment and a landscape scheme at the detailed application stage.
5. CBC Sustainable Growth Officer (21/10/16)- No Objection, subject to the imposition of conditions to secure 10% energy demand for renewable's and higher water efficiency standards.
6. CBC Green Infrastructure Officer (25/10/16) - No Objection, subject to the securing of the green open space.
7. CBC SuDs Officer (26/10/16) - No Objection, subject to the imposition of conditions to secure a detailed SuDs scheme and long term maintenance plan.
8. CBC Pollution Officer (26/10/16) & (07/12/16) - No Objection, subject to the imposition of conditions to secure a noise and light pollution mitigation scheme at the detailed application stage. Furthermore a Construction Management Plan will be required to be secured by condition.
9. CBC Public Art (26/10/16) - No Objection, subject to the imposition of a condition to secure a public art strategy.
10. CBC Archaeology (28/10/16) - No Objection

- | | | |
|---|---------------------|--|
| 11. CBC Transport Officer (02/11/16) - | Sustainable Officer | <p>Cannot comment in full until verification that Highways are satisfied with the trip generation.</p> <p>Officer advised of Highways acceptance of trip generation and awaiting further comments.</p> |
| 12. CBC Rights Of Way Officer (07/11/16) & (11/11/16) - | | <p>No Objection, subject to the imposition of informative notes to ensure that the bridleway is not compromised. and off site highway improvements include appropriate signage.</p> |
| 13. CBC Landscape Officer (10/11/16) & (22/11/16) - | Strategic Officer | <p>Objects on the following grounds in summary:</p> <p>"This development would result in an unacceptable incursion into the open countryside to the west of Potton, land which is important in terms of the character and scale of the greensand landscape. Development would extend the urban influence into a landscape of high value for informal recreation and would detract from long distance views across the plateau eg foreshortening views as seen from the bridleway along Old Bedford Road. This bridleway and Mill Road form part of a promoted "Mill Trail " - these are well used paths and urban growth would detract from the landscape quality currently enjoyed.</p> <p>The Applicants have failed to recognise the importance of the underlying heathland character and the significance of the Greensand Ridge as a landform in this location. This is not a landscape expected to have a strong hedgerow framework . It is extremely important to retain the varied land use - pasture, arable land ,woodland from which the varied "texture " of the greensand landscape arises. Permanent grassland has been lost over the years ,resulting in the arable landscape to the north of Mill Lane. In terms of landscape character, it is important to conserve the remaining areas of pasture - not only for their visual attributes but also as a wildlife habitat. "</p> <p>Despite the helpful information provided in the LVIA, the visual impacts have been underestimated.</p> |
| 14. CBC (20/10/16) - | Ecology | <p>No Objection, subject to the imposition of a condition to secure ecological enhancement through an ecological design strategy (EDS).</p> |
| 15. CBC Officer (14/11/16) - | Highways | <p>Concerns expressed about the pedestrian safety as a result of the works proposed to Mill Lane. Further to revised plans received on 02/12/16 which amended priorities and provided highway improvement works, no further concerns were expressed subject to the imposition of standard conditions to secure appropriate off site</p> |

works are completed prior to commencement and further information pertaining to parking provision and internal vehicle access required at detailed application stage.

External Consultees:

1. Environment Agency No Objection
(07/10/16) -
2. Internal Drainage Board (10/11/16) & (06/12/16) - No Comments
3. Sports England (10/10/16) - No Objection, regard must be had to para 74 of the NPPF which refers to loss of sports facilities.
4. Beds Fire & Rescue Service (11/11/16) - Request for the provision of fire hydrants every 180 metres which can be controlled by condition.
5. Campaign to Protect Rural England (31/10/16) - Objects on the following grounds (in summary):
 - Urbanisation of the open countryside
 - Poor relationship to the existing settlement
 - Archaeology impact
 - Unsustainable Development
6. RSPB (14/11/16) - Objects on the following grounds (in summary):
 - Concerns of increased recreational pressure on reserve holdings and
 - Lack of mitigation for potential impact.
7. Anglian Water (11/11/16) - No Objection, available capacity for foul drainage and foul sewerage.

S106 Sustainability Mitigation Obligations

1. CBC Education Spending Officer (20/10/16) - Due to pressures on local school placements, a financial contribution to secure an extension to each tier would be required.
2. CBC Leisure Spending Officer (18/11/16) & (06/12/16)- Due to the pressures on existing leisure facilities, a financial contribution to secure additional provision to the Mill Lane Recreation Site is required a contribution to a town led recreational facility i.e. skate park.
3. NHS Health Services (11/11/16) - Contributions were secured towards the reconfiguration of Gamlingay Surgery under a recent application in Sandy Road, Potton. No further requirements to increase capacities as a result of the numbers proposed on this development herein are required.

Other Representations:

Neighbours (73

representations

received, some of which are duplications from the same address which are indicated in brackets)

35 (x2), 42, 47, 55, 63 (x2), 69, 74, 75, 76 Newtown

12 Home Lane

St Marys, Hatley Road (x2)

26, 40 (x2) King Street

14 Jacobs Close

The Cherrytrees, Mill house, 1 (x2), 4, 4b, 10 (x2), 26, 28, 33, 35 (x2), 37 (x2) JMJ Machinery Ltd, Mill Lane

12, 14 (x2) Nursery Close

10 Station Road (x2)

16 The Ridgeway

3, 9, 22 Garden Fields

2a, 3, 4 (x2) Old Bedford Road

1, 2 Byards Green

58 The Paddocks

22 West End Lane

46, 61 Horslow Street

19 Brook End

19, 42 Chapman Close

73 Everton Road

Objects on the following grounds in summary:

- Highway safety concerns in respect of access and intensification of narrow lane
- Inappropriate highways mitigation
- Danger to children travelling to school and users of mill lane using playground and leisure facilities
- Reliance on previous planning permission on the site
- Ecological mitigation measures not acceptable
- Adverse biodiversity impact (Nerc Act)
- Beyond the Settlement boundary
- Unsustainable Development (Transport & Health)
- Pressure on school capacity
- Loss of open space
- Site owner indebted to the Town Council
- Cumulative impact as a result of a number of developments in the locality
- Urbanisation of the open countryside and Mill Lane itself
- Adverse impact on health service provisions including dentist
- Pottton Town Plan should be material consideration
- Insufficient affordable housing
- Lack of elderly provision
- Increased traffic generation and area grid lock at peak times and school runs
- Prevent businesses from operating successfully i.e. JMJ Plant and Charliemill Riding School
- Adverse impact on the local residential amenity
- Loss of tranquillity and open space
- Not conducive to healthy communities
- Not possible to pass two way traffic
- Lack of Zero Carbon Housing
- Overdevelopment
- Adverse impact on bird habitats
- Loss of views into open countryside
- Light pollution
- Loss of light to properties in close proximity to site
- Implications for development proposals of garages in Newtown currently under consideration
- Outside the settlement envelope
- Loss of good quality agricultural land
- Parking Issues

2 Torrington Close

13, 19, 38 Spencer
Close

1 Barnwell Rise

6 Catherines Close

26 Judith Gardens

12 Horne Lane

9 Garden Fields (x2)

6 Munkman Close

1 Sheepwalk Close

32 Festival Road

59 Wingfield Drive

25 Langley Gardens

2 Village Road,
Cockayne Hatley (x2)

31 Priory Way , Hitchin

The Kings Head, Upper
Caldecote

Potton Residents
Association for
Sustainable Growth
(04/11/16) & (29/11/16)-

Objects on the following grounds in summary:

- Impact on Potton Neighbourhood Plan
- Overdevelopment (high density)
- Does not constitute infill development
- Previous planning permission carried out on the north part of Mill Lane instead and not material to this decision
- More information should be supplied on tenure and scale of housing
- Increased traffic generation
- Lack of highway safety mechanisms for crossing or appropriate pedestrian access in the lane
- Unsustainable transport
- Potton Town Plan (2009-2019) should be a consideration
- Cumulative impact on local infrastructure
- Inaccuracies of the Green Travel Plan

- Impact on services (Drainage/sewage/doctors/dentist etc)
- Pressure on school capacities
- Benefits do not outweigh the harm

Determining Issues:

The main considerations of the application are;

1. **Principle**
2. **Affect on the Character and Appearance of the Area**
3. **Neighbouring Amenity**
4. **Highway Considerations**
5. **Other Considerations**

Considerations

1. Principle

- 1.1 The site lies outside of the settlement envelope of Potton and is therefore located on land regarded as open countryside. Potton is designated as a Minor Service Centre where Policy DM4 limits new housing development to within the settlement. On the basis of Policy DM4 a residential proposal outside of the settlement envelope would be regarded as contrary to policy. However it is necessary for the Council to consider whether material considerations outweigh the non-compliance with 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 that permission should be granted unless the harm caused "significantly and demonstrably" outweighs the benefits.
- 1.3 However, recent case law informs 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 4.89 years, this is equivalent to 97.76% of the five year requirement. 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 Policy DM4 a level of weight proportionate to this supply when considering the planning balance.
- 1.4 The site is directly adjacent to the settlement envelope and the land in question would be bound by development on the north east and part of the southern boundary. The proposal will see the encroachment of built form into the open countryside but its relationship with the existing settlement is noted and it is not regarded as an isolated site. Furthermore the western boundary of the site would see the introduction of a landscape buffer which would appropriately demarcate the end of the built form of Potton with the prevailing

landscape. There would be some harm in developing the land, but this would be limited given the surrounding pattern of development. Especially in light of the fact that Nursery Close located to the south on Sandy Road, extends significantly further to the west than the application site. It is acknowledged that there would be a parcel of undeveloped land between the application site and Nursery Close however its relationship with Nursery Close is material to the judgement of visual impact.

- 1.5 Also material is a previous permission granted on the land under reference MB/03/01597/FULL for the change of use of part of the application site from grazing to recreational facilities including a pavilion and associated parking and landscaping. Whilst evidence has been supplied that indicates that the previous permission has commenced and as such lawfully implemented by way of building control inspection reports, the only way to formally establish the extant nature of this permission would be through a certificate of lawfulness of existing use application. In the absence of this, there is some doubt on the permissions implementation. In any event, the previous permission for the sports pavilion and facilities would not have resulted in the same visual impact as the development proposed here and as such limited weight can be attributed to the previous permission in any event.
- 1.6 The National Planning Policy Framework carries a presumption in favour of Sustainable Development. There are three dimensions to sustainable development which require consideration such as economic, social and environmental roles. Paragraph 9 of the NPPF states that these roles are mutually inclusive and as such in order to achieve sustainable development all three of the dimensions should be sought simultaneously.
- 1.7 Economic
The NPPF makes it clear that planning policies should aim to minimise journey lengths for employment, shopping and other activities, therefore planning decisions should ensure developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes maximised. It is acknowledged that the construction of 62 houses would support a limited level of employment, with associated benefits to the local economy, within the local area on a temporary basis during the construction period which could be expected to last no longer than three years. Potton constitutes a Minor Service Area which has access to a range of facilities and services which would provide local employment opportunities.
- 1.8 Social
The provision of 62 houses is a significant benefit of the scheme along side a higher proportion of affordable housing than required by adopted policy and should be given significant weight. Furthermore Potton is regarded as a Minor Service Centre which has access to a number of services which has been iterated in the above paragraph. The town is also served by a bus service which stops further along Mill Lane. It is considered that the settlement offers services and facilities that can help to accommodate the growth resultant from this scheme. Nearby services are considered to be accessible for new residents and contributions are being proposed towards off setting local infrastructure impact in accordance with CIL regulations. Residents have raised concerns that the local school is near to full capacity and the Councils

Education Officer has supplied evidence in support of this comment however the schools have the capacity to expand and the contributions can be sought by way of a S106 agreement and have been agreed upon in mitigation.

1.9 Environmental

The NPPF states that opportunities should be taken to protect and enhance the natural environment and to improve biodiversity. Despite concerns raised by many residents in term of ecological impact, the Councils Ecologist is satisfied that the proposal would allow for retention, mitigation and enhancement of more habitat features in the proposed landscape buffer to the north of the application site. Concerns have been expressed by many, that the development site would result in the loss of Grade 2 good quality agricultural land whereby paragraph 112 of the NPPF recommends that Local authorities consider the long term implication of the loss of good quality agricultural land in the interest of sustainable growth. The site is not used in this capacity at present and the land is too small for modern farming methods. Notwithstanding this however, permission was previously granted on this site for sport facilities which would have resulted in the loss of the agricultural land and the proposal therefore would not constitute significant development or loss of agricultural land. In addition, the site is considered to fall within a Minerals Safeguarding Area, however whilst concerns were expressed in this regard by the Councils Minerals and Waste Officer, an assessment and appropriate mitigation report was supplied for consideration. A commitment has been made by the applicant to reuse any extracted materials during construction and the Councils Minerals and Waste Officer is satisfied with this proposal. Furthermore the encroachment of built development beyond the settlement envelope results in a loss of open countryside which is a negative impact of the proposal. The site would be demarcated by an appropriate landscape buffer mitigating against wider view implications. It is accepted that the proposal would have some visual impact however when considering the benefits of the proposal which are considered in greater detail later in this report, it is not considered to be significant and demonstrably harmful.

- 1.10 As such it is considered that the proposal would represent an appropriate scale of development bound by existing development and that given alongside the presumption in favour of Sustainable Development which is identified in paragraphs 1.7 -1.9 outweighs any identified visual harm to the character of the area given that landscape proposals would allow for the provision of a landscape buffer along the edges of the site. The proposal therefore would accord with the Section 1 and 6 of the NPPF.

2. Affect on the Character and Appearance of the Area

- 2.1 Local Plan Policy DM3 & CS14 states that proposals should take full account of the need for, or opportunities to enhance or reinforce the character and local distinctiveness of the area; and that the size, scale, density, massing, orientation, materials and overall appearance of the development should complement and harmonise with the local surroundings, particularly in terms of adjoining buildings and spaces and longer views.
- 2.2 The site has existing built form on two sides and the west side of the site overlooks an area of agricultural land but does not project further west past the pattern of residential development existing in Nursery Close. As part of this current proposal it is suggested that the western boundary will be improved

through the planting of a 50 metre wide buffer of additional tree and landscaping which would provide an ecological habitat. A further buffer of approximately 5 metres would extend the full length of the western boundary and an additional 12 metre buffer would provide a suitable buffer and distinction from the built form and prevailing landscape along the southern boundary.

- 2.3 The proposed development would result in a density per hectare of approximately 25 which doesn't constitute high density and is representative of the density levels within Potton.
- 2.4 Whilst the layout is indicative, consideration appears to have been given to the building lines established by adjacent dwelling houses and the footprints proposed are fairly representative of other properties of a similar occupation within the area. The plan indicates that the scale of dwellings will be no more than 2.5 storey throughout the scheme. This is also considered acceptable as a reflection of the character of the area however consideration would be given at the reserved matters stage to restrict the heights of buildings along the western boundary of the site in the interest of retaining an appropriate transition between the built form and the prevailing landscaping beyond. This parameter can also be secured by condition to ensure an appropriate maximum scale is achieved. Further consideration would need to be given to plots directly adjacent to the main highway, to ensure that there is appropriate active frontages within any formal Reserved Matters application.
- 2.5 Whilst concerns have been expressed by local residents about the loss of a parcel of recreational space, there are indicative linkages accounted for from Newtown to provide an additional pedestrianised link from the existing residential development to the proposed areas of open space and habitats that form part of this scheme but also the prevailing landscape beyond, which could be reinforced at the detailed application stage. Furthermore the land itself is for the most part inaccessible by the general public and therefore this proposal makes for improved opportunities for access to open space and recreational areas. The definitive right of way runs along Mill Lane which would be retained and improved which also provides linkages to the open countryside beyond. The Councils Green Infrastructure Officer has raised no objection to the proposal subject to the delivery of the significant area of green space proposed through a legal agreement which is considered to be a significant benefit and this can be controlled by legal agreement. The Officer also acknowledges proposals for linkages which are positive which again can be reinforced during the detailed application stage. Proposals for the linear green space at the southern edge of the site are also considered to be positive, and appear to be designed to deliver a range of benefits which can also be secured during the detailed application stage.
- 2.6 The Strategic Landscape Officer and the Campaign for Rural England (CPRE) has raised concerns that the proposal would detract from long distance views across the plateau leading to an unacceptable urban intrusion on the landscape currently enjoyed. However since this objection a landscape rebuttal has been supplied for the Landscape Officers consideration. "The report concluded that the site is contained and as such does not protrude harmfully into the wider countryside, therefore any impact would be localised and limited.". Furthermore, the layout plan does provide significant opportunities for natural landscape features along all the boundaries of the site with wider biodiversity gain which

was the result of detailed discussions prior to the application submission. Therefore in summary, the comments of the Councils Landscape Officer and those of the CPRE were carefully considered, however it is not considered that the proposal would have a significant and demonstrable harm on the landscape when weighted against the benefits of the scheme.

- 2.7 The Councils Tree and Landscape Officer has raised no objection as the proposed development would not affect any existing landscape features within the site however he has recognised that there are a number of boundary trees and trees off site that could be potentially affected by the proposals and has recommend that an condition be imposed to secure an Arboricultural Impact Assessment to ensure appropriate mitigation and a condition to secure suitable quality planting for the proposed landscape buffers.
- 2.8 As such, the indicative layout suggests that a development of 62 units on the site could be comfortably accommodated and that a scheme can be designed that would reinforce and be sensitive to the character of the area. All matters pertaining to scale, layout and design however would be addressed by way of a Reserved Matters application. As such it is considered that the proposal would conform with policies CS14 & DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and Section 7 of the NPPF.

3. Neighbouring Amenity

3.1 Existing Occupiers

On the basis of the indicative layout, consideration appears to have been given to the 21 metre back to back distances contained within the Councils Technical Design guidance. It is considered on the basis of the indicative layout, that it is possible to design a scheme for this number of units without prejudice to the amenity of existing residents in terms of loss of privacy or loss of light. In any event this would be controlled and assessed as part of any reserved matters application.

- 3.2 Consideration has been given to the redevelopment of the garages on Newtown whereby a planned pedestrian connection is proposed from Newtown to the application site. The plans under planning reference CB/16/04366/FULL have yet to be determined however the plans submitted if were approved, do not compromise the proposed linkage to this application site.

3.3 Future Occupiers

The indicative layout demonstrates that 62 dwelling houses could be sited such that there would be no resultant impact on future occupiers in terms of loss of light/overshadowing nor privacy concerns.

- 3.4 The indicative layout demonstrates that an adequate level of external amenity could be provided for future occupiers in accordance with the Central Bedfordshire Design Guide and internal amenity standards would be a matter that would be addressed at the Reserved Matters stage. However on the basis of the footprints proposed, it is concluded that suitable internal space standards could be achieved.

- 3.5 The Councils Pollution Officer has raised no objection to the proposal however has recognised that the site fronts the Mill Lane Recreation Ground which may

present noise and light sources (from sports matches, training, play equipment use etc.) which may need accommodating in to housing design/position at the detailed stage in order to protect the health, wellbeing and amenity of future residents. These matters can be satisfactorily controlled through the imposition of conditions.

- 3.6 The Councils MANOP Officer was consulted as part of this application and has made representations that there is a basic need for elderly accommodation within the area however whilst these comments are noted, there are no policy requirements for such a provision on a development of this scale.
- 3.7 Whilst bin storage and collection points and cycle storage facilities have not been identified on the indicative plan, the Councils waste officer is satisfied that there is sufficient spaces within the site to accommodate such facilities and as such is satisfied that this could be secured by condition as part of a planning permission. Therefore the proposal in this regard, would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 7 of the NPPF.

4. Highway and Access Considerations

4.1 Access

The proposed means of access is shown to be laid out in the form of a priority junction with 6m kerb radii, a 5.5m carriageway and 2.0m footways on either side. This is shown on drawing number 17537/MILL/5/503 and can, in itself, be considered to be acceptable to serve the scale of development proposed.

Concerns were expressed by the Councils Highways Officer however in connection with the proposed off site road works on Mill Lane. The original drawings failed to demonstrate appropriate traffic calming and pedestrian footways in the interest of highway safety. As such, revised plans were requested to address these matters and were supplied and reconsulted upon during the life of the application. The works to Mill Lane include the introduction of a priority give way arrangement, a common tool to accommodate traffic movements through an area where carriageways are relatively narrow together with the installation of a raised table at the junction of Newtown with Mill Lane that will have an influence on traffic speeds on the approach to the narrowing and provide a benefit to safety for all users at the junction. In addition the proposed site is accessible for pedestrians via a route leading onto Newtown thereby reducing the number of new pedestrian movements over the narrow section of Mill Lane. As a result of the improved calming measures and appropriate pedestrian footways, the Councils Highways Officer have concluded that the proposed off site works would accord to appropriate highway safety standards and no further concerns have been expressed subject to the condition to ensure its provision.

4.2 Rights of Way

Part of Mill Lane is a definitive bridleway and the Councils Rights of Way Officer has recommended that consideration be given to the highways related requirements to ensure that appropriate width is retained and that the road patterning and works do not compromise bridleway use. A number of revised highway plans have been considered as part of this application and the Highways Officer is satisfied that the use of this bridleway has not been compromised. No further concerns have been expressed by the Councils Right

of Way Officer to date.

4.3 Parking

On the basis of the indicative layout, it would appear that two off road parking spaces are proposed for smaller units which are likely to be 2/3 bedroom units and 3 spaces for larger units which are likely to be 4 bedroom units. Visitor spaces are dispersed throughout the site. This provision would be consistent with the Councils Parking Standards and this matter would be fully addressed through a reserved matters submission.

- 4.4 As such it is considered that the proposal would not be prejudicial to highway safety and would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 4 of the NPPF in this respect.

5. **Other Considerations**

5.1 **Affordable Housing Provision**

Under Policy CS7 of the Core Strategy, 35% of all developments for four dwellings and above should be provided as Affordable Housing units. The proposal for 62 units would qualify for Affordable Housing provision and 35% would equate to 22 units. The applicant has proposed a 40% affordable provision equating to 25 units across the development and shall form heads of terms for the legal agreement that would be required if Members resolve to grant consent. As such the proposal would comply with and exceed the requirements of Policy CS7.

5.2 **Archaeology**

The *Heritage Statement* reviews the results of the geophysical survey and the archaeological and historical background and context of the proposed development site. The *Statement* concludes that the site has low potential to contain archaeological remains of any period and any such remains would be of negligible to low significance. On the basis of the available evidence this is a reasonable conclusion. Although the groundworks required by the proposed development would have negative and irreversible impact on any archaeological remains the site contained, there is no evidence that the site contains any archaeological remains. Therefore, as the proposed development site has low potential to contain archaeological remains of any significance, the proposal will be unlikely to result in a loss of significance to heritage assets with archaeological interest. Consequently, despite concerns raised by the CPRE, the Councils Archaeologist has raised no objection to this application on archaeological grounds. Therefore the proposal is considered to accord with policies CS18 & DM15 of the Core Strategy for the North and Section 11 of the NPPF.

5.3 **Climate Change**

Policy DM1 requires all development above 10 dwellings to deliver 10% of the development's energy demand from renewable or low carbon sources. The proposed development is over the policy threshold. Policy DM2 requires all new residential development to meet CfSH Level 3. The energy standard of the CfSH Level 3 is below standard required by the Part L2013 of the Building Regulations. All new development should therefore as minimum comply with the new Part L2013 of the Building Regulations and deliver 10% of their energy demand from renewable sources to meet requirement of policy DM1. The

Councils Sustainability Officer would wish to encourage the developer to achieve a higher energy efficiency standard than this prescribed by the 2013 part L of the Building Regulations, as energy efficient fabric leads to lower energy demand and smaller renewable energy installation to satisfy the requirement of policy DM1. If the proposal were considered otherwise acceptable, such matters could be satisfactorily resolved as part of any forthcoming reserved matters application and could be controlled by condition. As such, the proposal would conform with policies DM1 & DM2 of the Core Strategy for the North and Section 10 of the NPPF.

5.4 Cumulative Impact on Town

Whilst concerns have been expressed by local residents in respect of the cumulative impact on Potton due to the number of residential development proposals in recent years, planning applications can only be determined on the basis of their individual merits and therefore this is not a material consideration.

5.5 Ecology

The site lies within the Greensand Ridge Nature Improvement Area and hence the application needs to demonstrate that a net gain for biodiversity can be delivered in accordance with the NPPF and the NERC act. The ecological report identifies the habitats on site to be commonplace and of low conservation value. Species interest on the site has been identified for badgers and reptiles and a reptile mitigation strategy has been prepared to demonstrate how those animals found onsite can be translocated and accommodated in the new development. 3.1.16 of the Design & Access Statement suggests; 'It is possible to increase tree cover with new native tree planting of heathland character and will improve landscape character and increase biodiversity. 'The Councils Ecologist welcomes the re-introduction / creation of heathland which is indicative of Greensand Ridge habitat however caution is needed when additional tree planting is proposed. It is very easy to lose heath under tree cover and hence the Ecologist asks that specific habitat areas are identified and managed under an appropriate regime. The Councils Ecologist has noted that the SUDS feature in the south of the site will act in a multifunctional way to support biodiversity in addition to attenuating rainfall however further enhancements to support a net gain for biodiversity could come in the form of integrated bird and bat boxes, nectar and berry rich planting schemes, hedgehog holes in fences and insect boxes which can be controlled by condition. In summary, the Councils Ecologist has no objection to the proposal subject to the imposition of a condition to secure a ecological design strategy (EDS) addressing *mitigation, compensation and enhancement*. Therefore the proposal is considered to accord with policies CS18 & DM15 of the Core Strategy for the North and Section 11 of the NPPF.

5.6 Fire Hydrants

The Bedfordshire Fire Service has identified that new residential developments should allow for the provision of fire hydrants and appropriate access. This is a matter that could be designed into the layout at the detailed application stage and can be controlled by condition.

5.7 Financial Contributions

Significant weight should be given to the National Planning Policy Framework, which calls for the achievement of the three dimensions of sustainable development: economic, social and environmental. It is considered that Policy

CS2 of the Core Strategy for the North is in accordance with the National Planning Policy Framework. This states that developers are required to make appropriate contributions as necessary to offset the cost of providing new physical, social, community and environmental proposals .

In this case, Spending Officers were consulted and comments returned from Education and Leisure. 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. As such, it is considered that the proposal would conform with policy CS2 of the Core Strategy for the North.

Education:

- £142,872.80 towards enhanced educational infrastructure at Potton Lower School
- £ 42,861.84 towards enhanced educational infrastructure at Potton Pre-School

Leisure

- £13,100 towards the cost of new Skate Park in Potton (The skate park project in Potton is a more recently identified town council project that may not have existed formally during the time of determination of other recent applications within Potton.)
- £15,000 towards the increase and upgrade of the existing play facilities in lieu of such facilities being provided on site, to be used at the Mill Lane Recreation Ground in Potton

NHS services

A number of concerns have been expressed by residents about the further impact on the existing health provisions within Potton as a result of this development. The Bedfordshire CCG were consulted and the potential impacts of the development were explored. The CCG confirmed there are no further projects where contributions could be utilised, over and above that which was secured by the recently approved development in Sandy Road, Potton under reference CB/16/02590/OUT for the improvements to the Gaminglay Surgery.

Build Rate Timetable

The applicant has confirmed their acceptance to agreeing a build rate timetable which would be controlled by a legal agreement. As a result, this reaffirms that the development would contribute to the councils 5 year housing supply and as such significant weight can be applied to the provision of housing towards that supply.

A number of concerns have been expressed in connection with outstanding funds in connection with the previous approval of this land, however these financial obligations were an obligation to the town council and were not secured under a 106 agreement which accompanied that previous permission. Furthermore, the extent of any outstanding obligations are not material to the determination of this application.

5.8 Flood Risk & SuDs

The site is located within Flood Zone Area 1 whereby the probability of flooding is identified as being low. As such, no objections have been raised by the Environment agency.

From 6th April 2015 local planning policies and decisions on planning applications relating to major development (developments of 10 dwellings or more; or equivalent non-residential or mixed development [as defined in Article 2(1) of the Town and County Planning (Development Management Procedure) Order 2015], must ensure that sustainable drainage systems (SuDS) for the management of surface water runoff are put in place, unless demonstrated to be inappropriate. A drainage strategy was supplied for consideration as part of the application and the Councils SuDs Officer is satisfied that an appropriate Sustainable Drainage System could be implemented on site so as limit any flooding potential and as such has not wish to raise any objection to this proposal subject to the imposition of conditions to control its provision at the reserved matters stage. In addition, neither the Internal Drainage Board or Anglian Water have wished to raise an objection to this application, subject to conditions of control of the provision as suggested by our SuDs officer. As such it is considered that the proposal accords with the Councils adopted SuDs guidance and the section 10 of the NPPF.

5.9 Impact on Services

Whilst concerns have been expressed by local residents about the impact of the proposed dwelling houses on the existing water and sewage connections, the Internal Drainage Board and Anglian Water has not raised any objections or concerns in this regard.

5.10 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. The Councils Public Art Officer has raised no objection to the granting of this permission, subject to the imposition of a condition to secure an art strategy. However it is considered that a public art strategy is not necessary to make a scheme of this scale acceptable.

5.11 Human Rights issues

The proposal raises no Human Rights issues.

Equality Act 2010

The proposal raises no issues under the Equality Act.

Recommendation:

That Outline Planning Permission be **Recommended For Approval** subject a 106 agreement and the following:

RECOMMENDED CONDITIONS

- 1 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act

1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Reason: To comply with Part 3 Article 6 of the Town and Country Planning (General Development Procedure) Order 2015.

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

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

- 4 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.
(Policy DM3 of the Core Strategy for the North & Section 7, NPPF)**

- 5 **No development shall take place until a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 6 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 7.**

Reason: To ensure that the appearance of the site would be acceptable in accordance with Policy DM14 of the Core Strategy and Sections 10 & 11 of the NPPF.

- 6 **No development shall take place until details of hard and soft landscaping (including details of boundary treatments) together with a timetable for its implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

**Reason: To ensure an acceptable standard of landscaping.
(Policy DM14 of the Core Strategy for the North and Sections 7 & 11,**

NPPF)

- 7 The landscape details required by Condition 2 of this permission shall include the following:

An appropriate Arboricultural Impact Assessment and Method Statement, clearly showing the build specification for protective fencing and all related good working practices, which shall be in accordance with BS 5837 : 2012 "Trees in relation to design, demolition and construction" . The positioning of the fencing shall be erected to protect the natural canopy spread and root protection areas of the trees proposed to be retained. The approved Arboricultural Impact Assessment and Method Statement shall then be fully implemented before the commencement of any site construction works, and the approved fencing shall remain firmly in place throughout the entire course of development.

Reason: To ensure that a satisfactory standard of landscape protection is fully implemented in the interests of maintaining the health and natural canopy spread of the protected trees. Failure to secure these details prior to commencement of development could result in the unreasonable loss of a trees and landscaping that adds amenity value.

(Policy CS16 of the Core Strategy and Section 7 of the NPPF).

- 8 **No development shall take place until an ecological design strategy (EDS) addressing *mitigation, compensation and enhancement* has been submitted to and approved in writing by the local planning authority. The EDS shall include the following;**

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design and working method to achieve stated objectives.
- d) Extent and location of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures, including timetable for submission of monitoring reports.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure that biodiversity is properly protected and enhanced 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).

- 9 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Level 1 Surface Water Drainage Strategy (Ref: 17570/SWDS, Woods Hardwick**

Infrastructure LLP, March 2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development. The scheme shall include the following:

- Full detailed calculations using FEH rainfall data showing the simulated rainfall storms for the 1 year, 30 year, 100 year and 100 year plus 30% allowance for climate change;
- Full details of flow control measures to be used, demonstrating that runoff rate and volume will not exceed greenfield rates;
- Full calculations of the attenuation storage volume required including allowances for climate change, based on the simulated rainfall runoff and the agreed post-development discharge rates;
- Detailed plans and drawings showing the proposed drainage system in its entirety, including location, pipe run reference numbers, dimensions, gradients and levels (in metres above Ordinance Datum). This shall include all elements of the system proposed, including source control, storage, flow control and discharge elements;
- Full details of exceedance management including flow routes both on and off site in the event of system exceedance or failure;
- Full details of water quality management and any amenity or biodiversity objectives;
- Details of construction and structural integrity of the entire system;
- Full details of the maintenance and/or adoption proposals for the drainage system including all elements listed above.

The scheme shall be implemented in accordance with the approved details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with section 10 of the NPPF.

- 10 No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing how renewable and low energy sources would generate 10% of the energy needs of the development and also showing water efficiency measures achieving 110 litres per person per day. The works shall then be carried out in accordance with the approved details.

Reason: In the interests of sustainability. (Policy DM2 of the Core

Strategy for the North & Section 10 of the NPPF)

- 11 **No development shall take place until an Construction Management/Method Plan and Statement with respect to the construction phase of the development have been submitted to and approved in writing by the Local Planning Authority. Development works shall be undertaken in accordance with the approved Construction Management/Method Statement/Plan. The details shall include, amongst other things, access arrangements for construction vehicles; compounds, including storage of plant and materials; details of wheel washing facilities; loading and unloading areas; method of materials extraction and re-use.**

Reason: In the interest of safeguarding the local residential amenity (Policy DM3 of the Core Strategy and Section 4, 7 and 13 of the NPPF)

- 12 Prior to the Submission of a Reserved Matters application a scheme for protecting the proposed dwellings from any potential noise and/or light identified in an associated assessment of the local recreation ground and plant hire premises (including access) shall be submitted and approved in writing by the local planning authority. None of the dwellings shall be occupied until any such scheme identified as necessary has been implemented in accordance with the approved details, shown to be effective and retained in accordance with those details thereafter.

Reason: To protect human health and residential amenity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 13 Prior to first occupation of the development the off-site highway works shown for indicative purposes on plan 17537/MILL/5/500E shall be constructed in accordance with full engineering details which must be first submitted in writing to and approved by the Local Planning Authority. The works shall be carried out in full accordance with the approved technical specification and thereafter retained for its purpose.

Reason: To ensure the provision of appropriate access arrangements and associated off-site highway works in the interests of highway safety. (Policy DM3 of the Core Strategy for the North and Section 4 of the NPPF)

- 14 The reserved matters proposals shall not include any dwellings that are more than 2.5 storeys in height.

Reason: In order to provide an appropriate form of development in the interests of visual and residential amenity in accordance with policies CS14 and DM4 of Central Bedfordshire Core Strategy for the North and Section 7 of the NPPF).

- 15 The details required by Condition 2 of this permission shall include a detailed waste audit scheme for the residential units in that area. The waste audit scheme shall include details of refuse storage and recycling facilities. The

scheme shall be carried out in accordance with the approved details.

Reason: To ensure that development is adequately provided with waste and recycling facilities in accordance with Policy DM3 of the Core Strategy for the North & Section 7 of the NPPF)

16 The details required by Condition 2 of this permission shall include the following:

- Estate roads designed and constructed to a standard appropriate for adoption as public highway.
- Pedestrian and cycle linkages to existing routes on Mill Lane and Newtown as required
- Vehicle parking and garaging in accordance with the councils standards applicable at the time of submission.
- Cycle parking and storage in accordance with the councils standards applicable at the time of submission.
- A Residential Travel Plan
 - A vehicular turning area within the curtilage of the site taking access from the public highway;
 - Refuse collection points;
 - Vehicle tracking diagrams.

Reason: To ensure the development of the residential site is completed to provide adequate and appropriate highway arrangements at all times. (Policy DM3 of the Core Strategy for the North & Section 4, NPPF)

17 The details required by condition 2 of this permission shall include a scheme for the provision of a pedestrian access from the site to Newtown including a timetable for its implementation. The link shall be implemented as approved and in accordance with the approved timetable and shall be retained thereafter for its purpose.

Reason: To ensure an acceptable pedestrian linkage between the existing and proposed development. (Policy DM3 of the Core Strategy and Section 7 of the NPPF).

18 No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of fire hydrants at the development. Prior to the first occupation of the dwellings the fire hydrants serving that development shall be installed as approved. Thereafter the fire hydrants shall be retained as approved in perpetuity.

Reason: In order to ensure appropriate access to fire hydrants for use in the event of emergency in accordance with policy DM3 of Central Bedfordshire Core Strategy for the North and Section 7 of the NPPF.

19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 17537/MILL/5/503 (Site Access), 17537/MILL/5/500E (Calming Feature) and 17625/1000A (Site Location Plan).

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. No materials or vehicles associated with the development should be left on or near the public bridleway which may cause a hazard or inconvenience to users. The applicant must ensure that there is no encroachment beyond the property's legal boundary onto the width of the public footpath. However if a right of way closure is needed this will require at least six weeks notice.
4. 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 Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
5. This permission is subject to a Legal Obligation under Section 106 of the Town and Country Planning Act 1990.

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

.....
.....