

Item No. 8

APPLICATION NUMBER	CB/16/04926/FULL
LOCATION	21 Sandy Road, Everton, Sandy, SG19 2JU
PROPOSAL	Redevelopment of land adjacent to and to the rear of 21 Sandy Road, Everton with 7no residential dwellings along with the refurbishment and extension of 21 Sandy Road. Demolition of existing barns and erection of new outbuildings and garage.
PARISH	Everton
WARD	Potton
WARD COUNCILLORS	Cllrs Mrs Gurney & Zerny
CASE OFFICER	Donna Lavender
DATE REGISTERED	03 November 2016
EXPIRY DATE	29 December 2016
APPLICANT	Mr J Pym
AGENT	Robinson and Hall LLP
REASON FOR COMMITTEE TO DETERMINE	Ward Councillor Call in (Cllr A Zerny) on the following grounds: <ul style="list-style-type: none">• Larger site area than site allocation• Cramped form of development• Narrow access and exits on a bend
RECOMMENDED DECISION	Full Application - Recommended for Approval subject to a 106 agreement to secure off site highway works.

Site Location:

The site consists of an existing residential dwelling house known as "The Bakehouse" along with a front and rear yard and a number of sheds ancillary to the main house which is located on Sandy Road within the village of Everton. The site is flanked to the east by 11 & 15 Sandy Road, to the west by 23 Sandy Road and to the south by open countryside. The Bakehouse is an attractive red brick and slate building indicative of the more traditional design present throughout the village and whilst not listed, is considered to be a non -designated heritage asset which requires protection.

The site is partially outside the Everton Settlement Envelope; however the entirety of the site is allocated for residential development within the Councils Adopted Site Allocation Document. The site is not located within any other designation.

The Application:

Permission is sought in full for the erection of 7 additional dwelling houses alongside the retention of the existing bakehouse including access, parking and landscaping.

Two four bedroom detached dwelling houses are proposed and identifiable as units

1 and 4 on the proposed layout. A pair of three bed semi detached dwelling houses are proposed and identifiable as units 2 & 3 on the layout and lastly a row of 2 bed terraced houses are proposed and identifiable as units 5-7. Parking provision for these units are provided on plot and visitor and parking for existing properties (23-29 Sandy Road) are proposed within parking courts or bays to the rear of these dwelling houses.

A single storey rear extension is proposed to "The Bakehouse" measuring 4.4 metres in depth, 4 metres in width and 4.3 metres in height incorporating a gable roof design. In addition a detached garage is proposed measuring 7.3 metres in depth, 4 metres in width and 4.3 metres in height to providing parking provision for "The Bakehouse".

Two access points would be utilised. 1 access from Sandy Road adjacent 23 Sandy Road would provide access for Unit 1 and "The Bakehouse". The additional access would utilise an existing access between 25 and 27 Sandy Road and would provide access for the remainder proposed units and existing properties (23-29 Sandy Road).

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced most of the previous national planning policy documents, PPGs and PPSs. The following sections of the NPPF would be considered relevant to this application.

- Section 1 - Delivering Sustainable Development
- Section 4 – Promoting Sustainable Transport
- Section 6 – Delivering a wide choice of high quality homes
- Section 7 - Requiring Good Design
- Section 8 – Promoting healthy communities
- Section 11- Conserving and enhancing the Natural Environment
- Section 12 - Conserving and enhancing the historic environment

Core Strategy and Development Management Policies - North 2009

- CS2 - Developer Contributions
- CS14 - High Quality Design
- CS15 - Heritage
- DM3 - High Quality Design
- DM4 - Development Within and Beyond Settlement Envelopes
- DM13 - Heritage in Development
- DM14 - Landscape and Woodland
- DM15 - Biodiversity

Site Allocations DPD (April 2011)

Policy HA20: Allocation Land at Sandy Road, Everton (Minimum 7 dwellings)

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help

support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Supplementary Planning Guidance/Other Documents

1. Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application Number **CB/16/00220/PAPC**

Description Pre-Application Advice - Non-Householder: development of land for up to 9 dwellings

Decision Pre-App Charging Fee Advice Released

Decision Date 12/02/2016

Parish Council:

Everton Parish Council Demolition of existing barns and erection of new outbuildings and garage at 21 Sandy Road, Everton, (Verbatim) (16/12/16 & 21/12/16)- Sandy, SG19 2JU

- At its recent meeting, Everton Parish Council resolved to object to the above application and have the following comments to make:
- Everton enjoys 'Small Village Status' and, as such, planning should only be approved if a need for additional housing is identified.
- Traffic calming measures are inadequate – the site access is opposite the junction of Warden Hill onto Sandy Road, and in an area which already experiences a high volume of traffic and difficult intersections with Tempsford Hill and Potton Road. Everton suffers from a high incidence of speeding which is already documented by CBC who report that 62% of vehicles travelling towards Potton exceed the speed limit in addition to 47% of vehicles travelling westwards. This will mean the 43m splay will be insufficient.
- We fully agree with Central Bedfordshire Council's Highway Department's concerns including that the access road will require a 2m service strip on each side.
- There is a lack of pedestrian access included which will mean pedestrians' safety will be compromised.
- Loss of refuse collection point – how will residents safely move their refuse to a collection point? Where will residents put their bins for collection?
- Access to the site is via a private road and, according to CBC policy, a private road can only service up to 5 dwellings – there are already 5 dwellings at the site

and any additional dwellings serviced by this road will contradict CBC policy.

- The existing service road is inadequate for two way traffic
- Nearby properties will suffer from a loss of privacy and light.
- There is no provision for street lighting at the proposed development.
- The current infrastructure is inadequate for further development.
- There is a colony of bats in the building scheduled for demolition. All bat species, their breeding sites and resting places are fully protected by law in Europe.

Internal Consultees:

- | | |
|---|--|
| 1. CBC Pollution Officer
(17/11/16) & (16/12/16)
& (12/01/17)- | No Objection, subject to the imposition of conditions to investigate and remediate the presence of any identified contamination. |
| 2. CBC Archaeology
(28/11/16) - | No Objection, subject to the imposition of a condition to secure investigation and recording of any archaeological deposits during construction. |
| 3. CBC Ecology
(28/11/16) & (09/12/16) - | No Objection, subject to the imposition of a condition to secure compliance with the ecological measures contained within the ecological appraisal dated Oct 2016. |
| | Welcomes the additional reference to bat and bird boxes in the interest of net gain. |
| 4. CBC Housing Development Officer
(29/11/16) - | No Objection, below the threshold requirement for the provision of affordable housing. |
| 5. CBC Trees and Landscape Officer
(29/11/16) & (13/12/16)
& (13/01/17) - | No Objection, subject to the imposition of conditions to secure landscaping and associated boundary treatment. |
| 6. CBC Highways Officer
(01/12/16) - | Recommends alterations to the existing layout to improve parking, visibility and pedestrian access. |
| 7. CBC Waste Services
(08/12/16) - | No Objection, however if road unadoptable bin collection points must be within 15 metres of the main highway which can be controlled by condition. |
| 8. CBC Strategic | No Objection, subject to the imposition of a condition to |

Landscape Officer (20/12/16) & (09/01/16)- secure appropriate planting and densities for landscaping buffer and landscaping within the site.

9. CBC Conservation Officer (11/01/16) - Welcomes the retention of the non designated heritage asset. Recommends materials are secured through condition.

External Consultees:

1. Internal Drainage Board (10/11/16) & (01/12/16) & (03/01/17) - No Comments

2. Environment Agency (09/11/16) - No Objection

3. Anglian Water (30/11/16) & (30/12/16) - No Comments, below the threshold for providing comments.

Other Representations:

1. 18 Sandy Road (13/11/16) & (18/11/16) & (06/12/16) & (11/01/17)-

Objects on the following grounds (in summary):

- Unsustainable, lack of village facilities and services
- Construction noise and occupation noise
- Highway safety and traffic concerns
- Overdevelopment
- Impact on the rural character and setting of the village

2. 33 Sandy Road (29/11/16) & (16/12/16) -

Objects on the following grounds (in summary):

- Area larger than allocation without wider benefits
- Inappropriate access
- Cramped form of development
- Out of character with the village setting
- Highway safety concerns
- Loss of landscaping to provide visibility would result in privacy concerns for 27 & 29 Sandy Road
- Contrary to policy DM4
- Creeping development
- Ecological impact (existing barns)
- Imposing, due to ground levels
- Impact on services (i.e. Water & sewage)
- Amendments to layout fails to address original concerns expressed

3. 17 Warden Hill (29/11/16) -

Objects on the following grounds (in summary):

- Overdevelopment & inappropriate density
- Unsustainable, lack of infrastructure to support the growth
- Loss of agricultural land
- Impact on the rural character

4. 15 Sandy Road

Objects on the following grounds (in summary):

(23/11/16) & (16/12/16)

-

- Privacy concerns
- Impact on the rural character and setting
- Unsustainable development - lack of infrastructure to support growth
- Increased traffic generation
- Amendments to layout fails to address original concerns expressed

5. 27 Sandy Road
(28/11/16) -

Objects on the following grounds (in summary):

- Loss of external amenity space
- Loss of privacy
- Loss of planting which provides privacy and buffer to highway
- Increased traffic generation and associated noise
- Inappropriate access to parking provision

6. 11 Sandy Road
(27/11/16) (x2)-

Objects on the following grounds (in summary):

- Loss of privacy
- Loss of light
- Highway safety concerns
- Unsustainable development - lack of infrastructure to support growth
- Impact on the rural character and setting
- Previous permission refused in 2008

7. 11 Warden Hill
(28/11/16) -

Objects on the following grounds (in summary):

- Inadequate vehicular access
- Reduction of external amenity provision
- Inadequate parking provision

Determining Issues:

The main considerations of the application are;

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

Considerations

1. Principle

- 1.1 The application site is located within the village of Everton. Everton is allocated as a small village within policy CS1 of the Core Strategy which states that the village can support small scale allocations for housing or employment which

would reflect the size and character of the area and regard should be had to the Site Allocations DPD.

- 1.2 The site has specifically been allocated as a site for housing development within the adopted Site Allocations DPD under policy HA20 which states: "Land at Sandy Road, as identified on the proposals map, is allocated for residential development, providing a minimum of 7 dwellings."
- 1.3 The proposal extends beyond the boundaries of the site allocation by approximately 19 sqm of triangular space (measuring 2 metres in width by 9 metres in depth) along the south-east boundary which would be contrary to Policy DM4 which seeks to resist further encroachment into the open countryside. However at the time of writing the Council cannot demonstrate a five year supply of deliverable housing land. This means that under the provisions made in paragraph 49 of the National Planning Policy Framework 2012, policies concerned with the supply of housing (including DM4, DM14, and CS16 of the North Core Strategy) must be regarded as 'out-of-date', and that permission should be granted unless the harm caused "significantly and demonstrably" outweighs the benefits.
- 1.4 However regard should be had to fact that DM4 states that "limited extensions to gardens will be permitted provided they do not harm the character of the area. In this instance, the extended area would allow for a 3 metre wide landscape buffer to be provided along the (south-east) rear boundary of the site to sufficiently demarcate the development for the prevailing countryside and in addition would allow for greater flexibility within the site for appropriate turning provision and external amenity space for future occupiers. Whilst it is considered that the proposal would have some visual implications as a result of the further extension into the open countryside, this is outweighed by the benefits to the layout of the development as indicated.
- 1.5 The National Planning Policy Framework carries a presumption in favour of Sustainable Development. There are three dimensions to sustainable development which require consideration such as economic, social and environmental roles. Paragraph 9 of the NPPF states that these roles are mutually inclusive and as such in order to achieve sustainable development all three of the dimensions should be sought simultaneously.
- 1.6 Economic
The NPPF makes it clear that planning policies should aim to minimise journey lengths for employment, shopping and other activities, therefore planning decisions should ensure developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes maximised. It is acknowledged that the construction of 7 dwellings would support a limited level of employment, with associated benefits to the local economy, within the local area on a temporary basis during the construction period which could be expected to last no longer than one year. Everton is classified as a Small village within policy CS1 of the Core Strategy for the North and therefore has limited access to employment opportunities however Everton is in close proximity to Sandy which constitutes a Major Service Area and Potton as a Minor Service Centre which has access to a range of facilities and services which would provide local employment opportunities.

On the basis of this the village is considered to be a sustainable location.

1.7 Social

The provision of housing is a benefit of the scheme and for the most part within the allocated site for residential development which should be given significant weight. As mentioned above, Everton is classified as a small village with limited access to services or facilities, however the site is allocated for a minimum of 7 dwellings and therefore it was considered at the time of the allocation that the village could accommodate this small scale growth without an adverse impact on existing services and as explored in the previous paragraph, the village is located within close proximity to Major and Minor Service Areas which have access to a range of facilities for use by future residents. The village is also served by a bus service which stops on Sandy Road which is accessible from this site. Recent case law identifies that we are unable to seek contributions for local infrastructure such as schools and services, however due to its small scale nature is not considered to impact on local infrastructure to a degree which would require financial contributions and on this basis the village is considered to be a sustainable location in this regard.

1.8 Environmental

The NPPF states that opportunities should be taken to protect and enhance the natural environment and to improve biodiversity. The Councils Ecologist is satisfied that the proposal would not adversely affect protected species and appropriate enhancement is proposed. The development site would result in the partial loss of Grade 3 good quality agricultural land and paragraph 112 of the NPPF recommends that Local authorities consider the long term implication of the loss of good quality agricultural land in the interest of sustainable growth. The small parcel of land would not constitute significant development or loss of agricultural land and in any event the site is already allocated for development. Furthermore whilst the proposal would see the encroachment of built development beyond the allocation and this results in a loss of open countryside which is a negative impact of the proposal, the site abuts built form on two sides and is not considered to be an isolated site. Furthermore the site would be demarcated by an appropriate landscape buffer without wider impact on the prevailing flat topography landscaping directly adjacent to the site which is agricultural land. The impact of developing this site adjacent the settlement envelope is therefore not considered to result in significant and demonstrable harm.

- 1.9 As such it is considered that the proposal broadly accords to the site allocation DPD and the presumption in favour of Sustainable Development outweighs any identified visual harm to the character of the area by way of the minimal incursion into the open countryside given that the proposal would provide for a reinforced landscape buffer which would appropriately demarcate the built form with the prevailing landscape. The proposal therefore would accord with the Section 1 and 6 of the NPPF and the principle of development the site is acceptable.

2. Affect on the Character and Appearance of the Area

- 2.1 Local Plan Policy DM3 & CS14 states that proposals should take full account of the need for, or opportunities to enhance or reinforce the character and local distinctiveness of the area; and that the size, scale, density, massing,

orientation, materials and overall appearance of the development should complement and harmonise with the local surroundings, particularly in terms of adjoining buildings and spaces and longer views.

- 2.2 The site has existing built form on two sides and the south east side of the site overlooks an area of agricultural land. As part of this current proposal it is suggested that the south eastern boundary will be improved through the planting of a 3 metre wide buffer of additional tree and landscaping which will continue the full length of the boundary and would provide a suitable buffer and distinction from the built form and prevailing landscape.
- 2.3 Despite concerns raised in respect of density, the proposed development would result in a density per hectare of approximately 21 when including the retention of the bakehouse, which does not constitute high density and is representative of the density levels within Everton.
- 2.4 Consideration has been given to retaining established building lines of adjacent buildings in the interest of reinforcing the established pattern of development. In addition the scale and design of the proposed dwelling houses are reflective of the designs of dwelling houses within the village providing an appropriate mix of cottage style attached dwelling houses and detached two storey family homes. In addition, the proposed layout seeks to provide an appropriate vantage point into the site to enhance the visual presence of the non designated heritage asset The Bakehouse.
- 2.5 Some minor alterations were advised by the Council and reflected in revised elevations for some on the unit types to provide effective detailing on the dwelling house and symmetrical designs in the interest of the conforming to the principles of good design. Whilst materials have been indicated on the plans supplied for consideration, the external treatment of the proposed dwelling houses would be controlled through condition to ensure that consideration can be given to the samples of materials to ensure that the proposal would be sympathetic to its immediate setting to the non designated heritage asset. Concerns were expressed by local residents about the minor level differences between the site and existing development and the visual impact of those differences, however finished floor levels have been conditioned to ensure an appropriate transition between existing and new development.
- 2.6 The tree survey and Arboricultural impact assessment supplied in support of the application demonstrates that the proposal would not unduly impact good quality trees and the Councils Tree and Landscape Officer is satisfied with the proposal subject to the imposition of conditions to secure appropriate planting and densities of the landscaping proposed and boundary treatment. This approach is supported by the Councils Strategic Landscape Officer. As such it is considered that the proposal would conform with policies CS14 & DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and Section 7 of the NPPF.

3. Neighbouring Amenity

3.1 Existing Occupiers

Unit 1 is proposed to be located some 11 metres from the side elevation of 11 Sandy Road. Due to this adequate separation, the proposal would not be

considered to result in an overbearing impact on the existing occupiers of this adjacent dwelling house. Windows are present on the side elevation of 11 Sandy Road which would directly face unit 1 and only a low level fence exists and is proposed to be retained. Two 1 pane windows are proposed to be installed at the ground floor side elevation of Unit 1 however they would be secondary windows and as such, notwithstanding the plans supplied, it can be conditioned that these windows will be obscurely glazed and non opening below 1.7 metres in height from floor level in the interest of amenity protection from mutual overlooking.

- 3.2 A 4.5 metre separation is proposed at it nearest point between unit 1 and the extended bakehouse dwelling house. However due to the siting of the bakehouse in relation to this proposed unit only angled views would be possible from the proposed unit 1 overlooking the Bakehouse. Furthermore, the closest part of the Bakehouse likely to be affected by the proposal serves the utility room and downstairs bathroom and these windows can be conditioned to be obscurely glazed in the interest of retaining adequate privacy for existing occupiers.
- 3.3 A proposed garage to serve the Bakehouse would be located 11 metres to the rear of 23 Sandy Road and as such, the proposal would not give rise to an overbearing impact on the existing occupiers of this dwelling house. The Bakehouse remains in its current position and no alterations are proposed to the external appearance which would be in close proximity to 23 Sandy Road and as such, the proposal would not give rise to any greater overlooking concerns than existing.
- 3.4 The bakehouse would be situated 17 metres from the side elevation of unit 2. A first floor side window is proposed to unit 2 to serve the hallway. Given the adequate separation and the room in which the window would serve being a non habitable room, it is considered that the proposal would not result in an unacceptable level of mutual overlooking between unit 2 and the bakehouse. Whilst there is no prescriptive design guidance for separations side to back or front to front, a separation of 20 metres is proposed between the side elevation of the Bakehouse and the proposed units 5-7 and this is considered adequate to prevent mutual overlooking.
- 3.5 An adequate distance of 30 metres or more is proposed between properties 27, 29 and 31 Sandy Road and the closest dwelling, unit 7 which is also an acceptable distance to prevent mutual overlooking. It is acknowledged that the garden spaces of 27 & 29 Sandy Road would be reduced in depth to accommodate the parking court for the development. However the garden depths and coverage accords to the Councils external amenity standards contained within the Councils technical design guidance and is not dissimilar to amenity spaces within the close vicinity and therefore it is considered that the external amenity space proposed would be acceptable. It is acknowledged that the proposal includes a parking court to the rear of these existing units; however the parking area is proposed a sufficient distance from the existing units to not result in unacceptable amenity impact in terms of overshadowing. The access is already in use for vehicular access to turning and parking provision and the level of noise and disturbance as a result of the increase vehicle movements would not be to a degree that would warrant refusal of

planning permission.

- 3.6 Units 5-7 are proposed to back onto the garden space of 33 Sandy Road and only outbuildings and the furthest most part of the garden space would be potentially overlooked which is not considered unacceptable in planning terms.
- 3.7 And lastly, a distance of 11 metres is proposed between 15 Sandy Road and units 2 & 3. Due to this adequate separation the proposal would not give rise to overbearing impact on the existing occupiers of 15 Sandy Road. No windows only a chimney breast is present on the side elevation of the existing dwelling house facing the proposed units. As such, no windows on the rear elevation of either unit 2 or 3 would give rise to mutual overlooking concerns of habitable rooms. The larger window proposed on the rear elevation of unit 3 could be perceived to give rise to potential overlooking concerns of the back garden of the existing dwelling house, however due to the adequate distances and position of the window, only angled views would be possible and it is not considered therefore that the proposal would give rise to overlooking of the garden space to an unacceptable degree which would warrant refusal of planning application.
- 3.8 Whilst concerns have been expressed about the additional noise as result of increased residential occupation on this site, no concerns have been expressed in this regard by the Councils Pollution Officer. In addition, the number of movements anticipated as a result of this development, would not be to a degree that would warrant refusal on these amenity grounds.
- 3.9 Future Occupiers
A distance of 12 metres is proposed between unit 3 and 4 and in excess of this between unit 2 and 5-7. Due to this appropriate separation and the positioning of the units at an angle to one another, the proposal would not give rise to mutual overlooking concerns for future occupiers.
- 3.10 The proposal accords to the council's internal and external amenity standards contained within the Councils technical guidance. In addition, pedestrian access to the rear gardens of the proposed units and existing units where applicable have been provided or retained in the interest of providing access for storage.
- 3.11 As appropriate external amenity provision is proposed and due to the adequate separations of the units in relation to existing and future occupiers it is not considered necessary to restrict permitted development rights for extensions or alterations to the proposed dwelling houses.
- 3.12 Bin storage and cycle storage facilities have been indicated on the layout plan and are considered appropriate in terms of size and siting. Whilst collection point have not been identified on the layout plan, the Councils waste officer is satisfied that there is sufficient space within the site to accommodate such facilities and as such is satisfied that this could be secured by condition if the committee are minded to approve. Therefore the proposal in this regard, would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 7 of the

NPPF.

4. Highway Considerations

4.1 Access

The proposal is for 3 x 2 bedroom, 2 x 3 bedroom, 2 x 4 bedroom dwellings, extension to the 'Bakehouse' and new access/closure of the existing, and replacement parking provision for properties 23 to 29, a widened footway and adjacent verge to be dedicated as public highway.

4.2 The visibility at the access points has been a matter for lengthy discussion with the Councils Highways Officer. Amendments have been made in accordance with their advice. Access is taken from a 30mph road where visibility splays of 2.4m x 43.0m will be required. Visibility from the Bakehouse access is acceptable. Visibility from the access between no. 25 and no. 27 Sandy Road is acceptable to the east, but to the west only 34.0m can be achieved to the nearside channel of the road.

4.3 Vehicles should be at a slower speed because of the bend in the road, although no speed survey has been submitted to support this. The required 43.0m splay also transects through the adjacent property access (no. 31), although this is third party land and can not be secured free from obstruction. The advice from the Councils Highways Officer is that mitigation of the substandard access for this level of intensification can be resolved through speed reduction measures (speed activated signage) along Sandy Road, which can be delivered through a section 106 agreement.

4.4 Parking and Turning

The internal access arrangements throughout the site will remain unadopted as footpaths are not proposed all around the internal access and the turning head does not accord with adoptable standards in terms of refuse collection vehicles.

4.5 Concerns have been expressed by the Parish Council that the private road should not exceed 5 units. The Councils Technical Design Guidance refers to a limiting 5 houses from a shared driveway with a shared surface and does not prevent developers from retaining private ownership of roads and accesses for larger developments to be managed by a private company providing that they enter into an agreement with the highway authority separate of the planning application.

4.6 Adequate turning provision has been provided for delivery vehicles and the Councils Highways Officer is satisfied that an appropriate collection point for bins can be realised by condition to ensure appropriate refuse collection.

4.7 Sufficient parking in accordance with the Councils parking standards has been proposed including the retention of parking spaces for existing properties along Sandy Road.

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

5. Other Considerations

5.1 Archaeology

The proposed development site is located within the medieval core of the village of Everton (HER 17153) and is consequently considered to have the potential to contain archaeological deposits relating to the Saxon, medieval and post medieval development of the village. Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (CLG 2012).

The proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of any surviving heritage assets with archaeological interest. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development and the scheme will adopt a staged approach, beginning with a trial trench evaluation, which may be followed by further fieldwork if appropriate. The archaeological scheme will include the post-excavation analysis of any archive material generated and the publication of a report on the investigations. In order to secure this scheme of works, the Councils Archaeologist has recommended a condition be imposed to secure this. As such, it is considered to conform with policy DM13 of the Core Strategy for the North and Section 12 of the NPPF.

5.2 Contamination

The Councils Pollution Officer recognises that features potentially present at the application site could pose theoretical contamination risks to the human health of site workers and end users, so it is advised that a contaminated land survey be undertaken to assess and mitigate any risks from, for example, asbestos or historic fuel leaks. As such, has recommended that conditions be imposed to ensure investigation and appropriate remediation where contamination is found to be present.

5.3 Ecology

Despite concerns expressed by local residents and the Parish Council, the Preliminary Ecological Appraisal (PEA) did not find any evidence of bats using the buildings. The site lies in the Greensand Ridge Nature Improvement Area and the PEA proposes a number of enhancement measures which will ensure the development delivers a net gain for biodiversity in line with NPPF and NIA expectations which can be secured through condition. In addition, a number of bird and bat boxes have been proposed in the interest of enhancement which also can be secured through condition. As such, no objections have been raised by the Councils Ecologist. Therefore the proposal is considered to accord with policies CS18 & DM15 of the Core Strategy for the North and Section 11 of the NPPF.

5.4 Financial Contributions & Affordable Housing

Current advice contained within the National Planning Practice Guidance (NPPG) sets out the Government's position that tariff-style planning obligations and

affordable housing provision should not be sought for certain small developments (10 dwellings or less or 1,000 square metres of gross floor space)

5.5 Pre-application Advice

Advice was sought prior to the application for the erection of 9 dwelling houses however due to constraints in terms of access, appropriate standards for amenity and the retention of the Bakehouse; it was advised that the reduction in units would be necessary in order to facilitate all necessary infrastructure. The advice given has been reflected in the submission herein.

5.6 Human Rights issues

The proposal raises no Human Rights issues.

Equality Act 2010

The proposal raises no issues under the Equality Act.

Recommendation:

That Planning Permission be APPROVED subject to the Completion of a Section 106 Planning Obligation and the following:

RECOMMENDED 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 **No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development and details of the proposed bird and bat boxes hereby permitted 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: Building materials are required to be ordered in advance of the construction phase and to ensure that the materials proposed would reflect the envisaged appearance of the development. (Policy DM3 of the Core Strategy for the North & Section 7, NPPF)

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

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

- 4 Notwithstanding the plans approved, the ground floor windows in the principal (North-west) elevation of the single storey side element of the Bakehouse shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the windows which can be opened are more than 1.7m above the floor of the rooms in which the windows is installed. No further windows or other openings shall be formed in the principal (North-west) elevation of the single storey side element of the Bakehouse.

Reason: To safeguard the privacy of occupiers of adjoining properties (Policy DM3 of the Core Strategy and Section 7, NPPF)

- 5 Notwithstanding the plans supplied, the ground floor windows in the side (north-east) elevation of unit 1 the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the windows which can be opened are more than 1.7m above the floor of the room in which the windows are installed. No further windows or other openings shall be formed in the side (north-east) elevation.

Reason: To safeguard the privacy of occupiers of adjoining properties (Policy DM3 of the Core Strategy for the North and Section 7, NPPF)

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

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

- 7 Prior to first occupation, all ecological measures and/or works shall be carried out in accordance with the details contained in part 6 of the October 2016 Preliminary Ecological Appraisal.

Reason: To ensure all impacts from development are taken into account and mitigated and the development delivers a net gain in biodiversity. (Section 11, NPPF)

- 8 **No development shall take place until details of hard and soft landscaping (which shall include the 3 metre landscape buffer along the edge of the site and proposed boundary treatment), together with a timetable for its implementation and a scheme for its maintenance for a**

period of 5 years have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.

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

- 9 No development shall take place until following has been submitted to and approved in writing by the Local Planning Authority:

A Phase 1 Desk Study report adhering to BS 10175 documenting the ground and material conditions of the site with regard to potential contamination.

Reason: To ensure that any contamination which exists on the site is identified and properly dealt with in the interests of the residential amenity of the future occupiers of the site and of the surrounding area.
(Section 11, NPPF)

- 10 No occupation of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175 and incorporating all appropriate sampling.

Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 remediation scheme with measures to be taken to mitigate any risks to human health, groundwater and the wider environment. Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied.

The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009). (Section 11, NPPF)

- 11 No building shall be occupied until the junction of the proposed vehicular access with the highway and the modified junction of the vehicle access with the highway has been constructed in accordance with the approved details.

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

- 12 The visibility splays indicated on the approved drawing no. 1736-01 shall be provided at the junctions of the accesses with the public highway before the development is brought into use. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them. (Section 4, NPPF)

- 13 No dwelling shall be occupied until the footway fronting the site has been widened to 2.0m, the property boundaries realigned to provide the visibility splays and dedicated as public highway, and a verge constructed in accordance with details/annotation of the drawing no. 1736-01. 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.
(Section 4, NPPF)

- 14 Before the new access is first brought into use, the existing access serving 'The Bakehouse' and south-east of the proposed access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval and constructed in accordance with the approved details.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.
(Section 4, NPPF)

- 15 Before the premises are occupied all on site vehicular areas shall be surfaced in a stable and durable materials in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure acceptable parking of vehicles outside highway limits .
(Section 4, NPPF)

- 16 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users. (Section 4, NPPF)

- 17 Before the development is brought into use, the proposal shall be carried out

and completed in all respects in accordance with the access siting and layout, parking provision inclusive of replacement parking and visitor parking, turning areas, cycle parking provision in sheds and access thereto and refuse collection point illustrated on the approved drawing no. A/43206/07F and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 2015, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority. The cycle parking provision, vehicle parking provision, turning areas and refuse collection point shall thereafter be retained for its purpose.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.
(Section 4, NPPF)

- 18 Details of a refuse collection point located at the site frontage and outside of the public highway and any visibility splays for The Bakehouse and plot 1 shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The scheme shall be fully implemented prior to occupation of any dwelling and shall be retained thereafter.

Reason: In the interest of amenity and in order to minimise danger, obstruction and inconvenience to users of the highway and the premises.
(Policy DM3 of the Core Strategy for the North and Section 7, NPPF)

- 19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers A 43206 1B (Site Location Plan), A 43206 07F (Proposed Site Layout), A 43206 08A (Garden Areas), A 43206 09 (Garage Plans), A 43206 10B (Proposed Unit 1 & 4), A43206 11A (Proposed Units 2 & 3), A 43206 12B (Proposed Units 5-7), A 43206 13 (Existing Bakehouse), A 43206 14 (Existing outbuildings), A 43206 15A (Proposed Bakehouse), Arboricultural Implications Assessment and Method Statement (12th Oct 2016), 2976.TPP (Tree Protection Plan), 2976.AIP (Arboricultural Implications Plan), Design and Access Statement (Sept 2016), Heritage Statement (Version 1.0), Ecological Appraisal (Oct 2016), Planning Statement (Sept 2016), Highways Statement (Oct 2016), 1736-03 (Tracking Access) & 1736-01 (Dedicated Highway Plan).

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other

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

3. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.

There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

4. The applicant is advised that in order to comply with highways condition attached to 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 Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Highways Help Desk tel: 0300 300 8049

The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved

Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all vehicles leaving the site

The applicant is advised that Central Bedfordshire Council as highway authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.

The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

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

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

DECISION

.....
.....