

Item No. 6

APPLICATION NUMBER	CB/16/03943/OUT
LOCATION	64 Biggleswade Road, Pottton, Sandy, SG19 2LX
PROPOSAL	Outline planning permission for up to 85 residential dwellings (including up to 35% affordable housing), demolition of 64 Biggleswade Road and associated outbuildings, introduction of structural planting and landscaping, informal open space, surface water flood mitigation and attenuation, vehicular access point from Biggleswade Road and associated ancillary works. All matter to be reserved with the exception of access.
PARISH	Pottton
WARD	Pottton
WARD COUNCILLORS	Cllrs Mrs Gurney & Zerny
CASE OFFICER	Donna Wilkinson
DATE REGISTERED	24 August 2016
EXPIRY DATE	17 February 2017
APPLICANT	Gladman Developments
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Major application that is a departure from the Development Plan Town Council objection to a major application recommended for approval Member Call in from Cllr Zerny on the grounds that the proposal would be over development and over bearing
RECOMMENDED DECISION	Approval subject to completion of a section 106 agreement and referral to the Secretary of State as a Departure from the Development Plan

Summary of Recommendation

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

facilities. These benefits are considered to add weight in favour of the development and therefore the proposal is considered to be acceptable.

Site Location:

This site lies to the west of Biggleswade Road on the southern side of Potton. The site contains a dwelling and associated buildings, a redundant agricultural building and consists of a mixture of agricultural and paddock land.

To the west lies open countryside and to the south and south east lies the John O'Gaunt Golf Course. Part of the eastern site boundary is marked by dwellings and their associated curtilage but the boundary is largely marked by tree/hedge planting. The town football pitch and associated building and facilities lies across Biggleswade Road with the local sewage works to the south of this.

Residential development and land allocated for residential development lies to the north.

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

The Application:

The application is to establish the principle of residential development up to 85 dwellings including a 35% affordable housing provision and is made in outline form with all matters except access reserved for subsequent approval. The proposed access would be from Biggleswade Road and would be positioned in the current location of 64 Biggleswade Road which would be demolished as part of the development.

A concept plan has been submitted demonstrating where the dwelling houses could be facilitated alongside landscaping, ecological habitat, Green Infrastructure and surface water drainage. The western boundary would be landscaped and the southern section of the site would remain undeveloped and provide mitigation for the loss of acid grassland elsewhere on the site.

The application is accompanied by the following statements:

- Minerals Resource Assessment
- Arboricultural Assessment
- Odour Assessment
- Socio-economic sustainability statement
- Statement of Community Involvement
- Design & Access Statement
- Geophysical Survey Report
- Ecology Report
- Archaeological Evaluation
- Flood Risk Assessment & SuDs Strategy
- Supporting Planning Statement

- Green Travel Plan
- Transport Assessment
- Landscape Visual Appraisal
- Grassland Management and Enhancement Plan
- Indicative Landscape Master plan
- Utilities Assessment

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

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 8: Promoting healthy communities

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

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment

Section 13: Facilitating the Sustainable use of Minerals

Core Strategy and Development Management Policies - North 2009

CS1 – Development Strategy

CS2 - Developer Contributions

CS3: Healthy and Sustainable Communities

CS4: Linking Communities – Accessibility and Transport

CS5: Providing Homes

CS7: Affordable Housing Provision

CS13: Climate Change

CS14: High Quality Design

CS15: Heritage

CS16: Landscape & Woodland

CS17: Green Infrastructure

CS18: Biodiversity

DM1: Renewable Energy

DM2: Sustainable Construction of New Buildings

DM3 - High Quality Design

DM4 - Development Within and Beyond Settlement Envelopes

DM9: Providing a range of Transport

DM10: Housing Mix

DM13: Heritage in Development

DM14 - Landscape and Woodland

DM15 – Biodiversity

DM16: Green Infrastructure

Development Strategy

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

Supplementary Planning Guidance/Other Documents

Minerals and Waste Constraints

Minerals Safeguarding Zone

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

MSP 11

MSP 12

Supplementary Planning Guidance/Other Documents

1. Central Bedfordshire Design Guide (March 2014)
2. Central Bedfordshire SuDs Guidance (April 2014)

Relevant Planning History:

None

Consultees:

Potton town Council	It was resolved to object to the application due to overdevelopment of the town and Potton doesn't have the infrastructure to support additional houses (Potton already has developments being built, planning applications approved or planning applications at various sites and these include Biggleswade Road east, Sandy Road and Biggleswade Road west in addition to this application).
SuDS Management Team	Outline planning permission could be granted to the proposed development and the final design, sizing and maintenance of the surface water system agreed at the detailed design stage, this can be addressed through conditions.
Archaeology	The Cotswold Archaeology report details the results of a partial evaluation of the proposed development site (only the northern part was trenched). The evaluation recorded the presence of undated two ditches, probably associated with the medieval to post medieval agricultural landscape surrounding the town of Potton. The evaluation trenches largely focussed a series of linear geophysical anomalies

and while not all of the anomalies were found in ground, the two features recorded broadly corresponded with the geophysical results.

The discovery of further evidence of the relic agricultural landscape adds to our knowledge about the town of Potton and its relationship with its hinterland. Therefore, the project has contributed to one of the recognised local and regional areas of archaeological research. I do not feel it necessary to undertake further work at the site and therefore I have no objection to this application on archaeological grounds.

Highways

There is no fundamental highway safety or capacity reason to justify and sustain a highways objection to the principle of residential development on this site. The proposal is supported by a robust Transport Assessment that demonstrates that the traffic generation can be accommodated on the surrounding highway network. Furthermore the access location is one that can afford appropriate visibility for and of vehicles using the junction.

Nevertheless as the site access is located at a point reasonably close to the edge of the town and the start of the 30mph limit and the TA highlights that vehicles are doing in excess of the posted speed limit I consider that it is not unreasonable for the development to make a S106 contribution of £1000 per dwelling (maximum £90000) toward off-site highway works to influence and reduce the speed of traffic in the vicinity and in particular on the approach to the site from the south. Planning conditions are also recommended.

Internal Drainage Board

No objection

Ecology

Earlier comments on the application have been responded to and in the comments are agreed with but reservations over the following points;

- On visiting the site it is apparent that the ground levels between field 1 and 2 are quite significant. Two mature trees sit on the fence line and the Framework Plan indicates that they are to be retained; however it is anticipated a large degree of ground works to necessitate the levels required for construction of homes. There are concerns that this will work when it comes to RM and so ask that consideration be given to reducing built development in field 1. It is accepted that there is a desire for an access road to the adjacent allocated site and this could be accommodated but allowing the retention of more grassland habitat in field 1 would be the preference.

- The indication from the applicant that a long term management strategy can be achieved and this should be secured for the whole site, not just field 7, via s106. Concern is expressed that if field 7 is used to provide formal play space such as a LAP or LEAP this would prejudice the long term survival of the compensatory acid grassland.

Overall, if you are minded to grant permission, I can see the possibility that development could secure some ecological gains but this must be done via a management plan which looks at the ecological interest across the whole site to incorporate appropriate habitat and wildlife management with associated funds as necessary.

Trees and Landscape

The development will be on predominantly farmland and supplied with the application is a comprehensive Tree Survey; this identifies the trees and hedgelines on and off site along with the retention categories and root protection areas. The majority of trees and features are located around the site perimeters and minimal removals will be required to facilitate development.

A detailed landscaping scheme and full details of tree protection measures will be required at reserved matters stage.

Landscape

CB/16/03943 - Biggleswade Road, Potton - Landscape and Visual - the site is highly characteristic of the Greensand Ridge, with an undulating landform, which rises up from the Biggleswade Road frontage. There are clear views of the site from the footpath which passes through it, and some views from the existing residential properties. Although used as pony paddocks, the pastures retain a healthy character, which helps to maintain an aspect of Potton's local distinctiveness. The roadside boundary is tree lined and there are also both mature and newly planted hedgerows which are valuable landscape features.

Although development of this site would result in the loss of characteristic Greensand landscape in the urban fringe, on balance I do not object to the proposal as I consider it to be a landscape led solution, which brings a significant area of publicly accessible green infrastructure. The boundary planting would also provide effective screening from the west.

Affordable Housing

I support this application as it provides for 30 affordable homes which reflects the current affordable housing policy requirement of 35%. The supporting documentation however does not indicate the proposed tenure split of the affordable units. The Strategic Housing Market Assessment

(SHMA) indicates the tenure requirement as being 73% rent and 27% intermediate tenure from sites meeting the affordable threshold. This would make a requirement of 22 units of affordable rent and 8 units of intermediate tenure (shared ownership) from this proposed development.

I would like to see the affordable units dispersed throughout the site and integrated with the market housing to promote community cohesion & tenure blindness. I would also expect the units to meet all nationally prescribed space standards. We expect the affordable housing to be let in accordance with the Council's allocation scheme and enforced through an agreed nominations agreement with the Council.

Environment Agency Have no objection to this application.

Public Protection Parts of the site are located relatively close to the Biggleswade Road which should be assessed to maintain residential amenity via a traffic noise assessment.

Also, the site is located close to a sewage treatment works which is subject to an odour assessment: the findings of the odour assessment appear reasonable, but any masterplan subsequently submitted must show the 60m residential stand-off zone as recommended.

Conditions are recommended to address these issues.

Minerals and Waste Team A Minerals Resource Assessment has now been produced. I broadly agree with the conclusions. If the development were to be permitted a Materials Recovery Plan (MRP) could be produced. The aim of the MRP should be, as a minimum, to balance as far as possible the mineral recovered from these operations with site construction activity which would consume aggregate, such as road sub-bases, granular fill, bunding required, and mortar etc.

There are benefits in terms of sustainability which could accrue from the use of on site materials. Additionally, a reduction in the amount of mineral being brought to the site may result in cost savings, and export of 'out of grade' materials may generate some revenue.

Rights of Way It is clear the applicant is aware of both the legal line of Public Footpath No. 4 and Sutton Bridleway No.8 with run through the application site and along its southern boundary respectively.

I am in support of the applicant in developing links to Potton Bridleway No. 5 from north-west corner of the application site

All routes within the site will have to be upgraded to surfaced

paths to allow and encourage all user (wheelchair and mobility vehicles) access to the rights of way network. The 520 metre southern bridleway link to the west end of Footpath No.4 will be required to be surfaced such that all user access can be promoted in a circular fashion on the southern Green Infrastructure non-housing area. A direct link to the bridleway at the south-east corner of the application site must be made legal (access via John O Gaunt Golf Club land). Surfacing the 520 metres with either profiled green sand or an upgrade to blinded recycled planings would require a S106/CIL contribution of £29 120.00.

Public Art

If the application were to be approved I request a Condition be applied to secure a public art plan.

Education Spending Officer

85 dwellings would be expected to create 3.4 (4) pupils per year group.

There are already high numbers of children living within the catchment area of Potton Lower School, and additional children from this development, and other development planned within the village, will create a need for lower school places through an extension to the school.

Total financial contribution:

Early Years	£58,762.20
Lower School	£195,874.00
Total	£254,636.20

The total actual contribution would be dependant on the type of dwellings planned; a reduction will be applied for any 1 bed properties or 2 bed flats.

Waste Services

Raise no objection but request that adequate access is provided for refuse collection vehicles.

Leisure Officer

A development of this size should provide on-site play provision of 2 combined LEAP and LAP play areas

The requirement to provide facilities for young people i.e. 10-14yrs, should also be made within the on-site POS.

The development should provide 0.3ha of sporting space. On-site provision of sporting space is not possible, however, the increased population will add demand to the existing sporting/recreation facilities in the town, therefore a contribution toward the improvement of existing facilities is proposed.

A contribution is also requested toward the proposed skate park to serve Potton

Travel Plan Officer	This travel plan has been submitted in support of an application for up to 85 dwellings on the above site. An updated plan from the housebuilder will be needed at reserved matters stage to confirm measures and delivery mechanisms and this should be secured via an appropriate condition.
Wildlife Trust	<p>This proposal is within the Greensand Ridge Nature Improvement Area (NIA), where there is a particular focus on protecting, enhancing and connecting wildlife habitats across the landscape. It is, therefore, of particular importance that existing habitats are protected and enhanced. Should permission be granted for this application it would destroy an area of acid grassland, a priority habitat listed in the Natural Environment and Rural Communities Act, 2006. As the additional documents provided do not address all of our concerns, including the loss of acid grassland, outlined in our letter dated 24th September 2016, our objection remains.</p> <p>The additional documents supplied included both bat and reptile surveys. As both bats and reptiles were found to be present within the site it is very important that the mitigation suggested by the reports is properly integrated into the development proposal.</p>
Beds Fire & Rescue Service	Request for the provision of fire hydrants every 180 metres which can be controlled by condition.
Adult Social Care - MANOP	Requests that full consideration is given to the needs of older people at the detailed design stage.
Green Infrastructure	<p>This application includes opportunities to create a significant area of publicly accessible green infrastructure that relates well to the rights of way in the area.</p> <p>This open space appears to have been designed well, and includes the design of SuDS ponds. These would need to be designed to deliver biodiversity and amenity benefits, and be safely accessible - visually intrusive fencing, or health and safety infrastructure would not be appropriate for their setting.</p>
Campaign to Protect Rural England	<p>Objects on the following grounds (in summary):</p> <ul style="list-style-type: none"> • Urbanisation of the open countryside • Poor relationship to the existing settlement • Archaeology impact • Unsustainable Development
Beds CCG	There is a potential to build an extension the Gamblingay surgery and we would therefore be grateful if you could negotiate appropriate section 106 contribution towards

increasing clinical capacity of this practice in order to mitigate the impact of the development.

Anglian Water

Confirm that there is adequate infrastructure in the area to accommodate waste water treatment and the sewerage system has adequate capacity to serve the development.

Other Representations:

55 Representations have been received from residents of Biggleswade Road, Braybrooks Drive, Sutton Road, Newtown, Village Road, Jacobs Close, Langley Gardens, Buryhill, Nursery Close, Chapel Street, Chapman Close, Potton road, Laburnam Road, grove Place, Horslow Street, The Paddocks, Sutton Mill Road, Sheepwalk Close, Horne Lane, Byards Green, Bull Street, Festival Road, King Street, Myers Road, Spencer Close, Catherines Close and Potton Residents for Sustainable Growth raising objections on the following grounds:

- This area is frequently used by foxes, rabbits, muntjac and Roe deer and bats.
- The road this site will exit / enter is a very fast road, many people disregard the speed limits and there is no provision for safe passage onto this road from this site.
- There is no provision made for pedestrians and cyclists giving safe passage onto the site.
- Energy demands on an already strained system in Potton
- This current sewerage system is barely coping with the demands put on it. By adding more properties it will only end up with the system collapsing and causing severe health problems for the town.
- Quite often the road into Potton from the golf course will flood when it rains.
- To lose an area of natural water absorption will increase this as an issue, causing a huge increase for potential accidents and disruption to Potton.
- Does this development fall within the councils 5 year plan? It has been given as a development option with no accounting for the other developments in the town.
- Loss of view
- the development of the new housing estate which is going to be so close to existing property boundaries
- Increased level of noise from the new residences
- Loss of privacy

- Increased overlooking
- Adverse impact on home working and loss of income
- Noise and pollution from additional traffic
- Adverse impact on property security
- Will new development be in keeping with the existing area?
- Boundary screening and planting is required
- Careful attention should be given to design issues and previous mistakes should not be repeated.
- Any further development should be delayed until the impact of approved development has been assessed.
- Potential impacts on the town's capacity, infrastructure and amenities.
- Noise and traffic disruption during construction
- A number of developments seem to be planned for the Potton area, but these seem to appear piecemeal without any overall strategy or planning for the wellbeing of the town.
- The site is very close to the disused tip at Deepdale and could be subject to its residual influences.
- Local ecology will be harmed.
- Arable land will be lost for good
- The development is an extreme intrusion into the rural setting.
- The site is outside the settlement area and boundary of Potton.
- The development is not sustainable.
- The development will change the nature of the area.
- The access is virtually opposite the Sports ground/cafe etc and will be very congested.
- With the current construction of 150 houses opposite this road will carry a heavy burden of traffic of around 400/500 cars allowing 2 per household.
- Impact of Potton itself and roads and parking which is currently very difficult if not inadequate.

- It places an intolerable burden on the surgery; no amount of tinkering with Gambingay surgery will ease that situation. We need more doctors and support staff locally that patients can access without travelling to another county.
- Impact on schools will be significant due to the current developments and each new approval adds to this.
- Development does not accord with the Local Plan which appears to have been ignored
- The odour assessment does not reflect the worst situations experienced by local residents.
- Existing speed limit should be extended towards the golf course
- Recycling centre needs to increase capacity
- Sites should be identified through the call for sites and plan making process
- Insufficient information on affordable housing as flats and bungalows are needed
- Local facilities are generally accessed by car
- Site is outside the settlement envelope
- The site is inaccurately described
- Public transport is inadequate
- The town council's neighbourhood plan has not been completed
- Land locking of grazing land
- Loss of public rights of way
- The cumulative impact of all developments in Potton needs to be assessed
- Site is important to the setting of the town
- Commuter trains from Sandy and Biggleswade are full to capacity
- Site is elevated above existing development
- The proposal does not meet the policies of the NPPF

One letter from Biggleswade Road has been received in support of the application which makes the following points:

- The inclusion of large public spaces, a high degree of screening and a

number of new footpaths, bridleways and cycle routes seem to make this a more sympathetic and well thought out proposal than some others.

- The facts that it complements the current development opposite and provides potential access to other already allocated land seem to be positive points

Determining Issues:

The main considerations of the application are;

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

Considerations

1. Principle of development

- 1.1** The site lies outside of the settlement envelope of Pottton and is therefore located on land regarded as open countryside. Pottton is designated as a Minor Service Centre where Policy DM4 limits new housing development to within the settlement. On the basis of Policy DM4 a residential proposal outside of the settlement envelope would be regarded as contrary to policy. However it is necessary for the Council to consider whether material considerations outweigh the non-compliance with Policy.
- 1.2** At the time of writing the Council cannot demonstrate a five year supply of deliverable housing land. This means that under the provisions made in paragraph 49 of the National Planning Policy Framework 2012, policies concerned with the supply of housing (including DM4, DM14, and CS16 of the North Core Strategy) must be regarded as 'out-of-date', and that permission should be granted unless the harm caused "significantly and demonstrably" outweighs the benefits.
- 1.3** However, recent case law informs us that these policies should not be disregarded. On the contrary, 'out of date' policies remain part of the development plan, and the weight attributed to them will vary according to the circumstances, including for example, the extent of the five year supply shortfall, and the prospect of development coming forward to make up this shortfall. At the time of writing, the Council can demonstrate a supply of 4.88 years; this is equivalent to 97.6% of the five year requirement. The Council is confident that there is sufficient development coming forward in the short term to make up this shortfall. In this context it is reasonable to afford Policy DM4 a level of weight proportionate to this supply when considering the planning balance.
- 1.4** The site is directly adjacent to the settlement envelope and the land in question would be bound by development and an allocated residential allocation to the north and part of the western boundary. The proposal will see the encroachment of built form into the open countryside but its relationship

with the existing settlement is noted and it is not regarded as an isolated site. Furthermore the western boundary of the site would see the introduction of a landscape buffer along with the proposed landscape/ecology mitigation space to the south which would appropriately demarcate the end of the built form of Potton within the prevailing landscape.

- 1.5 There would be some visual harm in developing the land through loss of open land to built development, but this would be limited given the surrounding pattern of development.
- 1.6 The National Planning Policy Framework carries a presumption in favour of Sustainable Development. There are three dimensions to sustainable development which require consideration such as economic, social and environmental roles. Paragraph 9 of the NPPF states that these roles are mutually inclusive and as such in order to achieve sustainable development all three of the dimensions should be sought simultaneously.
- 1.7 Economic
The NPPF makes it clear that planning policies should aim to minimise journey lengths for employment, shopping and other activities, therefore planning decisions should ensure developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes maximised. It is acknowledged that the construction of 85 houses would support a limited level of employment, with associated benefits to the local economy, within the local area on a temporary basis during the construction period which could be expected to last no longer than three years. Potton constitutes a Minor Service Area which has access to a range of facilities and services which would provide local employment opportunities.
- 1.8 Social
The provision of 85 houses to meet the identified need for the area is a significant benefit of the scheme along side a policy compliant level of affordable housing should be given significant weight.
- 1.9 Potton is regarded as a Minor Service Centre which has access to a number of services which has been iterated in the above paragraph. The town is also served by a bus service.
- 1.10 It is considered that the settlement offers services and facilities that can help to accommodate the growth resultant from this scheme. Nearby services are considered to be accessible for new residents and contributions are being proposed towards off setting local infrastructure impact in accordance with CIL regulations.
- 1.11 Residents have raised concerns that the local school is near to full capacity and the Councils Education Officer has supplied evidence in support of this comment however the schools have the capacity to expand and the contributions can be sought by way of a S106 agreement and have been agreed upon in mitigation.

1.12 Environmental

The NPPF states that opportunities should be taken to protect and enhance the natural environment and to improve biodiversity. Despite concerns raised by many residents in term of ecological impact, the Councils Ecologist is satisfied on balance that the proposal would allow for retention, mitigation and enhancement of more habitat features in the proposed landscape buffer to the west of the application site and the open space to the south. The development site would not result in the loss of good quality agricultural land.

1.13 The site is within a Minerals Safeguarding Area, however whilst concerns were expressed in this regard by the Councils Minerals and Waste Officer, an assessment and appropriate mitigation report was supplied for consideration. A management plan is proposed to ensure effective management of the use and extraction of minerals.

1.14 The encroachment of built development beyond the settlement envelope results in a loss of open countryside which is a negative impact of the proposal. The site would be demarcated by an appropriate landscape buffer mitigating against wider view implications. It is accepted that the proposal would have some visual impact however when considering the benefits of the proposal which are considered in greater detail later in this report, it is not considered to be significant and demonstrably harmful.

1.15 As such it is considered that the proposal would represent an appropriate scale of development bounded by existing development. The presumption in favour of Sustainable Development which is set out above outweighs the visual harm to the character of the area. The landscape proposals would allow for the provision of a landscape buffer along the edges of the site. The proposal therefore would accord with the Section 1 and 6 of the NPPF.

2. Affect on the Character and Appearance of the Area

2.1 Local Plan Policy DM3 & CS14 states that proposals should take full account of the need for, or opportunities to enhance or reinforce the character and local distinctiveness of the area; and that the size, scale, density, massing, orientation, materials and overall appearance of the development should complement and harmonise with the local surroundings, particularly in terms of adjoining buildings and spaces and longer views.

2.2 The site has existing built form to two sides and the west side of the site overlooks an area of agricultural land. As part of this current proposal it is suggested that the western boundary will be improved through the planting of a substantial buffer of additional tree and landscaping which would provide an ecological habitat.

2.3 Whilst the layout is indicative, consideration appears to have been given to the development form established by adjacent dwelling houses and the footprints proposed are fairly representative of other properties of a similar scale within the area. The plan indicates that the scale of dwellings will be no more than 2.5 storeys throughout the scheme. This is also considered acceptable as a reflection of the character of the area however full consideration would be given at the reserved matters stage to the heights of buildings across the site in the

interest of retaining an appropriate transition between the built form and the prevailing landscaping beyond. The indicative plans indicate that taller dwellings would be located on the lower parts of the site.

- 2.4 The site is crossed by and flanked by public rights of way. The submitted documents indicate that links would be provided to these routes. The footpath enhancement recommended by the Rights of Way Officer should improve the usability of the existing roads. It is considered that overall the development would have a positive impact on the accessibility of the surrounding countryside.
- 2.5 The Strategic Landscape Officer has not raised objection to the application. The site is not prominent in any significant long term views and the proposed landscaping would mitigate the impact of the development in shorter distance views. It is considered that the proposal would not have a significant and demonstrable harm on the landscape particularly when weighted against the benefits of the scheme.
- 2.6 The Councils Tree and Landscape Officer has raised no objection as the proposed development would not affect any existing landscape features within the site however he has recognised that there are a number of trees that could be potentially affected by the proposals and has recommend that an condition be imposed to secure an Arboricultural Impact Assessment to ensure appropriate mitigation and a condition to secure suitable quality planting for the proposed landscape buffers.
- 2.7 As such, the indicative layout suggests that a development of 85 units on the site could be comfortably accommodated and that a scheme can be designed that would reinforce and be sensitive to the character of the area. All matters pertaining to scale, layout and design however would be addressed by way of a Reserved Matters application. As such it is considered that the proposal would conform with policies CS14 & DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and Section 7 of the NPPF.

3. Neighbouring Amenity

3.1 Existing Occupiers

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

3.2 Future Occupiers

The indicative layout demonstrates that 85 dwelling houses could be sited such that there would be no resultant impact on future occupiers in terms of loss of light/overshadowing nor privacy concerns.

- 3.3 The indicative layout demonstrates that an adequate level of external amenity could be provided for future occupiers in accordance with the Central Bedfordshire Design Guide and internal amenity standards would be a matter

that would be addressed at the Reserved Matters stage. However on the basis of the footprints proposed, it is concluded that suitable internal space standards could be achieved.

- 3.4 The Councils Pollution Officer has raised concern over possible road noise, however, this can be addressed through condition and detailed design should any mitigation measures be needed. Odour from the sewage works has the potential to cause nuisance however the submitted odour assessment addresses this and identifies a 60m cordon within which dwellings should not be built in order to mitigate any risk of nuisance.
- 3.5 The Councils MANOP Officer was consulted as part of this application and has made representations that there is a basic need for elderly accommodation within the area however whilst these comments are noted, there are no policy requirements for such a provision on a development of this scale.
- 3.6 Whilst bin storage and collection points and cycle storage facilities have not been identified on the indicative plan, the Councils waste officer is satisfied that there is sufficient spaces within the site to accommodate such facilities and as such is satisfied that this could be secured by condition as part of a planning permission. Therefore the proposal in this regard, would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 7 of the NPPF.

4. Highway and Access Considerations

4.1 Access

The proposed means of access is shown to be laid out in the form of a priority junction with 6m kerb radii, a 5.5m carriageway and 2.0m footways on either side.

- 4.2 The highway officer has confirmed that the technical details of the access are acceptable. An issue with excessive vehicle speeds is noted and a number of measures are suggested to address this including a raised table junction and contributions towards off site highway works including revisions to the local speed limit.

4.3 Rights of Way

As noted above the existing rights of way would be retained, enhanced and linked into the proposed development layout.

4.4 Parking

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

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

5. Other Considerations

5.1 Affordable Housing Provision

Under Policy CS7 of the Core Strategy, 35% of all developments for four dwellings and above should be provided as Affordable Housing units. The proposal for 85 units would qualify for Affordable Housing provision and 35% would equate to 30 units. The application proposes the delivery of this amount of affordable housing and would, therefore, comply with the requirements of Policy CS7.

5.2 Archaeology

The council's Archaeologist initially raised objection over a lack of information and analysis of the significance of the site. The applicants commissioned further geo-physical analysis of the site which identified that a programme of trial trenching was necessary. The trial trenching was carried out (supervised by the council's archaeologist) and a report produced and submitted. The report has been reviewed by the council's archaeologist who has confirmed that the information supplied has added to the understanding of the area and confirmed no further work is required. Therefore the proposal is considered to accord with policies CS18 & DM15 of the Core Strategy for the North and Section 11 of the NPPF.

5.3 Climate Change

Policy DM1 requires all development above 10 dwellings to deliver 10% of the development's energy demand from renewable or low carbon sources. The proposed development is over the policy threshold. Policy DM2 requires all new residential development to meet CfSH Level 3. The energy standard of the CfSH Level 3 is below standard required by the Part L2013 of the Building Regulations. All new development should therefore as minimum comply with the new Part L2013 of the Building Regulations and deliver 10% of their energy demand from renewable sources to meet requirement of policy DM1. The Councils Sustainability Officer would wish to encourage the developer to achieve a higher energy efficiency standard than this prescribed by the 2013 part L of the Building Regulations, as energy efficient fabric leads to lower energy demand and smaller renewable energy installation to satisfy the requirement of policy DM1. If the proposal were considered otherwise acceptable, such matters could be satisfactorily resolved as part of any forthcoming reserved matters application and could be controlled by condition. As such, the proposal would conform with policies DM1 & DM2 of the Core Strategy for the North and Section 10 of the NPPF.

5.4 Cumulative Impact on Town

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

5.5 Ecology

The site lies within the Greensand Ridge Nature Improvement Area and hence the application needs to demonstrate that a net gain for biodiversity can be delivered in accordance with the NPPF. The ecological report identifies the habitats on site to include a population of reptiles and areas of acid grassland.

The acid grassland is considered to be of value to a level that could render it appropriate for designation as a County wildlife site. The grassland mitigation area would not be used for equipped play facilities which would be provided elsewhere.

- 5.6 The council's ecologist raised serious concern about the possible impact on the reptiles and particularly the loss of the acid grassland. The council's ecologist has met with the applicant's ecologist and a mitigation strategy has been put forward to deliver and maintain a replacement area of grassland to address the loss. The new grassland will require management in perpetuity and it has been agreed that this will be addressed through a section 106 agreement.
- 5.7 Whilst the ecologist still has concerns over the proposal, in respect of loss of the acid grassland, it is not felt that a refusal can be justified. Careful consideration will be required at detail design stage to ensure that the aspirations and proposals set out in the submitted documents are incorporated and a net gain in biodiversity is delivered.
- 5.8 Therefore the proposal is considered to accord with policies CS18 & DM15 of the Core Strategy for the North and Section 11 of the NPPF.
- 5.9 **Fire Hydrants**
The Bedfordshire Fire Service has identified that new residential developments should allow for the provision of fire hydrants and appropriate access. This is a matter that could be designed into the layout at the detailed application stage and can be controlled by condition.
- 5.10 **Financial Contributions**
Significant weight should be given to the National Planning Policy Framework, which calls for the achievement of the three dimensions of sustainable development: economic, social and environmental. It is considered that Policy CS2 of the Core Strategy for the North is in accordance with the National Planning Policy Framework. This states that developers are required to make appropriate contributions as necessary to offset the cost of providing new physical, social, community and environmental proposals.
- 5.11 In this case, Spending Officers were consulted and comments returned from Education, Leisure, Highways, Rights of Way and the CCG. The following contributions are requested (and will form heads of terms for the legal agreement that would be required if Members resolve to grant consent);
Education provision: £254,636
Community Hall (off site): £182,000
Improvements to rights of way: £29,120
Health facilities: £62,730
Contribution to off site highway works £85,000
Sport/Play facilities (off site): contribution – to be agreed in discussion with Arlesey Town Council

The section 106 agreement should also incorporate the requirement for a travel plan to be developed and implemented.

As such, it is considered that the proposal would conform with policy CS2 of the Core Strategy for the North.

5.12 Build Rate Timetable

As the application has been justified and accepted as an exception given the shortfall in the Council's five year housing land supply a build rate timetable is required and would be controlled by the legal agreement.

5.13 Flood Risk & SuDs

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

5.14 From 6th April 2015 local planning policies and decisions on planning applications relating to major development (developments of 10 dwellings or more; or equivalent non-residential or mixed development [as defined in Article 2(1) of the Town and County Planning (Development Management Procedure) Order 2015], must ensure that sustainable drainage systems (SuDS) for the management of surface water runoff are put in place, unless demonstrated to be inappropriate. A drainage strategy was supplied for consideration as part of the application and the Councils SuDs Officer is satisfied that an appropriate Sustainable Drainage System could be implemented on site so as limit any flooding potential. No objection is therefore to this proposal subject to the imposition of conditions to control its provision at the reserved matters stage.

5.15 Impact on Services

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

5.16 Public Art

Central Bedfordshire Council actively encourages the inclusion of Public Art in new developments and looks to developers / promoters of sites to take responsibility for funding and managing the implementation of Public Art either directly or through specialist advisers and in consultation with Town and Parish Councils and Central Bedfordshire Council. The Councils Public Art Officer has raised no objection to the granting of this permission, subject to the imposition of a condition to secure an art strategy. However it is considered that a public art strategy is not necessary to make a scheme of this scale acceptable.

5.17 Human Rights issues

The proposal raises no Human Rights issues.

Equality Act 2010

The proposal raises no issues under the Equality Act.

Recommendation

That the application be **Approved** subject to completion of a section 106 agreement and the following conditions

RECOMMENDED CONDITIONS

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

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

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

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

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

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

- 4 Any application for reserved matters shall include details of the existing and final ground, ridge and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal shall be developed in accordance with the approved details.

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

- 5 The landscaping details required to be submitted by Condition 2 of this permission shall include details of hard and soft landscaping (which shall include the landscape buffer along the edge of the site), together with a timetable for its implementation and maintenance for a period of 5 years following implementation. The scheme shall also include an up to date survey of all existing trees and hedgerows on and adjacent to the land, with details of any to be retained (which shall include details of species and canopy spread); measures for their protection during the course of development should also be included. Such agreed measures shall be implemented in accordance with a timetable to be agreed as part of the landscaping scheme. 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)

- 6 Prior to the submission of any reserved matters application a Development Parameters Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall set out the guiding principals to be applied in the design of any dwelling, associated structures, hard surfaces and landscaping to be constructed pursuant to this planning permission. The scheme shall include, but not be limited to: maximum building height, built form, materials, plot coverage, set back from plot boundaries, boundary treatment, access and parking facilities and, protection of existing trees and hedges. The design of each dwelling the subject of this permission shall be developed in accordance with the approved Development Parameters Scheme.

Reason: In the interest of visual amenity and to ensure a consistent design approach to the dwellings hereby permitted in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009) and the principles of the NPPF.

- 7 The details required by Condition 2 of this permission shall include a detailed waste audit scheme for the residential units in that area. The waste audit scheme shall include details of refuse storage and recycling facilities. The scheme shall be carried out in accordance with the approved details.

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

- 8 Any application for reserved matters shall include a delivery timetable for the implementation of all ecological measures and/or works contained in the Ecological Appraisal; Potton Bat survey Report; Potton Reptile Survey Report, Grassland Survey Report, Grassland Management and Enhancement Plan. The delivery timetable shall be 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 delivery timetable.

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

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

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

- 10 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA: 15-1120, 2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of a site specific ground investigation report (in accordance with BRE 365 standards) to determine the infiltration capacity of the underlying geology and ground water level, as well as details of how the scheme shall be maintained and managed after completion. The scheme shall include provision of attenuation and a restriction in run-off rates as outlined in the FRA. The scheme shall be implemented in accordance with the approved final details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF. Details are required prior to commencement as the drainage scheme is intrinsic to the development and the necessary works will be some of the first to be carried out.

- 11 **No building/dwelling shall be occupied until a management and maintenance plan for the surface water drainage and evidence that the approved surface water drainage scheme has been checked, has been correctly and fully installed as per the approved details has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved final details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved. In accordance with the provisions of the NPPF

- 12 **Notwithstanding the details shown on the submitted plan, no development shall commence until details of the estate road access onto Biggleswade Road which shall take the form of a raised table junction, has been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed and completed in full accordance with the approved details prior to the first occupation of any dwelling hereby permitted.**

Reason: Details are required prior to the commencement of development as the estate road will be built prior to the dwellings and to ensure the provision of appropriate access arrangements and associated off-site highway works in the interests of highway safety in accordance with policy DM3 of Central Bedfordshire Core Strategy for the North and Section 7 of the NPPF.

13 Any subsequent reserved matters application shall include the following details;

- Estate roads designed and constructed to a standard appropriate for adoption as public highway.
- Pedestrian and cycle linkages to existing routes
- Vehicle parking and garaging in accordance with the councils standards applicable at the time of submission.
- Cycle parking and storage in accordance with the council's standards applicable at the time of submission.

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times. In accordance with policy DM3 of Central Bedfordshire Core Strategy for the North and Section 7 of the NPPF.

14 Any subsequent reserved matters application shall include the following details;

- A Construction Traffic Management Plan detailing access arrangements for construction vehicles, routing of construction vehicles, on-site parking and loading and unloading areas.
- Materials Storage Areas.

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times. In accordance with policy DM3 of Central Bedfordshire Core Strategy for the North and Section 7 of the NPPF.

15 Prior to the Submission of a Reserved Matters application a noise assessment accompanied by an appropriate scheme for protecting the proposed dwellings from noise shall be submitted and approved in writing by the local planning authority. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

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

16 Any application for Reserved Matters shall include a scheme for protecting the proposed dwellings from adverse odour from the Local Sewage Treatment Works authority following the 60m stand-off and other recommendations in the submitted July 2016 Wardell Armstrong Odour Assessment. None of the dwellings shall be occupied until the scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

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

- 17 The details to be submitted as part of the reserved matters required by condition 2 of this permission will include a Materials Recovery Plan (MRP). The MRP will assess areas of construction where minerals would be recoverable, such as from groundworks, sustainable drainage systems, landscaping areas. The MRP should, as a minimum, balance as far as possible the mineral recovered from these operations with site construction activity which would consume aggregate, such as road sub-bases, granular fill, bunding required, and mortar. The MRP should consider the extent to which mineral available on site would meet the specifications required for construction. The development shall thereafter be carried out in accordance with the approved MRP.

Reason: To ensure that available minerals are used in the construction of the development and to minimise the import of materials to the site. In accordance with policy DM3 of Central Bedfordshire Core Strategy for the North and Section 7 of the NPPF.

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

The Public Art Plan will detail:

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

Reason: In the interest of community engagement; bringing together existing and new communities, enhancement of sense of place, sense of ownership and reinforcing community cohesion. In accordance with section 7 of the NPPF

- 19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 7076-L-02 Q, P16014-001A and 7076-L-01.

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 applicant's attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

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

The Council acted pro-actively through engagement with the applicant during the application 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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