

Item No. 7

APPLICATION NUMBER	CB/16/03249/FULL
LOCATION	Land East of Bedford Road, Adjacent To Woodcote, Northill
PROPOSAL	Erection of 9 dwellings, comprising six bungalows and three two storey dwellings with associated access, parking and amenity space and formation of a parking and picnic area.
PARISH	Northill
WARD	Northill
WARD COUNCILLORS	Cllr Mr Firth
CASE OFFICER	Benjamin Tracy
DATE REGISTERED	22 July 2016
EXPIRY DATE	16 September 2016
APPLICANT	Mrs K Joynes & Ms D Webster
AGENT	DLA Town Planning Limited
REASON FOR COMMITTEE TO DETERMINE	Call in by Cllr Firth for the following reasons: <ul style="list-style-type: none">• Contrary to Policy CS7 - Affordable Housing.• Highway Safety -<ul style="list-style-type: none">• Notwithstanding that the site lies within the 30mph limit, concern over speeding traffic and the site access.• The intention is for a footpath on the opposite side of the road. Safety concern for the school children/people having to cross a busy and fast road twice in order to go to school. The site lies adjacent to a conservation area and is outside the village settlement envelope. However CS8 could apply under the Rural Acceptance scheme.
RECOMMENDED DECISION	Approve Planning Permission subject to Conditions.

Reason for Recommendation

The proposal for residential development is contrary to Policy DM4 of the Core Strategy and Development Management Policies (2009), however at this time the Council cannot demonstrate a 5 year housing supply and therefore developments should be considered in the context of the presumption in favour of Sustainable Development. The application site is adjacent to the existing settlement envelope of Northill which is considered to be a sustainable location for planning purposes. The development would affect the character and appearance of the area, the character and appearance of the Conservation Area, the setting of non designated heritage assets and the setting of listed buildings however subject to conditions it is considered that the significance of these assets would be preserved and any harm would be less than substantial and outweighed by the public benefits of the development, in the context of Paragraphs 132-135 of the NPPF. The proposal is also considered to be acceptable in all other respects including highway safety in accordance with the policies within the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework among

other material considerations. In the view of the above, it is considered that the negative impacts of the development would not significantly and demonstrably outweigh the benefits and no policy within the NPPF indicates that development should be restricted; as such the development should be approved planning permission in accordance with Paragraph 14 of the NPPF.

Site Location:

The site is located to the northeast of Bedford Road, Northill. The site consists of grazing farmland. The Land has a Grade 2 agricultural land classification.

The site is located wholly beyond the settlement envelope of Northill.

To the east of the site, adjoining the boundary is an extension to the Cemetery, and to the south of the site are the neighbouring dwellings known as Woodcote and Hayward House, Northill. To the Southwest separated from the site by the Highway known as Bedford Road, are the dwellings known as 19, 21, 23 and 23a Bedford Road.

No. 19 and 21 Bedford Road, Northill form a Grade II Listed Building. The Listing states:

"Pair of cottages. Late C18 and C19. Timber framed construction with colour washed brick infill, road elevation recased in colourwashed brick. C20 tile roof. 4-room plan, one storey and attics. Road elevation has 4 windows to ground floor and 2 gabled dormers, all with 2-light casements with glazing bars. Red brick central ridge stack, external stack to S gable end, integral stack to N gable. Rear elevation has entrances, exposed timber framing and C20 additions. C19 single storey, slate-roofed block to N gable end".

The site is located wholly beyond the settlement envelope of Northill. The frontage of the site (southwestern edge is located within the Conservation Area of Northill) and the southern boundary of the site adjoins the Conservation Area of Northill.

The tower of the Grade I Listed Building known as St Mary's Church Northill can be viewed over the site on the approach into the village on Bedford Road, whereby it is considered that the site lies within the wider setting of this designated heritage asset.

The Application:

The application seeks full planning permission for the erection of 9 dwellings, comprising four detached bungalows, a pair of semi detached bungalows and three detached two storey dwellinghouses, with associated access, parking and the formation of a public car parking and picnic area.

Access to the site would be taken from Bedford Road with a footpath proposed to form a continuous link from the existing footpath on the northern side of Bedford road to the south of the site along the frontage of the site.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

National Planning Practice Guidance

Core Strategy and Development Management Policies (November 2009)

CS1	Development Strategy
CS2	Developer Contributions
CS3	Healthy and Sustainable Communities
CS6	Delivery and Timing of Housing Provision
CS7	Affordable Housing
CS14	High Quality Development
CS15	Heritage
CS16	Landscape and Woodland
CS17	Green Infrastructure
CS18	Biodiversity and Geological Conservation
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM10	Housing Mix
DM13	Heritage in Development
DM14	Landscape and Woodland
DM15	Biodiversity
DM16	Green Infrastructure
DM17	Accessible Greenspaces

Central Bedfordshire Design Guide (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:

None relevant to the determination of this application for planning permission.

Consultees:

Northill Parish Council	The Parish Council has issued the following consultation response:
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The amended planning application for 9 dwellings on land

East of Bedford Road, Adjacent to Woodcote, Northill was considered by Northill Parish Council's Planning Committee at a meeting held on 3rd January 2017 and the recommendations are the same as those to the first amended plans (see below) but Northill Parish Council wish to stress that the safety issues have not been addressed particularly regarding the positioning of the crossing points for children walking to Northill Lower School.

- It is outside the settlement boundary
- It will have a detrimental effect on the conservation area and village (plot 1, the entrance and footway are all in the conservation area)
- Highways safety – the entrance is just inside the 30mph limit. Many vehicles are still travelling above the speed limit at this point. Proposed crossing points do not provide sufficient visibility to allow pedestrians to cross safely. The amended position of the crossing has increased the danger. Children walking to Northill Lower School will have to cross the road twice.
- The amended position of the footway will mean that there will be the loss of trees in a conservation area.
- It will have a detrimental visual impact on the area. The intensity of the development at the entrance to the village is inappropriate.
- The design of the dwellings is out of character to the mix of existing buildings.
- Concerns were raised regarding the capacity of utilities particularly the foul sewer to cope with additional dwellings.

Conservation Officer

The Council's Conservation Officer has issued three consultation responses relating to the development. The first response relating to the original scheme states:

"As discussed, I have now re-visited specifically to consider the proposed development of 9 dwellings (7 no. 2-storey houses and 2 no. single storey dwellings/ bungalows and associated works) in terms of the relationship of the application site to the conservation area, the nearby listed buildings & the north-west approach to the village, including distant views to the church tower (Grade I).

The part of Bedford Road closest to the site is largely rural in character and the views at this approach to the core of the village are sensitive and important. The roadside hedge is identified in the 2004 Character Appraisal as being of importance. The context of the site is relatively sensitive, including the settings of the Grade II listed buildings (nos. 19 and 21) to the south of the site,

immediately west of Bedford Road. The proposed formation of a pedestrian footway within the roadside grass verge of nos. 19 and 21 will be damaging to this rural character, by introducing a sub-urban appearance and eroding the currently soft, informal nature of the road margin. This would be detrimental to the settings of the listed buildings and the character and appearance of this edge part of the entry to the conservation area.

The layout seems uncontroversial if rather ordinary. With close attention to landscape treatment- planting, boundary definition, kerbs and edgings and conservation area quality paving and surfacing- and perhaps a re-think of the visitor parking close to Bedford Road boundary (the 2 spaces at front boundary are ill-considered). Materials would need to meet the usual conservation area criteria- grey (concrete?) plain tiles not acceptable and roof pitch is too low for traditional proper hand-made clay plain tiles. Brick specification is vague.

All-in-all, as submitted, suggest refuse detrimental impact on character, appearance and significance of the settings of the listed buildings (nos. 19 and 21) and the conservation area by reason of harm/ impact of pedestrian footway and relationship of the dwellings (also insufficient specification detail of materials and finishes generally)".

The second response relating to an early revised scheme:

"Further to DLA/ Vicki Davies letter dated 13 October and the attached amended drawings, showing the revised footway provision etc. now accords with the recent discussions seeking to overcome my earlier concerns/ objections, so long as you/ Highways are satisfied with this arrangement. The roadside grass margin is important in defining the character of this part of the conservation area and the gravel finish and edgings need careful specification, no concrete, perhaps timber edging or clay brick pavements.

Materials generally are still vague for edge of conservation area, natural slate for the lower pitched roofs will probably be best with lead hips/ ridges (not bonnet tiles?); steeper pitches (over 48 degrees) plain clay hand-made red tile required (not grey). Some architectural detailing needs refinement- brick arches over window/ door openings- to be usual cambered arch type".

The third response relating to the final scheme states:

"The proposed pair of 2 linked/ semi-detached bungalows, plots 8 and 9, are fine in principle, although, as mentioned previously, the roof pitches are too low for plain clay tiles (48 degrees minimum required). If kept at this lower pitch then slates or clay pantiles. Otherwise raise ridge to achieve 48 degrees.

Same issue with proposed plot 3 house front canopy/ bay roof- at the low pitch, slate/ pantiles (or lead possibly).

The brick-on-edge soldier course detail for cills etc is a bit clunky and probably a proper formed stone cill would look better and create more interest and traditional feel".

Highway Authority

The Council's Highways Development Control Officer has issued the following consultation response:

"As you are aware from my previous consultation response there is no fundamental highway objection to the proposal. I note however that there have been a number of changes since that previous submission.

Firstly that the width of the off-site footway has been reduced down to 1.2m. I assume because of the impact on the surrounding verges a 2.0m wide footway would have and that the narrower width is more in keeping with the existing footways. This is acceptable to highways.

Second I note that the internal estate road still does not indicate a footway on both sides or shown to be a shared surface having an overall width of 8.8m. This does not comply with the guidance contained in the Design Guide and may preclude adoption of the estate road as a highway maintainable at public expense. I have included an advice note to that effect.

Finally, I note that the speed of traffic appears to be a concern included in the comments of many of the local population. Whilst I acknowledge that this may be the case for a proportion of the vehicles approaching the site this is an existing problem that will not be worsened by the development and the fact is that the site is within the speed limit area of the village and would be accessed by a junction of standard geometry provided with appropriate visibility splays. I consider that the speed of existing traffic is not a reason to justify and sustain an objection on highway safety grounds.

In the event that the grant of planning permission is likely to be considered, in addition to the standard "completion in accordance with approved plans" conditions I recommend inclusion of the following specific highway

conditions and advice notes.

Condition 1/. HP01 Estate Road Junction with Highway
No development shall be occupied until the junction between the proposed estate road and the highway has been constructed and provided with 2.4 x 43m visibility splays in accordance with the approved plans.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road. (Section 4, NPPF)

C2/.

No dwelling shall be occupied until the new footway within the public highway has been constructed in accordance with the approved drawing. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement.

C3/. HP17 Temporary Turning Areas

If the proposed road is not constructed to the full length and layout illustrated on the approved drawing then no building taking access from the proposed estate road shall be occupied until details of a temporary turning space for vehicles within the site have been submitted to and approved in writing by the Local Planning Authority and the temporary turning space has been provided in accordance with the approved details. The turning space shall be retained for use by vehicles until the proposed road is constructed.

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety. (Section 4, NPPF)

C4/.

All on-site vehicle areas shall be surfaced in tarmacadam or similar durable, porous but bound material and arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

Advice Note 1/.

The applicant is advised that in order to comply with conditions of this permission it will be necessary for the developer of the site to enter into an agreement with

Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highways Agreements Officer, Highways Contracts team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

AN2/.

The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the highways Agreements Officer, Highways Contracts team, Community Services, Central Bedfordshire".

Landscaping

The Council's Landscape Officer has issued three consultation responses upon each revision to the development. The original response upon the original scheme states:

"Landscape and Visual - the site lies on the edge of the village in the "Mid Greensand Ridge" Landscape |Character Area. This area has a strong sense of character, which includes features such as the mature roadside oak opposite the proposed access. I do not have objections in principle to the development of this land, but I am concerned about the visibility of the development particularly on the northern boundary, where the development would create a new built edge to open countryside. I also have concerns about the amount of the roadside hedge which would need to be removed or heavily trimmed to enable sightlines. Guidelines for development within the greensand includes the need to avoid urbanisation of the rural character of roads. The strong enclosure provided by the boundary hedge is a valuable feature highly characteristic of the area, loss of the hedge would detract from local landscape character.

The layout of the properties appears to be dominated by the access road and parking - the carpark for visitors is excessive and a poor use of the land.

The landscape strategy for the Greensand Ridge is to conserve and enhance - if this development is permitted I would want to see a substantial new landscape feature replacing the "visitor parking" eg a spinney or community orchard. This part of the site would allow for new

premium oak trees to be planted as there is space for the trees to reach full maturity - and the trees would make a true contribution to the greensand landscape.

The development framework also indicates the use of 1.8m brick walls. Sandstone detail within walls is a particular feature of the Greensand and there are local examples in Northill. These new walls should include some sandstone courses or other design detail to reflect local distinctiveness.

A full landscape scheme will be required, which will need to have a greater depth of planting along the northern boundary, without any "gaps" as at present. Native hedging will be required.

At present, I do not think the design meets the standard expected by Policies 14 and 16 - and so I cannot support the Application.

I would also like more information about the access implications for the frontage hedgerow.

Northill is within the "Greensand Country" HLF bid area - an initiative to enhance the greensand environment. It is hoped that developers will support the GC projects, which include promoting local access within new development".

The Second response upon a revised scheme states:

"Revised scheme - Landscape and Visual - I still have some concerns about the impact of development on the hedgerow and the reduction in enclosure resulting from the sightlines required. However, the revised design for the carpark is an improvement and with the additional planting will help to minimise the impact of this feature. My previous comments still stand regarding the use of some sandstone rubble within the brick walling or to make a plinth or other feature to enhance the entrance or car park area. This would help to create a sense of place at what will be a gateway to the village.

If such craft details can be incorporated, I would not object to the scheme on landscape grounds.

A full landscape specification will be required by Condition".

The third response upon the final scheme states:

"Landscape - I have no additional comments, considering the revised car parking and indicative landscaping acceptable.

A fully detailed scheme will be required by Condition".

Trees and Landscaping The Council's Trees and Landscaping Officer has raised no objection to the proposed development subject to conditions.

Ecologist The Council's Ecologist has issued the following consultation response:

"I would have no objection to the proposal based on the information submitted. The NPPF calls for development to deliver a net gain for biodiversity and so I would expect integrated bird boxes to be incorporated into the built fabric of the dwellings at a ratio of 1 per unit. The site lies within the Greensand Ridge Nature Improvement Area and hence the final landscaping scheme should ensure it supports the biodiversity objectives of the NIA in providing berry and nectar rich planting with appropriate native species".

Archaeology The Council's Archaeologists have issued the following consultation response:

"The proposed development site lies both within and adjacent to the core area of the medieval settlement of Northill (HER 17121) and under the terms of the *National Planning Policy Framework* (NPPF) this is a heritage asset with archaeological interest.

Northill has its origins in the Anglo-Saxon period with the form of the current settlement dating from the medieval period. Northill is recorded in the Domesday Survey of 1086 AD suggesting that the present village has its origins in at least the late Saxon period with the current settlement dating from the medieval period. In addition, it has been suggested that the placename of Northill is Saxon in origin deriving from the tribal name Gifle recorded in the Tribal Hidage between the 7th and 9th centuries AD. The territory of the Gifle has been identified with the area of Northill, Southill and Old Warden. Archaeological evidence for settlement of this period has been found c.3.5 kilometres to the south-east in Broom Quarry (HER 9095).

The parish church of St Mary (HER 2085, NHLE 1221856: Grade I) is around 150 metres south-west of the proposed development site, the present building dates from the 15th century, when it became a collegiate church to the College (HER 14906). The College and

Northill Manor (HER 14910) were located close to the church.

To the south-east is a rectangular fishpond, probably medieval in origin (HER 15371). To the west, in Home Wood, are the earthworks of a medieval fishpond and warren complex (HER 429). They are believed to have been part of the Northill Manor estate. The site is a Scheduled Monument (SM 29423 and NHLE 1018455). The land to the west of Ickwell Road/Thorncote Road formed part of Ickwell Park (HER 6995 & NHLE 1000577) which is a Registered Park. Although the house burnt down in 1937, the associated 17th-18th century walled garden, 18th-19th century pleasure grounds and landscape park survive.

Very few archaeological investigations have been carried out in Northill and its immediate area. These include an archaeological watching brief during works at the western and northern arm of the moat and dam of the Home Farm scheduled monument and a trial trench evaluation in advance of new development at the rear of 33-34 Ickwell Road (HER no) where a large pit or pond feature and a possible brick kiln were recorded and a quantity of brick wasters, pottery sherds and other finds dating to the late 17th/early 18th century were recovered. Elsewhere another trial trench field evaluation at the Moathouse, Sand Lane revealed one undated ditch.

Within the proposed development area a small rectangular earthwork, possibly modern in date, was identified on aerial photographs by Albion Archaeology in the Heritage Statement. Magnetometer results of a geophysical survey of the site by Museum of London Archaeology Northampton (2016) identified a small number of magnetic anomalies which may represent infilled ditches, isolated pits and burnt soil or an old pond infilled with rubbish.

The applicant has submitted a Heritage Statement that summarises the known archaeological resource for the area and concludes that there is a low to moderate potential for the survival of archaeological remains within the proposed development site (Albion Archaeology 2016). However, the proposed development site is located along the margins of the medieval core of the village and is therefore considered to have the potential

to contain archaeological deposits relating to the Saxon, medieval and post medieval development of Northill. Research into the origins and development of villages, their inter-relationships with towns and trade networks from the Saxon through to the early Post medieval periods are local and regional archaeological research objectives (Wade 2000, 23-26, Oake *et al* 2007, 87-130 and Medlycott 2011, 49-80).

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 development hereby approved 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".

Affordable Housing

The Council's Housing Officer has issued the following consultation response:

On 13th May 2016 the government won a legal challenge against a High Court ruling that quashed a national planning policy intended to exempt small sites from affordable housing obligations. This ruling has been reflected in the National Planning Practice Guidance setting out the Government's position that affordable housing and tariff-style planning obligations should not be sought for certain small developments (10 dwellings or less or 1,000 square metres of gross floor space). This is a material consideration to be taken into account in decision-making on planning applications. The weight given to this material consideration will need to be considered on a case-by-case basis and in relation to the weight of the existing Development Plan policies, which remain the starting point for consideration in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004.

In light of this, we would not seek affordable housing on this site.

Bedfordshire Fire and Rescue Authority

The Bedfordshire Fire and Rescue Authority have issued the following consultation response:

Regarding the proposed erection of 9 dwellings, comprising two bungalows and seven two storey dwellings with associated access, parking and amenity space and formation of a parking and picnic area, as above, we would ask that fire hydrants are installed in number and location at the developer's cost as follows:-

On a residential site we will need one hydrant at least every 180 metres – with no property further than 90 metres from the nearest hydrant. The minimum flow should be as described in the National Guidance Document published by UK Water and the Local Government Association.

The relevant section is copied below from Appendix 5:-

1. Housing

"Housing developments with units of detached or semi-detached houses of not more than two floors, should have a water supply capable of delivering a minimum of eight litres per second through any single hydrant. Multi-occupied housing developments with units of more than two floors, should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any single hydrant on the development."

In addition to the formal guidance or requirements, I would add that where possible, consideration is given to access for the hydrants, so they are positioned on pathways/pedestrian areas, close to but not within vehicle standing areas where they are likely to be obstructed by parked cars/lorries (e.g. in an area designated for parking or loading as part of the development).

Internal Drainage Board The Board has no comments to make regarding the planning application.

Anglian Water Anglian Water has issued the following consultation response:

"The Growth and Planning Team provide comments on planning applications for major proposals of 10 dwellings or more, or if an industrial or commercial development, more than 0.5 ha.

As your query is below this threshold we will not be providing comments".

Waste Services The Council's Waste Services Team have issued the following consultation response:

Sustainable Growth and Climate Change The Council's Sustainable Growth and Climate Change Officer has issued the following consultation response:

Education No response received.

Leisure No Leisure comments upon or S106 contributions sought from, this development.

Bedfordshire Rural Communities Charity The Bedfordshire Rural Communities Charity has issued the following representation:

While neither supporting or opposing this planning application, BRCC's supporting communities team welcomes the applicant's awareness of the emerging Neighbourhood and Green Infrastructure Plans. It is particularly pleasing to see the inclusion of a priority aspiration from the GI Plan embedded within these proposals (the proposed parking/ picnic area). BRCC have recently submitted a major funding bid to the Heritage Lottery Fund for enhancing the landscape and heritage of the Greensand Ridge, and access to it; so the provision of the proposed parking and picnic area fits well with these aims.

Historic England Historic England have issued the following

representation:

Summary

The proposed development would build on land to the north west of the grade I listed St Mary's parish church and on the northern side of the Northill conservation area. The site is part of an area of open land which plays an important role in the setting of both heritage assets. We consider that the proposed development could have a harmful impact on their significance.

Historic England Advice

This application seeks permission to erect nine new houses on land north of the Northill conservation area, a development site which includes part of the designated area. The field in question is part of open land which wraps around the north side of the conservation area. Where the site abuts the Bedford Road it is opposite the boundary of the grade II Registered park of Ickwell Bury, a landscape with medieval origins but which is characterised by later open fields and boundary trees on this side.

When approaching the conservation area along the Bedford Road the application site is clearly visible and makes a contribution to its rural setting. The tower of the grade I listed St Mary's church can also be seen above trees around existing boundaries and properties on this side of the settlement. This is also the case if approaching it over open land to the north of the village. There is some modern building along the road, but it is low density in relatively generous gardens and features extensive planting. Also opposite the application site is the grade II listed number 19 and 21 Bedford Road, timber framed cottages dating from the late 18th century. Taken as a whole the north western side of Northill conservation area is characterised by a sense of open countryside around it (including the historic park) and modest, low density building of both recent and historic date. The development site is part of this area and contributes to the character and significance of the conservation area. It is also part of the setting in which the tower of the church can be seen. The proposed housing would erode the agricultural quality of the conservation area and the church's setting and develop part of the conservation area which is presently open.

The National Planning Policy Framework (NPPF) identifies protection and enhancement of the historic environment as an important element of sustainable

development and establishes a presumption in favour of sustainable development in the planning system (paragraphs 6, 7 and 14). The NPPF also states that the significance of heritage assets can be harmed or lost by development in their setting (paragraph 132) and that the conservation of heritage assets is a core principle of the planning system (paragraph 17). The NPPF states that 'great weight' should be given to their conservation and that any harm to their significance requires clear and convincing justification (paragraph 132). Furthermore, paragraph 137 notes that proposals which preserve those elements of setting that make a positive contribution to, or better reveal the significance of the heritage assets should be treated favourably.

We have considered the current proposals in light of this government policy and relevant English Heritage guidance, giving particular regard to St Mary's church and the conservation area which fall within English Heritage's remit to advise the Council. The Council should also consider the effect on the grade II listed buildings and Registered park. By introducing modern development beyond the established extent of building, building on part of the conservation area and affecting views of the tower of St Mary's church the significance of these heritage assets could be harmed in terms of paragraphs 132 and 134 of the NPPF. The Council should assess this harmful impact as well as any public benefit derived from the proposed housing as required by paragraph 134 and seek the 'clear and convincing justification required by paragraph 132.

Recommendation

The application site makes a positive contribution to the significance of the Northill conservation area and setting of St Mary's church. Developing the site as proposed could result in harm to the significance of those heritage assets in terms of paragraphs 132 and 134 of the NPPF. The Council should assess this harmful impact as well as any public benefit derived from the proposed housing as required by paragraph 134 and seek the 'clear and convincing justification' required by paragraph 132.

CPRE

CPRE have issued three representations upon both the original development, a revised scheme and the final revised scheme. The first representation received states:

CPRE believes that this proposed development, which encroaches in to the Conservation Area of this historic village, would result in inappropriate and unacceptable damage to its character. The site is open on three sides:

only one detached house sits in its own grounds to the South with a cemetery and the school to the East - sitting back from this site with no buildings adjacent to it and this area is designated as an Important Open Space. The view to the North and North West is extensive and open. The Greensand Ridge Walk passes by to the South of the site.

This development is proposed for an agricultural site currently used for pasture, in open countryside with long reaching views, which sits outside of the village envelope. It impinges upon a Conservation Area and is adjacent to the historic core of the village of Northill. This Conservation area includes the Grade 1 listed, fourteenth century Church of St Mary the Virgin and the 13 Grade 11 listed properties around it and along Bedford Road. The stated aims of the Conservation Area, which was established in 1971 and updated in 2004, are to preserve this historic centre and also to maintain the rural and picturesque approach along Bedford Road into the village, including the ancient hedge and trees. Therefore, there is no path or street lighting in this vicinity.

Proposals for development, including removing trees at the entrance to the site and parts of the ancient hedge, creating a footpath along Bedford road and building modern houses – one of which would lie within the Conservation area - would urbanise the historic centre of the Town and be destructive of its setting. The introduction of a 'clump' of housing on the edge of the open countryside would result in light and noise pollution and be out of character.

The developer appears to believe that the presumption in favour of sustainable development would override the need to respect these conservation aims. However, the NPPF makes it very clear that protections are offered to heritage assets. NPPF guidance para 131 states: -

In determining planning applications, local planning authorities should take account of:
the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

This application would offer no positive contribution to the local character and distinctiveness of this area and would harm the setting of the heritage assets of Northill, by

introducing urban elements such as the proposed pathway, enlarged entrance to the site involving removal of trees and part of the ancient hedge, and the development of modern housing within and adjacent to the Conservation Area. The proximity of the Greensand Walk is of economic benefit to the village pub within Northill and the suggested provision of a picnic area with a car park within the development is inappropriate and the car park would be used as visitor parking for the development.

Within the CBC Landscape Character Assessment 2015 (LCA) Northill falls within 6B – Mid Greensand Ridge but is also shown as falling within the Lower Ivel Clay Valley and at 4.B.7 The historic villages of Northill and Southill lie on the western edge of the valley. 6B.21 also refers to Northill's historic character with reference to the Manorial fishponds in Home Wood.

Within the Planning Statement, arguments are brought forward in relation to the Henlow appeal case. However, CBC have since been successful in ensuring that 95% of the 5 year land supply requirement has been met. Therefore, the building of 9 houses on such a site would not contribute in any meaningful way to any remaining shortfall, and the weight given to this argument is much reduced.

The more recent and very relevant as to its similarity to the site being considered here, Wrestlingworth Appeal Case APP/P0240/W/16/3150607, was dismissed as the Inspector supported CBC's refusal of Planning permission stating:

At 8 - The Council states that it can demonstrate a 4.76 year supply of housing land thus just short of its requirement, which the appellant does not dispute. In these circumstances, I find Core Strategy policy DM4 should be afforded some weight in my Decision.

At 21 – However, the Council is not significantly short in meeting its five year housing target and in light of the Hopkins Judgement referred to above I have attached some weight to this position. Moreover, and for the reasons set out above, I find the proposed development would harm the character and appearance of the area, and would amount to an isolated and unsustainable location in terms of its distance and lack of accessibility of local services and facilities. This would amount to environmental harm which would in my judgement significantly and demonstrably outweigh the benefits of the scheme, such that the balance lies against the scheme.

Within his Judgement the Inspector found that: The proposed development would not accord with Core Strategy Policies CS14, CS16 and DM3. These state that the Council will require development to be of the highest quality by respecting local context and distinctiveness, and conserve and enhance the varied countryside character and local distinctiveness.

The Planning Statement supplied seeks to justify that building outside of the village envelope, against the CS and DM policies of CBC, would meet the stated needs of the residents of Northill. However, existing policies for Exception Sites outside of the village envelope, are intended to address such stated needs and do not apply to market housing. The site would not be contributing any affordable housing - as stated by the developer.

In this case the Inspector also refers to Policy DM4
The proposal would also not accord with Core Strategy policy DM4

Likewise the earlier Henlow planning appeal decision (ref: APP/P0240/W/15/3003634) established Central Bedfordshire Council does not have a 5 year land supply and the development policies the Council used to refuse planning permission to this site were out of date. However, the Council's decision not to grant the Henlow site planning permission was upheld because the development of the site was incompatible with paragraph 49 of the National Planning Policy Framework (NPPF) on environmental grounds. Additionally, although the Council's Development Management and Core Strategy policies were out of date their content was similar in meaning to paragraph 49 and the other NPPF environmental policies.

The following quotes are taken from the Henlow planning appeal decision. They refer to the Council's Development Management and Core Strategy policies. The quotes show the similarity between these policies and the policy intent of paragraph 49 of the NPPF.

DM4 deals with developments within settlement envelopeswhere no land is available within the settlement a site adjacent to the settlement may be granted planning permission. Nonetheless, the fixed settlement envelopes would have the effect of constraining development, including housing, within these settlements.

CS 16 recognises the countryside outside of settlement as being a highly valued resource and should be

protected for its own sake, safeguarding it from the increasing pressures of development.

DM14 goes on to identify that any development that has an unacceptable impact will be resisted. Their overall objective is to protect the character and amenity of the countryside of which the appeal site forms a part.

Therefore I (the inspector) consider CS Policies DM4, DM14 and CS16 are relevant policies for the supply of housing within the meaning of Para 49 of the Framework..... To the extent that the policies are concerned with the supply of housing, they must be regarded as out of date. However, the objectives of CS Policies DM4, DM14 and CS16 remain broadly consistent with those in the Framework which requires decision makers to recognise the intrinsic character and beauty of the countryside. To the extent that the policies are concerned with these matters I consider that they continue to attract due weight.

... landscape is about the relationship between people and place. It provides the setting of our day to day lives. This is a landscape in which people spend their leisure time. They experience it up close and at a distance..... (overall conclusion re environmental sustainability) on balance the adverse harm identified within the environmental role relating to character and appearance outweighs environmental, social and economic advantages of the scheme, these adverse effects would result in considerable environmental detriment.

These quotes are very relevant in relation to the proposed Northhill site, therefore CPRE would argue there would be no environmental, social or economic benefits if this site were to be given planning permission – as expanded upon below.

CPRE Objections in Relation to Core Strategy & Development Management Policies – November 2009

Policy DM3: High Quality Development

The policy requires developments to be appropriate in scale to their setting; the proposed development would be destructive of the setting of Northhill as alluded to above and not a natural extension to the Village.

Policy DM4: Development within and beyond settlement envelopes. The proposed site sits outside of the Village Envelope and would not be allocated for Market Housing as under policy DM4 – only Exception sites would be considered.

Policy CS8 Exception Schemes refers.

Policy DM14 Landscape and Woodland

CBC Development Strategy Policy 56 had expanded and updated those policies requiring landscapes to be conserved and enhanced.

.... the landscapes will be conserved and enhanced in accordance with the Landscape Character Assessment. Proposals that have an unacceptable impact on the landscape quality of an area will normally be refused. Central Bedfordshire LCA 2015 was published earlier this year. As this LCA sits outside of the Development Strategy, we believe its use when considering planning applications, is not affected by the withdrawal of the DS. LCA 4B and 6B applies

CS16 Landscape and Woodland

Preserve and enhance the varied countryside character and local distinctiveness in accordance with the findings of the Mid Bedfordshire Landscape Character Assessment (now LCA 2015 applies)

- Resist development where it will have an adverse affect on important landscape features or highly sensitive landscapes.

DM16 Green Infrastructure

CPRE feels that the development will have significant impact on the environment and the visual view of the countryside landscape – DM16 seeks to ensure that development that adversely affects green infrastructure assets will not be permitted. Such assets include natural green spaces.

In a similar way in the Henlow Appeal Case, the Inspector found the terms of CS Policy CS16, DM4 and DM14 would be unacceptably compromised, in so far as they relate to taking account of impacts on the character and quality of landscape.

Paragraph 49 of the National Planning Policy Framework is being heavily relied upon to justify this development but the presumption is only valid for sustainable development. CPRE believes this site is not sustainable on environmental grounds as outlined above and states the Government's core planning principals including:

- Taking account of the different character of different areas. And recognising the intrinsic character and beauty of the countryside.....

We believe this site is not sustainable on grounds of Transport – Policy TP1A which requires developers to

show how developments will reduce the need to travel and reduce reliance on cars: the proposal fails on both counts and should be refused accordingly.

The majority of working residents of Northill commute by car to work and to access other services. The number of car journeys made to employment, schools, GPs and major shopping centres will increase in line with the number of new homes. Policy DPS19 requires developments to be 'readily accessible by public transport, cycle and on foot'. There is no footpath or street lighting in keeping with the area concerned.

CPRE believes this site is not sustainable on economic grounds. With no Community Infrastructure Levy in place, there will be no contribution being paid directly to the area to mitigate the effects of the development. Currently for economic reasons, it is the policy of CBC to use the New Homes Bonus to support the provision of front line services across Central Bedfordshire and not directly in support of areas affected by development.

CPRE believes this application should be refused as the detriments to the local area clearly outweigh any perceived benefits and it conflicts with the sustainability objectives of National Planning Policy, as illustrated in the final conclusion of the Inspector in both the Wretlingworth and Henlow Appeal Cases as quoted above".

The Second representation received states:

"Thank you for contacting CPRE with regards to the revisions made to this planning application and we welcome the opportunity to make further comment. We find that there are no significant changes to the application overriding the objections already submitted. However, in respect of them we would make the following additional comments.

We are aware that this site was submitted during the call for sites and as such would be subject to the site selection process. The results of this process (involving over 800 sites) will be used to formulate the Draft Local Plan, which is due to be published shortly for consultation.

It would appear that the developer has no confidence in this site being selected through that process and is therefore relying on the NPPF presumption in favour of sustainable development to override it. CBC is at an important stage of the development of its Local Plan, there is a progressing Neighbourhood Plan for Northill – where more suitable sites for development have been broadly identified.

Policies currently being relied upon by CBC have been found in recent cases to be in line with the intentions of the NPPF – which include the protection of the countryside for its own sake and the protection of land outside of settlement envelopes. Unless and until settlement boundaries are changed as part of the Local Plan process, they fall within the protection of policies within the NPPF as they are intended to restrain the development of housing outside of those boundaries. Recent appeal cases have given weight to CBC Policies with and without a 5 year supply of land for these reasons.

It is not possible for this development to go ahead without damaging the important rural and picturesque approach to the village, which it is acknowledged contributes greatly to the setting of the Conservation Area, as it requires removing parts of the ancient hedging, trees and installing a hard footpath – currently this is grassed. The modern encroachment into the open countryside offers no mitigating benefits to outweigh these lasting damaging changes to a scene that has existed for many years and continues to be of importance to the character and appearance of the area.

Other similar sites have been refused for reasons including their detrimental impact on their surroundings – such as this one in Shillington. CPRE supports the reasons given by the Officer for refusal of this site.

The site is outside of the Shillington Settlement Envelope, is within the conservation area and is within the open countryside. The proposed development would, by virtue of its open countryside location and its relationship with the existing settlement, result in the loss of an area of valued open space and the introduction of built form would have a harmful impact on character of the area and local amenity and would fail to either preserve or enhance the character and appearance of the Conservation Area at this edge of settlement location. The adverse impacts of the scheme would significantly and demonstrably outweigh the benefits and the proposal would not amount to sustainable development. The development is therefore contrary to the objectives of the National Planning Policy Framework (2012) and policies CS2 (Developer Contributions), CS14 (High Quality Development), CS15 (Heritage), CS16 (Landscape and Woodland), DM3 (High Quality Development), DM4 (Development Within and Beyond Settlement Envelope), DM13 (Heritage in Development) and DM14 (Landscape and Woodland) of the Central Bedfordshire Core Strategy and Development Management Policies (2009)".

The third response upon the final revised scheme states:

Local Plan where sites will already have been assessed and selected, there is a progressing Neighbourhood Plan for Northill – where more suitable sites for development have been broadly identified.

CPRE are aware of the 5 year land supply issues raised within this application and these numbers continue to ebb and flow within appeal decisions. However, each site must still be considered on its merits and the NPPF requires that the three conditions of sustainability are met – importantly this includes environmental sustainability. It is not the intention of the NPPF to give an automatic green light to development in respect of a lack of 5 year land supply.

A recent High Court Judicial Review (December 2016) has led to significant changes in the way the 5 year land supply issue is assessed - in terms of where housing should be permitted and rural areas - East Bergholt Parish Council Suffolk vs Babergh District Council. The judge decided that Babergh had misrepresented “what ‘local housing needs’ meant in the context of the local plan” – the court also agreed with East Bergholt’s interpretation that the needs of the local area differed from those of the wider district. This is obviously very significant in terms of this application as there is no identified need for housing within this area of Northill and other more suitable areas have been identified within their Neighbourhood Plan – which is at an advanced stage of preparation.

In August 2016 Appeal Ref: APP/P0240/W/16/3150607 Brook Farm, 94 High Street, Wrestlingworth, Bedfordshire SG19 2EJ, identified the housing supply as 4.76 years – a more recent one for a development at Flitton at 4.66 years - not significantly reduced at 0.10 years. Since the Flitton decision CBC has given planning permission to sites of significant size, so altering the land supply once again. In the Wrestlingworth case the main issues were identified as

- *The effect of the proposed development on the character and appearance of the area; and*
- *Whether the location of the proposed development is acceptable having regard to policies to promote sustainable patterns of growth, and whether any circumstances exist to justify the proposed development.*

In making his decision the Inspector found that some weight could be given to CBC Policies in respect of the fact they were not significantly short of meeting the 5 year land supply and these Policies reflected the intentions of

the NPPF.

In rejecting the Appeal the Inspector stated

For these reasons, I find the proposed development would fail to respect and would cause significant harm to the character and appearance of the village the countryside surroundings. The proposed development would not accord with Core Strategy policies CS14, CS16 and DM3. These state that the Council will require development to be of the highest quality by respecting local context and distinctiveness, and conserve and enhance the varied countryside character and local distinctiveness.

Policies currently being relied upon by CBC have been found in recent cases to be in line with the intentions of the NPPF – which include the protection of the countryside for its own sake and the protection of land outside of settlement envelopes. Unless and until settlement boundaries are changed as part of the Local Plan process, they fall within the protection of policies within the NPPF as they are intended to restrain the development of housing outside of those boundaries.

Recent appeal cases have given weight to CBC Policies with and without a 5 year supply of land. This application site has been put forward in the call for sites and is relying on the NPPF presumption in favour of sustainable development, to force an unacceptable change to the existing settlement boundary in this location. At this point in its production, this is a decision made within the process of developing the Local Plan and would be subject to the consultation and Inspection process before adoption. Over 800 sites having been put forward, it is unlikely that this one has been selected for the reasons given for the previous refusal.

It is not possible for this development to go ahead without damaging the important rural and picturesque approach to the village, which it is acknowledged contributes greatly to the setting of the Conservation Area, as it requires removing parts of the ancient hedging, trees and installing a hard footpath – currently this is grassed. The development encroachment into the open countryside offers no mitigating benefits to outweigh these lasting damaging changes to a scene that has existed for many years and continues to be of importance to the character and appearance of the area.

CPRE believe the reasons for previous refusal of this site

remain and are aware of other similar sites that have been refused for reasons including their detrimental impact on their surroundings – such as this one in Shillington.

The site is outside of the Shillington Settlement Envelope, is within the conservation area and is within the open countryside. The proposed development would, by virtue of its open countryside location and its relationship with the existing settlement, result in the loss of an area of valued open space and the introduction of built form would have a harmful impact on character of the area and local amenity and would fail to either preserve or enhance the character and appearance of the Conservation Area at this edge of settlement location. The adverse impacts of the scheme would significantly and demonstrably outweigh the benefits and the proposal would not amount to sustainable development. The development is therefore contrary to the objectives of the National Planning Policy Framework (2012) and policies CS2 (Developer Contributions), CS14 (High Quality Development), CS15 (Heritage), CS16 (Landscape and Woodland), DM3 (High Quality Development), DM4 (Development Within and Beyond Settlement Envelope, DM13 (Heritage in Development) and DM14 (Landscape and Woodland) of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

Other Representations:

Neighbours

138 representations received relating to the following dwellings: Woodcote Corner (x8), Bedford Road, Northill; Nos. 30, 32 (x3) Northill Road, Ickwell; No. 21 Dene, Way, Upper Caldecote; Well Cottage (x5), Bedford Road, Northill; Yeoman's Cottage (x5), Bedford Road, Northill; Rest Harrow, Warden Road, Ickwell; Nos. 3 (x2), 5 (x6), 7 (x4), 9 (x5), 13, 15 (x4), 17, 19 (x8), 21 (x8), 23, 23a (x8) Bedford Road, Northill; No. 3 The Rectory, Northill; No. 34 Ickwell Road, Northill; Greenways (x3), Warden Road, Ickwell; No. 8 Warden Road, Ickwell; Whitethorn, Warden Road, Ickwell; Nos. 10 (x5), 14 (x3), 30 Northill Road; No. 28 (x5) Ickwell Green; No. 17 The Green, Northill; Nos. 17 (x2), 26 (x4) The Green, Ickwell; Nos. 9 (x2), 11 (x3), 17a (x2), 30, 39, 41, 43(x5) Thorncote Road, Northill; The Old Brewhouse, Thorncote Road, Northill; Nos. 2a (x4), 4 (x7), 9a (x2), 34 (x2) Ickwell Road, Northill; No. 43 Caldecote Road, Northill; Fagadh (x5) Sand Lane, Northill; Nos. 3, 27(x4) Sand Lane, Northill; Nos. 8, 11 (x2) Garner Close, Northill; Nos. 2 and 43 Caldecote Road, Ickwell; No. 2a The Leys, Langford; No. 14 Humber Road, Blackheath,

London; No. 2 Willowbrae Road, Edinburgh; and 406/12 (x2) Coppin Street, Richmond, Melbourne, Australia.

The comments and objections received have been summarised as:

- the harm of the development does not outweigh the benefits;
- The development would set a precedent for development beyond the northern settlement envelope boundary of the village;
- the development does not conform to the requirements of policy 12 of the NPPF;
- The development does not conform to Policy 14 of the NPPF;
- Contrary to Policy Dm4, CS15, and CS16 of the Development Plan;
- The development is not infill;
- the development does not conform to the Bedfordshire Design Guide;
- previous proposals beyond the settlement envelope boundary have been refused, due to the location beyond the settlement envelope;
- The development is located within the Northill Conservation Area and the development would cause a detrimental impact upon the character and appearance of this Conservation Area;
- Detrimental to the setting of Listed Buildings;
- The development is located beyond the defined/agreed settlement area of the village;
- the development is backland development;
- The development includes a 2 metre wide footpath running from the Church Yard for the St Mary's Parish Church (Grade I Listed Building) and past the Barracks (19 Bedford Road, a Grade II Listed Building). The footpath is incompatible with the Northill Conservation Area, whereby it would deface a view from the Barracks to the Church Yard. This view is identified as an Important View on the Northill Conservation Area Appraisal dated 2004;
- The proposed footpath could damage the foundations of the historic brick Rectory boundary wall along Bedford Road, this wall extends to No. 5 Bedford Road and is a feature of the view along Bedford Road, which is described in the Northill Conservation Area Appraisal;
- Concern in relation to visibility splays involving cutting an Important Hedge as described in the Northill Conservation Area Appraisal;
- Concern has been raised in relation to the removal of a section of the hedge at the front of the site that is identified in the Conservation Area Appraisal;
- Highway Safety concerns relating to the proposed

access to the site relating to speeding vehicles along this stretch of road, and visibility at the junction both to the south of the access due to the bend and to the north in respect of vehicle speeds;

- Highway Safety concerns in relation to recreational users of the highway as well as agricultural vehicles;
- Highway Safety concerns relating to increased numbers of pedestrians crossing the road, in the context of lack of street lighting, the walking pace of elderly persons who may occupy the proposed development when crossing and young children crossing on the way to school;
- access and road does not appear to be of sufficient size or standard;
- The provision of a footpath along Bedford Road will lead to on street car parking;
- The housing proposed are out of character with the Conservation Area including neighbouring houses and the rural setting of the site. The houses are more suited to an urban housing estate;
- the existing buildings along Bedford Road all have a unique and different appearance to each other and the construction of 9 dwellings of the same uniform architectural design will detract from this distinctive character;
- the large scale of development proposed would destroy the gentle transformation from the rural environment to the built environment that Bedford Road currently enjoys;
- The development would cause a negative visual impact upon the rural approach into the historic centre of Northill;
- the density of development and amount of development would be out of character with the character of the existing surrounding properties, the development would increase the dwellings upon Bedford Road by 50%, changing the rural aspect of the road;
- The statement that the Council has a Lack of five year housing land supply is false;
- The proposed 9 dwellings is not a significant contribution to a five year housing supply and there are other more appropriate locations for development both within other areas and elsewhere within Northill;
- Other building sites within the Northill Parish are better suited to Development, the Northill Parish Neighbourhood Plan is being worked on by the Parish Council and will show where development is envisaged in the Parish and does not include this field;
- Applicant's agent has undertaken a consultation event where it was promised for a further consultation event which has not been honoured by the agent of the

application;

- The documents submitted do not include:
 - land drainage systems needed
 - accommodation of safe delivery of goods and services
 - water services including sewage provided by Anglian Water
 - Electric supply services
 - Telephone and enhancement of existing poor broadband services
 - siting of black and green wheelie bins for household waste
 - impact on wild live survey
 - public transport services
 - survey of type of traffic, volumes and speeds on Bedford Road
 - Felling of and planting of trees
 - adequate car parking for residents and visitors compliant with national design guidelines
 - locations and details of sheds
- The development is major development not minor development as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015;
- There is no requirement for a Greensand Ridge Walk Picnic area in Northill;
- The use of TRICS output methodology data - it is unreasonable to compare Northill "a small village" with suburban areas in Peterborough, Crewe, Chester, Lincoln, Liverpool, York, North Allerton, Lowestoft, Shrewsbury, Stoke on Trent and Doncaster;
- No plan for services - no information has been included in relation to the capacity of the existing services, such as electricity supply, drainage sewage, broadband, flooding on thorncote road because of additional run-off. An assessment cannot be made until studies have been undertaken;
- There is no gas in the village, where are the oil storage tanks?
- no toilets or disabled parking at the picnic area;
- the picnic area will likely need to be illuminated and as such would cause light pollution and disturbance;
- the picnic area will likely result in litter and would decline and become deteriorated, becoming a visual blight on the area;
- Who will clean up the litter and police the picnic area;
- the picnic area would be used as a meeting area for less desirable groups;
- impact on wildlife;
- insufficient car parking;
- loss of mature trees and shrubs;

- loss of good quality agricultural land;
- Parish Housing Needs Survey did not allocate this site for residential development;
- lack of infrastructure, no shops within walking distance;
- bus service runs 9 am to 5 pm Monday to Saturday, whereby a car is needed to travel to schools, shops and work;
- increased traffic in a rural environment would result in disruption to flora and fauna;
- no garages;
- picnic area would cause traffic demands;
- people do not drive to the Greensand Ridge Walk, they live locally;
- No detail of social housing;
- The footpath would result in rainwater run off that would undermine the foundations of neighbouring listed buildings;
- the development would have a detrimental effect on the standard of living for the inhabitants of the local area including, 19 Bedford Road, 21 Bedford Road and Woodcote, along with Bedford Road and the village as a whole;
- The development would have a detrimental visual impact on its neighbours;
- the north of the site is open to the countryside and the development would be visible from public footpaths to the northwest of the site;
- The proposed development would not be in accordance with the development plan contrary to paragraph 150;
- the development in respect of its design, layout and landscaping would not form good design contrary to paragraph 56 et al of the NPPF and patently does not relate to the character of the village and the landscape within the conservation area;
- the development would utilise land which falls within the best and most versatile agricultural land and will adversely affect the landscape both the approaches to the village and the landscape within the conservation area contrary to paragraph 109 of the NPPF;
- The development including the highway works and footpath proposed would cause harm to the conservation area and the historic environment, let alone enhance the conservation area, contrary to Paragraph 126 of the NPPF;
- the development is contrary to policies CS1, CS14, CS15, CS17, DM3 and DM13 of the Core Strategy and Development Management Policies;
- the development is contrary to policies 4, 38, 43 and 45 of the Development Strategy;
- Bedford Road is used as a Rat run, the development would further increase congestion at peak hours;

- Boundary treatments would not be in accordance with the character and appearance of the area;
- noise and disturbance to 23A Bedford Road, by vehicular headlights and activity at the proposed picnic area;
- vehicular parking at the picnic area to the front of the site would be detrimental to the character and appearance of the conservation area;
- the picnic area would not be suitable for playing children due to seclusion, hardstanding and car movements;
- The development is not suitable in a transport perspective due to distance from services;
- affordable housing should be provided due to the floorspace of the development exceeding 1000 sq metres;
- the development would affect a barn owl;
- develop brownfield land before greenfield;
- Loss of privacy to No. 21 Bedford Road due to views from footpath;
- Development would be contrary to Protocol 1, article 1 of the human rights act;
- loss of view across open farmland;
- a section of the hedge of the western boundary of Woodcote Corner is marked as being maintained for visibility, how and who will be maintaining the hedge?
- Concern in relation trees on land within the ownership of Woodcote Corner;
- Concern relating to visitors to the cemetery;
- traffic calming measures will destroy the rural identity of the village;
- revised dwellings would be more visible on entrance to the village due to chimneys and change of roof slope;
- traffic calming measures to affect driver behaviour will not work and will require maintenance by CBC;
- the development should be refused as it does not comply to the Council's SuD's requirements for major development; and
- poor visibility at proposed pedestrian crossing points.

One representation in support of the application received relating to No. 70 High Street, Great Barford. The response makes the following comments:

- the village has a declining and elderly population and is in desperate need of new housing;
- the school is in decline;
- the pub is in terminal decline;
- the village shop and post office closed years ago;
- The wonderful church is almost empty; and
- the developer has responded to local concerns and if

the development is considered sustainable it should be approved.

Full consultation responses are available to view.

Considerations

1. Principle of Development

- 1.1 The application seeks full planning permission for the construction of 9 dwellings including the provision of a public car park and picnic area, in close proximity to the Greensand Ridge Walk.
- 1.2 The site is located beyond the settlement envelope of Northill as defined by the Proposal Maps. Policy CS1 defines Northill as a Small Village for the purposes of the Development Plan. Policy DM4 seeks to safeguard to the Open Countryside from inappropriate development. It is considered that the proposed development would be contrary to Policy DM4 of the Development Plan.
- 1.3 At the date of this letter the Council cannot demonstrate a robust five year supply of deliverable housing Paragraph 49 of the NPPF indicates that under such circumstances the policies with respect to the supply of housing within the development plan (including Policies DM4, DM14 and CS16) are deemed to be out of date and the presumption in favour of sustainable development applies. The presumption in favour of sustainable development as outlined by paragraph 14 of the NPPF for decision taking, means:
 - approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.
- 1.4 However, recent case law (Crane v SOSCLG (2015) EWHC 425 (Admin, 4th May 2015) indicates that policies DM4, DM14 and CS16 should not be disregarded. On the contrary, 'out of date' policies remain part of the development plan, and the weight attributed to them will vary according to the circumstances, including for example, the extent of the five year supply shortfall, and the prospect of development coming forward to make up this shortfall.
- 1.5 At the time of writing the Council can demonstrate a housing 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 these circumstances, Policy DM4 is afforded some weight.
- 1.6 In addition, it is considered that Policy DM4 is out of date for purposes relating

to housing supply however this policy is broadly consistent with those in the framework which requires decision makers to recognise the intrinsic character and beauty of the countryside and as such the extent that the policies are concerned with these matters continue to attract due weight.

- 1.7 The proposed development is to be considered against the three strands of sustainability, social, environmental and economic, to determine whether any adverse impacts of granting outline planning permission for residential development on this site would significantly and demonstrably outweigh the benefits of the proposal. Other up to date local policies will also apply.
- 1.8 Whether the adverse impacts of the development would significantly and demonstrably outweigh the benefits has been outlined within the report below.
- 2. Impact upon the setting of Listed Buildings, the character and appearance of the Conservation Area and the character and appearance of the area more generally, including the intrinsic character and beauty of the countryside.**
- 2.1 The frontage of the site is located within Northill Conservation Area. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of a Conservation Area.
- 2.2 It is considered that the site is within the wider setting of the Grade II Listed Building known as No. 19 and 21 Bedford Road, Northill and the Grade I Listed St Mary's Church, whereby the tower of the Grade I Listed St Mary's church can be seen above trees around existing boundaries and properties on this side of the settlement. This view is also achieved when approaching the site from the north over open land to the north of the village. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the local planning authority, in determining applications for planning permission, to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interests which it possesses.
- 2.3 Applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The adopted development plan is the Core Strategy and Development Management Policies (2009). The National Planning Policy Framework (NPPF) forms a material consideration in planning decisions.
- 2.4 Policy DM3 seeks to ensure that all new development is appropriate in design that respects and complements the context of the site including the setting of all heritage assets, particularly those that are designated. Policy CS15 seeks to protect, conserve and enhance the district's Heritage including Conservation Areas and their setting. Policy DM13 states: the Council will ensure that planning applications for development within Conservation Areas are assessed against the Conservation Area appraisals and inappropriate development will be refused.
- 2.5 The Conservation Area Appraisal comments broadly upon the importance of the Church forming the dominant feature within the Conservation Area which

can be glimpsed from all entrances into the conservation Area including the western approach to the village of which the site forms part; "the western approach provides glimpses of the church tower upon the brow of the hill".

- 2.6 The Conservation Area Appraisal provides guidance and commentary upon the importance of features on Bedford Road. On entering the Conservation Area, the road gently descends into the village, via a bend celebrated by a close ring of mature oak trees in front of properties No. 7 and 9 Bedford Road. The Barracks (a non designated heritage asset) and the adjacent group of listed buildings contribute to the transiting between the open countryside and the more enclosed built environment of the village.
- 2.7 The Conservation Area Appraisal identifies boundary walls and hedgerows which make a important contribution to the village scene. The Northill Conservation Area Appraisal (2004) identifies the hedgerow within the frontage of the site as an important hedgerow, and provides the following conservation area guidance: "where necessary, seek to retain important walls and hedgerows".
- 2.8 Paragraph 17 of the National Planning Policy Framework places importance on the conservation of heritage assets.
- 2.9 Paragraph 132-135 of the NPPF specifically deal with the requirements for developments that affect designated and non designated heritage assets and their setting. Paragraph 132 states the following:
- 2.10 "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification".
- 2.11 The tower of the Grade I Listed St Mary's church can be seen above trees around existing boundaries and properties on this side of the settlement. This view is also achieved when approaching the site from the north over open land to the north of the village. There is some modern building along the road, but it is low density in relatively generous gardens and features extensive planting.
- 2.12 Taken as a whole the north western side of Northill Conservation Area is characterised by a sense of open countryside around it (including the historic park) and modest, low density building of both recent and historic date. The development site is part of this area and contributes to the character and significance of the conservation area. It is also part of the setting in which the tower of the church can be seen. It is considered that the proposed housing would form a incursion of built development into the open countryside, which would be visible on the approach to Northill.
- 2.13 However it is considered that the design and appearance of the buildings proposed would be sensitive to the historic context of the site, subject to conditions relating to materials and detailing. Furthermore it is considered that the scale of development, mostly single storey would preserve a sense of

transition between the village and the open countryside, that currently characterises the western approach to the village and this part of the Conservation Area, whilst preserving the views of St Mary's Church from its wider setting including the features of special architectural or historic interests which it possesses.

- 2.14 Concern in relation to the density of development has been raised. It is noted that the density of the development on plan is greater than that featured by the dwellings within the immediate context of the site which benefit from generous plots. However sustainable development includes the efficient use of land and it is not considered that the density of development would be high in respect of edge of settlement development by current day standards. The scale of the dwellings within the site are mostly single storey, respecting important views, whilst respecting the historic and the edge of countryside location of the site.
- 2.15 The development would result in the loss of a section of an important hedgerow for the creation to the access to the site. The revised proposal seeks to retain the remaining hedgerow and increase planting at the frontage of the site which would include the closure of the existing access and planting the existing opening in the hedgerow. It is considered that the retention of the hedgerow to the front of the site would accord with the Guidance within the Conservation Area Appraisal.
- 2.16 In addition to the latter the indicative landscaping plan illustrates significant soft landscaping to the northern boundary of the site and the retention of soft landscaping to the eastern and southern boundaries which would retain the sense of transition between the village and the open countryside. In this respect the Council's Landscape Officer and Trees and Landscape Officer, have raised no objection in the context of the visual impact of the development upon the landscape or the loss of hedgerows or trees identified for removal. Therefore subject to conditions relating to tree protection fencing and landscaping schemes, it is considered that the development would be acceptable within this context.
- 2.17 Concern has been raised in relation to the provision of a footpath upon the existing green verges within the Conservation Area which are identified on the western/southern side of Bedford Road as Important Green Space within the Conservation Area Appraisal. However the revised development includes a reduced footpath width that would retain a greater percentage of these Green Spaces in the interest of preserving soft landscaping within the Conservation Area within important viewpoints and the setting of Listed Buildings.
- 2.18 Concern has been raised in relation to the proposed car park and picnic area, in the context of external lighting and the character of the area. No external lighting has been proposed by the development and any lighting columns or bollards that would fall within the definition of development would require a separate application for planning permission.
- 2.19 Concern has been raised in relation to the management of the proposed picnic and car parking area in the context of the visual amenities of the locality. It is considered necessary, relevant and reasonable to impose a condition that would ensure a maintenance and management scheme is in place for this public area, to safeguard the visual amenities of the locality.

- 2.20 It is considered that the proposed development including the provision of 9 dwellings, a car parking and picnic area and a footpath would result in a degree of harm to designated heritage assets as identified above, however when considering the limited harm caused by the development it is considered that such impacts would be less than substantial in the context of paragraphs 132-134 of the NPPF.
- 2.21 In accordance with Paragraph 134 "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use".
- 2.22 It is considered that the provision of nine dwellinghouses, a public footpath to serve existing and future residents and the provision of a car park and picnic area in close proximity to the greensand ridge walk would form public benefits that weigh in favour of the development. It is considered that the benefits of the development would outweigh the identified harm in the context of paragraph 134 of the NPPF.
- 2.23 Paragraph 135 of the National Planning Policy Framework states: "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".
- 2.24 The proposed development site would be within the setting of the Barracks, a non designated heritage asset, however when considering the harm and the significance of the heritage asset in relation to the benefits of the proposal it is considered that the development would be acceptable within the context of paragraph 135 of the NPPF.
- 2.25 For the reasons outlined above, it is considered that the proposed development would not cause a unacceptable impact upon the significance of the Barracks as a non-designated heritage asset and would preserve the Character and Appearance of the Conservation Area and the significance of listed buildings including their settings. It is considered that the development would cause less than substantial harm to designated heritage assets which would be outweighed by public benefit, in accordance with Policies DM3, CS15 and DM13 of the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework.
- 2.26 Furthermore, for the reasons outlined above, subject to conditions it is considered that the proposed development would not cause significant and demonstrable harm to the character and appearance of the area, including the intrinsic character and beauty of the countryside, in accordance with Policy CS14, CS16, DM3 and DM14 of the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework.
- 3. Impact upon the amenity and living conditions of occupiers of neighbouring dwellings and the future occupiers of dwellings within the development**

- 3.1 When considering the layout, landscaping and scale of buildings in relation to neighbouring residential dwellings, it is considered that the proposed development would not cause an unacceptable impact in relation to loss of light, outlook or overbearing impacts, upon any neighbouring dwelling. Furthermore; when considering the proposed location of fenestration and the location of the private amenity space of and the windows serving neighbouring dwellings both within and neighbouring the site, it is considered that the proposed development would not cause an unacceptable impact upon the privacy of neighbouring dwellings and would provide an acceptable standard of amenity for future occupiers of the dwellings within the site.
- 3.2 Concern has been raised in relation to the impact of the proposed footpath upon Bedford Road, upon the privacy of neighbouring dwellings, however it is considered that the area of which the proposed footpath would be located forms part of the public highway and as such the footpath would not provide a materially different view than that which can already be achieved from the public highway. Therefore it is not considered that the proposed footpath would cause an unacceptable impact upon the privacy of any neighbouring dwelling, that would warrant the refusal of planning permission.
- 3.3 Concern has been raised in relation to the impact of the proposed picnic and car parking area, upon the amenity and living conditions of neighbouring dwellings, in the context of noise and disturbance and light intrusion caused by vehicular headlights and the use of the area at unsociable hours. It is not considered that the level of use including the associated noise and the level of illumination from vehicular headlights would result in unacceptable impacts upon any neighbouring dwellinghouse, that would warrant the refusal of planning permission.
- 3.4 The proposed external private amenity spaces to serve the proposed dwellinghouses are considered to be in accordance with the guidance within the Central Bedfordshire Design Guide, whereby it is considered that the proposed development would provide dwellings with an acceptable standard of amenity for future occupiers. It is however considered to be necessary, relevant and reasonable to impose a condition that would ensure the provision of boundary treatments to provide privacy to such amenity areas.
- 3.5 For the reasons outlined above it is considered that the proposed development would not cause harm to the amenity or the living conditions of the occupiers of any neighbouring dwelling and would provide an acceptable standard of amenity for the future occupiers of the proposed dwellings, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework.

4. Housing Mix and Affordable Housing

- 4.1 The proposed development would be in excess of 4 dwellings, whereby Policy CS7 of the Core Strategy and Development Management Policies indicates that affordable housing contributions will be required. However on 13th May 2016 the government won a legal challenge against a High Court ruling that quashed a national planning policy intended to exempt small sites from affordable housing obligations. This ruling has been reflected in the National Planning Practice Guidance setting out the Government's position that affordable housing and tariff-style planning obligations should not be sought for

certain small developments (10 dwellings or less or 1,000 square metres of gross floor space). This is a material consideration to be taken into account in decision-making on planning applications. The weight given to this material consideration will need to be considered on a case-by-case basis and in relation to the weight of the existing Development Plan policies, which remain the starting point for consideration in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004.

- 4.2 In light of this, the Council have not sought affordable housing on this site.

5. Highway Safety and Car Parking

- 5.1 Concern is raised in relation to existing traffic speeds, types of movements and volumes of traffic along Bedford Road and the Highway Safety implications of the development. The Highway Authority have acknowledged that excessive speed may be the case for a proportion of the vehicles approaching the site, however this is an existing problem that will not be worsened by the development. The fact remains that the site is within a 30mph speed limit area of the village and the proposed junction is of standard geometry and would have appropriate visibility splays. As such the Highway Authority consider that the speed of existing traffic is not a reason to justify and sustain an objection on highway safety grounds.
- 5.2 It is noted that the proposed access road, due to the lack of a footway on both sides or being shown to be a shared surface having an overall width of 8.8 metres, would not be designed in accordance with the guidance contained within the Design Guide, whereby the proposed access road would not be designed to an adoptable standard to be maintainable at public expense. However it is considered that the road would be acceptable within the context of highway safety, allowing vehicles to egress and pull clear of the highway, and turn within the site, thereby leaving the site in a forward gear. Therefore it is considered that the development is acceptable in highway safety terms. It is considered necessary, relevant and reasonable to impose a condition that would ensure the road would be provided as approved prior to the occupation of any dwelling.
- 5.3 The application indicates the provision of a pedestrian footway along Bedford Road, which includes two pedestrian crossings to link to the existing footpath network upon Bedford Road. The footpath would not only connect the development and existing dwellings to the existing footpath network but also would provide a connection between the existing network and the Greensand Ridge Walk. It is not only considered necessary, relevant and reasonable to impose a condition, to ensure the provision of the footway, to serve the development, but also that the footpath would form a public benefit which weighs in favour of the scheme.
- 5.4 Concern has been raised in relation to the location of pedestrian crossings and the width of pedestrian crossing in the context of highway safety. It is noted that the width of the off-site footway has been reduced down to 1.2m to mitigate the impact on the surrounding verges and hedgerow a 2.0m wide footway would have had and that the narrower width is more in keeping with the existing footways. The Highway Authority have confirmed that the footway is acceptable.

- 5.5 For the reasons outlined above it is considered, subject to conditions, 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 and section 4 of the NPPF in this respect.

6. Archaeology

- 6.1 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.

7. Biodiversity

- 7.1 The Council's Ecologist has raised no concern in relation to the impact to protected species which are not expected from this development. Furthermore the Council's Ecologist has raised no objection to the removal of the existing hedgerow.
- 7.2 Subject to conditions that would ensure a net gain for biodiversity, it is considered that the proposed development is acceptable in this context, in accordance with the National Planning Policy Framework.

8. Flood Risk and SUD's

- 8.1 Concern has been raised in relation to flood risk and the lack of sustainable urban drainage as part of the proposal. The proposed development is for nine dwellinghouses with an internal floorspace of less than 1000 square metres, whereby the development does not constitute major development for planning purposes as outlined by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). Furthermore; the site is located within Flood Zone Area 1 whereby the probability of flooding is identified as being low. As such, no representation has been received from the Environment Agency and there is no requirement for the provision of Sustainable Urban Drainage for this development.
- 8.2 For the reasons outlined above it is considered that the proposed development is acceptable within this context in accordance with the NPPF and the NPPG.

9. Fire Hydrants

- 9.1 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 controlled by condition.

10. Foul Drainage

- 10.1 Anglian Water have been consulted upon this development, following local concerns raised relating to foul water drainage. However due to the scale of the development forming less than 10 dwellings and less than 1000 square metres of floorspace, Anglian Water have confirmed they have no comment. Therefore no evidence has been provided to demonstrate foul drainage infrastructure would not be able to cope with this non major development and as such a refusal of planning permission for such a reason would not be justified.

- 10.2 For the reasons outlined above it is considered that the development is acceptable within this context.

11. Loss of agricultural land

- 11.1 The development site would result in the loss of Grade 2 good quality agricultural land whereby paragraph 112 of the NPPF states *"Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality"*.

- 11.2 It is considered that the loss of this high quality land is a negative impact of the development that weighs against the scheme, however when considering the planning policy context of a lack of five year housing land supply, and in the context that some weight can be given the Council's position of nearing its supply, it is not considered that the loss of this relatively small parcel of Grade 2 agricultural land is of such significance as to warrant the refusal of planning permission individually or collectively with the other dis-benefits identified within this report that cannot be mitigated by conditions or obligations.

12. Equality and Human Rights

- 12.1 Local Planning Authority when deciding applications for planning permission need to have regard to the Human Rights Act 1998 which incorporated the provisions of the European Convention on Human Rights (ECHR) into UK law. Of particular relevance in this context are Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property) and Article 8 (Right to respect for private and family life). The rights are not absolute but are subject to limitations, and interference with human rights can be outweighed by other interests and considerations. Provided proper consideration is given to the issue of human rights, the courts are unlikely to interfere in decision making. For the reasons outlined within this delegated report the proposal is not considered to contravene either Article 1 of Protocol 1 or Article 8.

- 12.2 In addition; based on information submitted there are no known issues raised in the context of The Equalities Act 2010 and as such there would be no relevant implications.

13. Planning Obligations - Build Rate

- 13.1 The applicant will be required to agree to a build rate timetable which would be controlled by a legal agreement. As result, this would reaffirm 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.

- 13.2 It is considered that these obligations are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. The developer has agreed to these obligations.

14. The Planning Balance and Conclusions

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

- 14.2 This application has also been determined in accordance with Section 66 (1) and Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 14.3 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.

- 14.4 There is a presumption in favour of sustainable development set out in 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.

- 14.5 Significant weight must be given to the delivery of nine homes at the site over the next five-year period. Weight is also given in favour of development in relation to the provision of jobs during construction, the provision of a public footpath and the provision of a public car parking and picnic area for the greensand ridge walk.

- 14.6 Subject to Conditions and planning obligations outlined it is considered that there are no harmful impacts associated with the development that individually or collectively that would significantly and demonstrably outweigh the benefits of the development or that any policies within the NPPF indicate development should be restricted.

Recommendation:

That Outline Planning Permission be **GRANTED** subject to a S106 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 details submitted with the application, no development shall take place until a landscaping scheme to include all**

soft landscaping have been submitted to and approved in writing by the Local Planning Authority. The approved soft landscaping scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: Details are required prior to the commencement of development to ensure an acceptable standard of soft landscaping and to provide a net gain for biodiversity, in accordance with Policies DM3, CS15, CS16, DM13 and DM14 of the Core Strategy and Development Management Policies and the NPPF.

- 3 Notwithstanding the details submitted with the application, no development shall take place until a hard landscaping scheme to include details of all boundary walls, fences, gates, hard surfaces, edging and kerbing within the site as well as details of the interception and drainage of surface water within the site, have been submitted to and approved in writing by the Local Planning Authority. No development shall take place until a hard landscaping implementation and completion timetable for all hard landscaping within the site has been submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping scheme shall be implemented and completed in full accordance with the approved implementation and completion timetable.

Reason: Details are required prior to the commencement of development in the interest of Highway Safety, residential amenity and to safeguard the visual amenities of the locality including the character and appearance of the Conservation Area and the Setting of Heritage Assets in accordance with Policy DM3, CS15, and DM13 of the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework.

- 4 No development shall take place until a Maintenance and Management Plan for all hard and soft landscaping beyond the curtilages of dwellings, as well as the approved public car parking and picnic area have 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 maintenance and management plan. All landscaping and the public car parking and picnic area shall be maintained and managed in accordance with the approved maintenance and management plan following its implementation.

Reason: Details are required prior to the commencement of development to ensure that the appearance of the site would be acceptable in accordance with Policy DM3, DM13 and CS15 of the Core

Strategy and Development Management Policies 2009 and the harm of the development would not outweigh the benefits in accordance with the NPPF.

- 5 No equipment, machinery or materials shall be brought on to the site for the purposes of development until substantial protective fencing that accords with BS5837 for the protection of any retained tree(s), have been erected in the locations indicated on Drawing Number TPP/LNBRNB/010 A, unless otherwise approved in writing by the Local Planning Authority. The fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.**

Reason: In the interest of tree protection and to protect the character and appearance of the area and the setting of the listed building in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document.

- 6 All works to or affecting trees on or adjoining the site shall be carried out in accordance with the recommendations within the document: Arboricultural Report dated September 2016 and the relevant recommendations of BS3998 2010.**

Reason: To safeguard the existing trees on the site in the interests of visual amenity, in accordance with the NPPF.

- 7 Notwithstanding the details submitted with the application, no development shall commence until details of surfacing, kerbing and edging of the 1.2 metre wide footway illustrated on drawing number: 160308-02 Revision A, as well as the details of the construction methods of the footpath within the root protection area of trees has been submitted to and approved in writing by the Local Planning Authority. The dwellings hereby approved shall not be occupied until such time as the footway has been constructed and completed in full accordance with the approved details.**

Reason: The details are required prior to commencement to safeguard the character and appearance of the area, and preserve the character and appearance of the conservation area and the setting of listed buildings, in accordance with Policy DM3, DM13 and CS15 of the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework.

- 8 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, the adjoining highway and buildings. Thereafter the site shall be developed in accordance with the approved details.**

Reason: Details are required prior to the commencement of

development 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).

- 9 No development hereby permitted shall be first occupied or brought into use until the junction between the proposed estate road and the highway has been constructed and provided with 2.4 x 43m visibility splays in accordance with the approved plans.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road, in accordance with the National Planning Policy Framework.

- 10 If the proposed road is not constructed to the full length and layout illustrated on the approved drawing then no building taking access from the proposed estate road shall be occupied until details of a temporary turning space for vehicles within the site have been submitted to and approved in writing by the Local Planning Authority and the temporary turning space has been provided in accordance with the approved details. The turning space shall be retained for use by vehicles until the proposed road is constructed.

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety, in accordance with the National Planning Policy Framework.

- 11 **No development shall commence, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved including rainwater goods, windows, doors, brick detailing and sills have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: To control the appearance of the building in the interests of the visual amenities of the locality and the historically sensitive context of the site, in accordance with Policy CS15, DM3 and DM13 of the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework.

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

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;

- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;

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

Reason: Details are required prior to the commencement of development to ensure the development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework.

- 13 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: Details are required prior to the commencement of development 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.

- 14 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 development hereby approved 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, in accordance with Chapter 12 of the NPPF.

- 15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: PL01a; PL02d; PL03b; PL04b; PL05c; PL06c; PL08; PL09; 160308-02 Revision A; Arboricultural Report dated September 2016; and TPP/LNBRNB/010 A (insofar as it relates to works protecting trees and measures for the protection of trees during construction).

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

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other

enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

- 2. The applicant is advised that in order to comply with conditions of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highways Agreements Officer, Highways Contracts team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

- 3. 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 highways Agreements Officer, Highways Contracts team, Community Services, Central Bedfordshire".

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

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

DECISION

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