

Item No. 07

APPLICATION NUMBER	CB/16/05127/OUT
LOCATION	Land at the former Fullers Earth Quarry, Ampthill Road, Clophill, Beds
PROPOSAL	Hybrid Planning Application to deliver the Clophill Lakes development on land at the former Fullers Earth Quarry. Part A: Full planning application for a series of general improvement measures comprising of access, landscape and ecological works to provide a new outdoor parkland space. Part B: Outline planning application with all matters reserved (except for access) for a residential development of up to 50 dwellings along with children's play facility and associated landscaping and infrastructure works.
PARISH	Clophill
WARD	Ampthill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Lisa Newlands
DATE REGISTERED	10 November 2016
EXPIRY DATE	09 February 2017
APPLICANT	Gallagher Estates
AGENT	Mott MacDonald
REASON FOR COMMITTEE TO DETERMINE	Major application with Parish Council objection and departure from policy.
RECOMMENDED DECISION	Hybrid Planning Application - Approve subject to the completion of a satisfactory S106 legal agreement

Summary of Recommendation

The residential element of the proposal would be in conflict with Policy DM4 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). However, given the significant public benefit in terms of the delivery of the Lakes and associated public access and ecological/ landscape enhancements it is considered that the benefits of the proposal would outweigh any potential harm caused by the development and that the proposal would result in a sustainable form of development in accordance with the NPPF. The proposal is considered to comply with policies in respect of access and highways, landscape, character and appearance, historic environment, neighboring amenity and biodiversity. It is therefore recommended that planning permission be approved.

Site Location:

The application site forms part of the former Fullers Earth Quarry located to the south-east of the village of Clophill.

The site comprises 38.72 hectares of agricultural land around two quarry lakes

surrounded by areas that include planted woodland, a flood meadow and open grassland. Cainhoe Castle Motte and Bailey is located adjacent to the southern corner of the site and is designated as a Scheduled Ancient Monument.

The River Flit and subsidiary watercourses also run east-west through the centre of the site and a large part of the site is identified as being situated in Flood Zones 2 and 3 with the remaining in Flood zone 1. The proposed residential element of the development would be within Flood Zone 1 only.

The northern boundary of the site is largely defined by rear property boundaries and Shefford Road/ High Street. Shefford Road continues to bound the site towards the east before exiting onto the A507, which defines the southern boundary of the site. A sewage works and agricultural land defines the western and north western boundary of the site.

The site is located outside of the settlement envelope of Clophill, with the majority being within the Clophill Conservation Area.

The village currently benefits from a range of local amenities including a Lower School, Church, village hall, playing fields, pubs, and a village post office/ store at the Village Green.

The closest bus stop would be some 300m away from the site opposite the former Rising Sun Public House, with a further bus stop some 600m away opposite St Marys Church. The Lower School would be some 800m away, with the village centre, comprising the Village Hall, post office and store some 1.7km away.

The Application:

A hybrid application has been submitted for the proposed development. The application is split into two parts.

Part A: Full Planning application for a series of general improvement measures comprising of access, landscape and ecological works to provide a new outdoor parkland space.

Part B: Outline planning application with all matters reserved (except for access) for a residential development of up to 50 dwellings along with children's play facility and associated landscaping and infrastructure works.

The planning application has been supported by a full suite of documents.

The overall design concept for the proposal is to create an area of open space which can be easily accessed from the village. The Lakes area is proposed to be opened up for public access to create a recreational space for the local community.

The proposed housing development would be accessed from Shefford Road on the northern boundary of the site. The proposal identifies up to 50 dwellings on the area of land identified at a low density of 25 dph to be in keeping with the village character of Clophill. An enclosed area of open space is proposed on the south western corner of the residential parcel to include a play area, water attenuation and native boundary planting.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy
CS2 Developer Contributions
CS3 Healthy and Sustainable Communities
CS4 Linking Communities - Accessibility and Transport
CS5 Providing Homes
CS6 Delivery and Timing of Housing Provision
CS7 Affordable Housing
CS13 Climate Change
CS14 Heritage
CS16 Landscape and Woodland
CS17 Green Infrastructure
CS18 Biodiversity and Geological Conservation

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

Development Strategy

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

Minerals and Waste Constraints

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

Minerals and Waste Adopted Plan Saved Policies

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)
Sustainable Drainage Guidance SPD (April 2014)
The Leisure Strategy (March 2014)
Central Bedfordshire Landscape Character Assessment (2015)

Relevant Planning History:

Application:	Planning	Number:	CB/16/00241/OUT
Validated:	25/01/2016	Type:	Outline Application
Status:	Withdrawn	Date:	03/11/2016
Summary:	Decision: Application Withdrawn		
Description:	Hybrid Planning Application to deliver the Clophill Lakes Development on land at the former Fullers Earth Quarry. Part A: Full planning application for a series of general improvement measures comprising of access, landscape and ecological works to provide a new outdoor recreational facility. Part B: Outline planning application with all matters reserved (except for access) for a residential development of up to 90 dwellings along with children's play facilities and associated landscaping and infrastructure works.		
Application:	Planning	Number:	CB/15/02111/PAPC
Validated:	18/06/2015	Type:	Pre-Application - Charging Fee
Status:	Decided	Date:	20/08/2015
Summary:	Decision: Pre-App Charging Fee Advice Released		
Description:	Pre-Application Charging Advice 100 dwellings		

Consultees:

Parish/Town Council 02/06/17

The Parish Council remain encouraged that Gallagher's are continuing to develop their proposals. However, we are disappointed that the vital information required to determine what is fundamentally an enabling application, has not been addressed.

For example, the updated documents do not address important aspects such as;

- land transfer agreements and specifically the need for the earliest possible transfer
- management plans that are pivotal to the community parkland
- provisions such as capital works to establish the community parkland
- service contracts/agreements to ensure that the community parkland remains a viable, safe, and fit for purpose community asset
- progress on appointing a suitable qualified partner.

The Parish Council would expect that a preferred partner would be appointed at this stage to help scope and develop the community parkland management plans, plus advise regarding its mobilisation. The Parish Council has been aware of Gallagher's dialogue with the Greensand

Trust in this regard, however this appears to have ceased in recent weeks. We also believe that the documents provided by Mott Macdonald were not developed with specialist organisations such as the Greensand Trust, which as you will appreciate causes the Parish Council concern given its speciality and importance to the overall application.

As a result, the Parish Council voted unanimously to continue to uphold its position to object to the application.

November 2016

Summary: It was resolved at the November 2016 committee meeting to object to the planning application. Inadequate detail and uncertainty raise concerns regarding the scheme and whether it is practical, achievable and or viable in relation to the following matters:

- Land disposal mechanisms
- Prospective future ownerships and management
- Feasibility, project management, risk exposure and contingencies in general
- Any firm commitment in respect of the land to the rear of the village school and or monies to be ring-fenced for education
- Restrictive covenants/ other constraints suitable and sufficient to protect the land 'in perpetuity'
- Visual impact of the housing in an organic, countryside recognised as being particularly attractive by both CBC and CPRE
- Design, access, traffic management and tolerance/ capacity of existing infrastructure both during as well as on completion of building works
- Ecology and preservation
- Planning history, lessons learnt and cumulative impact on string or new town development on rural farmland.

Furthermore, in this resubmission for a reduced scheme, the applicant has not reduced the area boundary relating to the residential component and seeks all matters reserved except access.

It is clear to the Parish Council that these considerations and factors together, taken collectively, present a clear and present threat of expansion onto surrounding land, over and above what is currently indicated on the site plans.

This lack of detail and uncertainty surrounding the proposals would create a damning precedent, favouring anyone with land in this village or those nearby who

seeks to build outside an existing settlement envelope. Any control local authorities might otherwise have had to limit inappropriate or unwanted development in rural areas could be completely undermined.

It is the view of the Parish Council that the applicant has failed to demonstrate that the benefits of the development would outweigh the significant and demonstrable harm. The residential element of the scheme purportedly 'enables' that of the public open space yet detail from the applicant is conspicuously lacking with regards to how, in practice, management will be achieved and or remain financially sustainable. It has not supplied an appropriate level of robust, tangible evidence to validate the assumptions upon which its case is based; as such the Parish Council cannot have reasonable confidence about either:

- Claims made about value or community benefit
- Of the whole scheme viability, deliverability, sustainability and resilience to changing market forces.

Therefore, the position is unchanged and the Parish Council objects to the application.

Aspects supported:

- Supports the lakes component of the application with regard to the change in concept to that of a light touch leisure area, public open space and nature reserve providing it is sufficient and can be viably managed in the longer term
- Supports the establishment, for use of all, of the intended footpaths, cycle ways, bridle ways and would want theses to be included as such on definitive map in order to protect them over time
- The alteration to the original version of withdrawing the housing proposed for Jacques Lane and the extension of fallow land at that location, as well as the more recent reduction in number of proposed dwellings and improved proportion of affordable properties is also encouraging.

Aspects opposed:

- The proposed development lies outside of the settlement envelope, inadequate detail of what mitigation will be used to neutralise the threat this poses has been offered by the applicant
- The scale of the proposed development scheme vastly exceeds the housing need within the parish
- Public access to and rural protection of the site is, and always has been, key for the Parish Council and the community of Clophill that it serves; the Parish Plan (2008) demonstrates this as top

priority for residents and intensity of village feeling remains high

- The criticality of this element was recognised by the applicant and its representatives and commitment given by them on at least 3 occasions – in spite of this the red line boundary excludes the majority of the applicant's holding and the application particulars do not adequately define future ownership of the public access, non-residential element of the land
- The failure to include all land controlled by the applicant is likely to render the sustainable management of any leisure area, nature reserve and arable acreage as a green asset unviable.
- The Parish Council believes that the result of approving the scheme as it stands today would be 'net negative impact' on the community
- Inadequate provision is made to protect the area's desirable characteristics
- The Parish Council are concerned that the entire land ownership of Gallaghers in this area was put forward through the call for sites recently – adding greater to the amount of uncertainty
- Parish Council are concerned by comments from Anglian Water and other consultees in terms of burden on infrastructure and service provision that is already struggling to cope.
- The fishing lakes should be included within the land transfer as a stream of revenue and due to the popularity of fishing.
- The scheduled ancient monument should be included with the land transfer and a suitable management plan put in place
- Parking should be provided near the fishing lakes area – the proposed visitor car park within the residential area will cause conflict
- Environmental Assessment is inadequate
- Proximity of the residential development to Shefford Road and the impact on the rural feel is inappropriate
- Transport links are exaggerated within the Transport Assessment
- Frequent, peak time blockages occur in Clophill High Street and all junctions with A507/ A6 the proposal will exacerbate this
- Amenities/ services are exaggerated.

Highways DM

No objection subject to conditions. The site access proposal has been modelled using Picardy software and operates within capacity and the results are considered satisfactory. The developer also proposes more localised improvements in order to improve access by more

sustainable modes of transport which is considered acceptable. The indicative residential layout shows visitor parking provision for the country park.

Access to the residential proposal will be taken from within the 40mph speed limit which requires a visibility splay of 120.0m. It is possible for this to be achieved however it does require the removal of some of the frontage boundary hedge. Part of the proposal is a reduction in speed limit to 30mph. However, this would be subject to consultation and would therefore not be guaranteed. Subject to conditions the proposal is considered acceptable in highway terms.

Tree and Landscape
Officer

No objection subject to conditions regarding a detailed Tree Protection Plan and detailed planting proposals.

Archaeology

The documents submitted in support of this application contain conflicting information which makes it difficult to understand the potential impact of the proposed development on the setting of the Cainhoe Castle Scheduled Monument. In addition, the absence of a Conservation Management Plan and detailed information regarding who would acquire and manage the Scheduled Monument in future means that it is not possible to assess whether any harm caused by the development to the setting of Cainhoe Castle would be outweighed by the public benefits of the scheme. Therefore, this application does not meet with the requirements of paragraphs 128, and 132-134 of the NPPF.

Public Protection

The developer should apply a watching brief for signs of unexpected contamination during the development phase. I would ask that the following informative is attached to any planning permission granted;

As the site is of long historic use there may be unexpected materials or structures in the ground. It is the responsibility of the Applicant to ensure safe and secure conditions, so a watching brief for signs of contamination should be considered and any indications of potential contamination problems should be forwarded to the pollution team at Central Bedfordshire Council for advice, on 0300 300 8000 or via pollution@centralbedfordshire.gov.uk

Ecology

Overall I do not object to the principal of development on this site but the current indicative layout will result in unnecessary disturbance to badgers and I would ask that it is revisited to ensure any reserved matter application retains an adequate buffer and amends the proposed construction techniques to remove any potential risk of harm.

RSPB

No comments received

The Wildlife Trust

Comments regarding the following:

- The river Flit and Cainhoe lakes County Wildlife Sites are developing their ecological interest in the absence of habitat management interventions and with very limited public access. From a biodiversity perspective if this situation were to continue I would expect that the biodiversity interest would continue to evolve as the site matures. A residential development is not essential to continuation of wildlife interest within the CWS.
- If public access becomes established within the CWS there will be a need for resources to be made available to manage that access and to manage habitat. This latest application indicates that funding would come from the proposed housing but doesn't give any detail. If the Council were minded to grant this application the development within the CWS area should not be implemented until such time as the Local Planning Authority has agreed a funding package which secures the long term future of the site.
- The Landscape and Ecology Framework Management Plan submitted as part of this latest application covers issues and concerns raised earlier. It does not in itself have enough detail to properly steer the detail of management. If this application is permitted the Local Planning Authority should reserve to condition the creation of a more detailed plan. I would expect that those implementing the plan should report annually to the Authority on both progress with implementing the plan and monitoring of key wildlife receptors. It might be expected that, at least initially, annual alterations to planned activity may be needed to take account in changes in public use and issues which don't come to light until such time as work starts on the ground.
- Failure to properly join together the range of technical reports submitted. The application should start from the premise that harm should be avoided rather than just taking it as inevitable. The developers should come up with a convincing solution that will not cause disturbance to the badger sett.
- The ecological appraisal seems to underplay the significance of the badger sett on land adjacent to the proposed housing. A housing layout which runs a series of gardens down to the area occupied by the sett seems likely to be setting up a

new point of conflict. It would seem far better, if development were to happen, for there to be a band of greenspace separating the closely managed gardens from the traditional routes that seem likely to come into the proposed development site. In this way there would be more scope for badgers to disperse into the remaining agricultural land.

Natural England	Statutory Nature Conservation Sites – No objection Soils and Land Quality – outside the scope for consultation as it would not appear to lead to the loss of over 20ha of best and most versatile agricultural land. Sites of Special Scientific Interest Impact Risk Zones – No comments
Butterfly Conservation	No comments received
Anglian Water Services	No comments received in terms of this application but on the previous application they made the following comments: Wastewater Treatment – the foul drainage from this development is in the catchment of Clophill Water Recycling Centre that will have available capacity for these flows. Foul sewerage Network – development may lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures. Request condition requiring a drainage strategy. Surface Water Disposal – preferred method would be a sustainable drainage system with connection to the sewer as the last option. The surface water strategy/ flood risk assessment submitted with the application relevant to Anglian Water is unacceptable. There are no public surface water sewers within the vicinity of the development. Therefore Anglian Water will be unable to provide the site with a feasible solution of surface water disposal within the current assets. Request condition requiring a surface water management strategy.
Environment Agency	No objection
IDB	The surface water drainage strategy submitted with the application is acceptable in principle.
Minerals and Waste	There are no mineral safeguarding or sterilisation issues arising from this application. The former fullers earth quarry has been worked and restored and the statutory 5 year aftercare period has been completed. The submitted ground investigation and geotechnical

studies identify the widespread presence of 'made ground' to significant depths where residential development is proposed. The re-worked superficial overburden deposits are derived from mineral extraction and backfilling operations. The backfill material would not have been placed and compacted to an appropriate standard to support future built development. According to the Council's mineral planning records, only indigenous material was used to reinstate the workings; imported waste materials are believed to be absent.

In line with paragraph 109 of the NPPF, supplementary ground investigation and geotechnical work will need to be produced (as part of the reserved matter submission) in order to identify any necessary ground improvements to mitigate potential future settlement and specific foundation requirements. This, in turn, is likely to influence the final layout of the estate.

At 2011 planning enforcement inquiry, evidence was put forward by the appellants to indicate that the bank edges of the two main lakes had stabilised over time such that they would be unlikely to present a serious safety risk if public access to the restored site was permitted. It was also argued that any footpath on the low lying land between the lakes might need to consist of a boardwalk due to flooded/ waterlogged ground.

Rights of Way Officer

I have looked through the documentation provided and have a few comments to make. Fundamentally I have no objection to the application; the developer is retaining the existing Public Footpath No.3 through the site whilst providing several new footpath routes that link the proposed new housing with the lakes and existing rights of way. However, I would like to see all of the new routes legally dedicated as Public Rights of Way, particularly the central footpath route, which links Shefford Road, the Lakes and Fishing Ponds. I would also like to see this route upgraded a Public Bridleway or cycleway. It would also be useful if the Footpath linking to the new residential area off this main footpath link could also be upgraded to cycleway, thereby providing an off road cycle route.

The proposed surfaced widths would not need to change as equestrian users would make use of the grassed area immediately adjacent to the surfaced path. There would in fact be no significant impact to the developer in altering the legal status from footpath to bridleway/cycleway.

I also note the intension of the applicant to divert the southern end of Public Footpath No. 3 out of the SAM site and into the adjacent field. This will undoubtedly help

protect further erosion of the SAM. However, as the diversion would not be required to allow the development to take place, it would be unsuitable to use the Town & Country Planning Act to divert the path. I would therefore suggest a separate application is made via the Definitive Map Officer, irrespective of the outcome of the planning decision under the Highways Act to move this route.

Finally, the proposed bridle gate located at Shefford Road must comply to current British Standards and be two way opening.'

Ramblers Association

No comments received

Historic England

We consider Cainhoe Castle to be an important heritage asset, and it has also been identified in the application as a heritage asset with a high overall significance. It is designated as a scheduled ancient monument and is an impressive and well preserved earthwork Motte and Bailey castle with good views over the former quarry towards the development area. It is a heritage asset with high aesthetic, historical, social and evidential values and it has a strong association with the village of Clophill, the lost village of Cainhoe, and other medieval sites such as St Mary's Church which sits on the hill above the village and overlooks the castle.

Primary concern would be the impact of the development upon the significance of the castle though a development within its setting. This would primarily be from the residential development but also potentially from the development associated with the enhancement and restoration of the quarry. In the previous application it was concluded that it would result in a degree of harm to the setting of the castle.

We have considered the revised application and recognise that the housing scheme has been reduced in scale, with the housing now further from the castle. We remain concerned about the changes to the setting of the castle however, we have assessed the new proposal and recognise that fewer houses and the revised masterplan would result in a lower level of harm. We also accept that screening is likely to be effective at that distance. The details of the development would however, need to be agreed prior to the full permission being accepted, this includes further consultation over the layout and design as well as any proposed screening and planting. We note that the design and access statement also acknowledges that the proposal would result in a degree of harm.

We also recognise that the proposal for the lakes has been reduced in scope from the previous application. It

also includes new interpretation for the castle, which we would see as an enhancement.

In previous advice we have also raised the issue of the castle's ownership and future management. We recognise that the applicant has included a condition assessment and that has identified that the overall condition of the castle is good. The report has however, raised a number of specific issues that would need to be addressed in terms of the overall long-term management of the site. We recognise the application represents a good opportunity to improve the management of the castle but remain concerned about the overall impact.

There are still a number of questions to be resolved before this application would be acceptable in principle. In particular we wish to see a resolution in terms of overall ownership of the castle and which body/ group would be responsible for its management. Also, require a clear undertaking from the applicant to provide a management plan for the castle that would resolve the issues identified in the condition assessment.

SuDs Officer

We consider that outline planning permission could be granted to the proposed development and the final design and maintenance arrangements for the surface water system agreed at the detailed design stage subject to planning conditions.

Housing Development Officer

I support this application as it provides for 35% affordable housing which complies with the affordable housing policy requirement of 35%. However, one point that needs to be addressed is the overall total number of affordable units at 35% should be 18 affordable and not 17 affordable as indicated within the Planning Statement. 17.5 (35%) is rounded up to make a requirement of 18 affordable units.

The supporting documentation does not indicate the tenure split of the affordable units. The Strategic Housing Market Assessment (SHMA) has identified a tenure requirement from qualifying affordable housing sites as being 73% affordable rent and 27% intermediate tenure. This would make a requirement of 13 units of affordable rent and 5 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.

Cycling & Walking
Officer

No comments received

Green Infrastructure
Officer

The smaller scale of the residential development, set within retained and enhanced boundary vegetation, providing a substantial landscape buffer, is an improvement to the previously submitted scheme. Similarly, the access and management improvements to the important green infrastructure assets in the Flit Valley are welcome.

However, the fragmentation of the green infrastructure assets, with some within and some outside the red line of the application remains disappointing, given the applicant's wider land ownership, and the opportunity this provides to enable joined up management of the wider area for access, biodiversity, landscape and heritage interest. An agreed management plan, securing joined up management of the greenspaces included within the red line, plus the Lakes themselves, and Cainhoe Castle should be sought as part of this application to maximise green infrastructure benefits.

Also, there has been a long held community expectation of public access to the Lakes area, which this proposal would contribute to. However, they do not provide improved access to the area by visitors. Given the interest in access to the area, it is likely the people will want to travel by car to visit the area, and the opportunity to manage this access should be taken. Currently, there are no facilities provided for car visitors, which is likely to lead to misuse of parking areas within the residential development, or informal parking at highway entrances. The opportunity to improve visitor access (e.g. through the use of the existing hard standing at area 12 of the landscape masterplan) should be taken as part of this application.

Sustainable
Development Officer

I would like a Sustainability Statement to be submitted with the reserved matters application demonstrating how the requirements of the above policies would be met. The statement should cover:

- Energy efficiency,
- Renewable energy contribution,
- Overheating and ventilation in dwellings,
- Water efficiency.

Should permission be granted for this development I would expect the following conditions to be attached to ensure that policy DM1 and DM2 requirements are met:

- 10% energy demand of the development to be delivered from renewable or low carbon sources;
- Water efficiency to achieve water standard of 110

litres per person per day.

Waste Services

The Council's waste collection pattern for Clophill is as follows:

Week 1 – 1 x 240 litre residual waste wheelie bin, 1 x 23 litre food waste caddy

Week 2 – 1 x 240 litre recycling wheelie bin, 2 x reusable garden waste sacks, and 1 x 23 litre food waste caddy.

Please note that bins are chargeable for all properties and developers will be required to pay for all required bins prior to discharging the relevant condition. Our current costs for these are: £25 +VAT per 240l bin, and £5 +VAT per set of food waste bins.

Wherever possible, refuse collection vehicles will only use adopted highways. If the access road is to be used, it must be to adoptable standards. Typically, until roads are adopted, bins are to be brought to the highway boundary or a pre-arranged point. Refuse collection crews will move bins a maximum of 10m and reverse a maximum of 15m. If residents are required to pull their bins to the highway, a hard standing area needs to be provided for 1 wheelie bin and a food waste caddy, in addition to 2 reusable garden waste bags per property. Bin collection points will be needed for some properties, including terraced properties.

Education Officer

Lower School

This development will create a need for additional capacity at St Mary's Lower School. The school does not currently have the site capacity to expand further, so the lower school expansion land would be required from this development. Contribution of £115,220.00 required in addition to the land to create additional classbases.

Middle School

Clophill sits within the Harlington Planning Area where there is a forecast deficit of middle school places. An expansion of Arnold Middle School is planned from September 2018 to provide additional places for the Harlington Pyramid. Contribution of £115,939.20 required towards the expansion of Arnold Middle School.

Upper School

The catchment upper school is Harlington Academy. As with the middle school places, the latest forecasts for Harlington Academy illustrate the need for additional capacity to manage demand. A development of this size will place additional pressure on the need for school places. Contribution of £142,172.16 required towards the future expansion of Harlington Academy to meet forecast

demand for pupil places.

Early Years Officer

Contribution of £34,566.00 required for provision of early years places resulting from the residential development.

Landscape Officer

I welcome this proposal to bring forward the new Country Park. The reduction in enabling development is also welcomed, as long as we can be assured that this is not going to limit the quality of the regeneration of the site or affect the timescale.

I still have concerns about the lack of vehicular access and car parking for the general public and other amenities such as toilet facilities and a site management facility. I would also have preferred Cainhoe Castle to be part of the overall scheme, as I note the concerns raised in the Landscape and Ecology Management Plan about the need to ensure grazing of the grassland at the Castle can still be achieved. Likewise, separating out the lake margins from the site management is not ideal.

The detailed landscape specification, which would include details of path surfacing as well as planting proposals, will be required as a Condition.

CAUSE Residents Group

15/12/16 Acknowledge the work that Gallaghers have done in the resubmission but there are a number of significant criteria that have still not been met.

- Uncertainty of land ownership and lack of robust management plans – risk resulting from the uncertainty of the Lakes ownership and future uses. Concern that they will renege on their commitment. This concern is supported by the CBC Call for Sites published in May 2016, in which Gallagher Estates separately put forward the whole of the Lakes site for residential development
- Detrimental Impact on essential services, such as water, sewage, Gas, electricity and broadband due to ageing and poor infrastructure and capacity concerns
- Outside the settlement envelope leading to ripple and ribbon development some distance from local amenities which are the other end of the village some mile away.
- Cumulative impact and proposed quantum of houses – significant risk of overdevelopment in Clophill. Severe consequences on infrastructure, services, traffic and schools as well as other important village and community facilities
- Impact on village natural habitats, ecology and biodiversity

02/04/17 Encouraged by the positive progress made in the past few months.

- Land ownership and management plan – we understand that progress is being made and would emphasise the importance of the following five aspects;
 - a. Clear process and plan incl. actions, deliverables, governance, approvals, and timescales, which is understood by all parties. This should include a sequenced approach with triggers/approval gates that de-risk any potential deviation by GE
 - b. Robust mechanism to transfer the land/freehold to a partner who will preserve and maintain it in perpetuity as an open space, which for clarity is “a low key site for the quiet enjoyment of nature”
 - c. Clear process and criteria to assess and appoint a partner with the required capability, competencies, experience, and operating platform etc. As per point a. this also needs to be understood by all parties
 - d. Robust management plan and regime that sets out all the requirements (to be performed and managed by the partner) to ensure that the open space remains a safe, viable, and appropriate asset for Clophill and the local community
 - e. Governance structure that independently ensures that the partner is performing to the standards expected by the key stakeholders such as the PC and CBC, and also proactively engages with the Clophill community.

This objection should cease to apply once points a-e above are met. As offered in previous emails and correspondence, the Residents Group is ready and willing to support the above requirements.

- Detrimental Infrastructure on infrastructure - While GE continue to assure us that they have taken appropriate steps to consult with the essential services providers, we believe that CBC should independently review and validate their claims, and if required (in cases where doubt and/or ambiguity might exist) include appropriate recourse in the S106 and/or other means available to them to ensure fit for purpose infrastructure and services.

This objection should cease to apply once CBC have conducted their diligence

- Development outside of the settlement envelope

and ripple effect - if the application is delivered exactly as GE are now proposing then in our view it would represent an enabling argument by virtue of the benefit of the open space being afforded to the Clophill community via a partner arrangement. Ripple development and risk pertaining to the GE owned land would be prevented as a result of covenants precluding any development beyond the agreed maximum of 50 houses.

This objection should cease to apply if the application is delivered as is being proposed. We believe that it would not set a precedent for any future application(s) given that it demonstrates a community benefit due to its proposed enabling argument, plus the premise that CBC would continue to automatically reject any subsequent application(s) outside the envelope per current custom and practice (unless a substantive reason existed otherwise).

- Cumulative impact regarding quantum of houses - if the application is delivered with a maximum of 50 houses, coupled with the potential of a further c.40 houses relating to the Readshill application (which is subject to a pending enquiry) then Clophill would deliver potentially c.90 houses towards the CBC Local Plan. While this is notably three times more than the c.30 set out in the current Local Plan (to 2031) it would arguably be sustainable if;
 - a. No further development takes place in the village barring potentially a handful of infill applications (c.10 maximum). In which case Clophill would be limited to a maximum of c.100 houses until 2031
 - b. Condition 2 above is met. In which case there would be no detrimental infrastructure impact resulting from the Lakes application if it is approved
 - c. Readshill application (if approved) does not exceed c.40 houses and includes a robust assessment of infrastructure impacts, whereby any required enhancements identified as part of the assessment are implemented
 - d. CBC independently assess the overall infrastructure impact based on the cumulative quantum of c.100 houses (taking a holistic view over both applications and any other relevant pending applications) and confirm/validate that there would be no detriment to both essential and core services (those being water, sewage, gas, electricity, schools, roadways, lighting, paths, bus services etc.).

This objection should cease to apply if points a-d above

are met. Please note that we included a reference to the proposed Readshill Development as we feel it is relevant to the “bigger picture for Clophill” and an important circumstance that we believe CBC would consider with regard to its macro planning.

- Impacts on natural habitats and ecology – GE have taken positive steps to address a number of the concerns raised relating to natural habitats and ecology, however given that this is considered to be an enabling application we feel that the promised biodiversity net gains and benefits are not adequate. From the Residents Group perspective, we believe that the major outstanding concern relates to the badger setts located to the east of the Pump House on the Shefford Road. We believe that the expert advice provided by the Badger Trust, Wildlife Trust, and the CBC Ecologist should be implemented. This recommends;
 - a. A 30m width green corridor along the eastern boundary of The Pump House and the boundary of the new development (which isn't the case currently). This would allow the badgers continued access to their sett and foraging grounds, and reduce the noise and disturbance caused by vibration from both the vibro treatment (ground piling) and construction works. In addition, this acknowledges the existing easement to the electricity substation along this strip of land.

This objection should cease to apply if the above point is met, plus an appropriate partner to manage the open space (who possesses the required capability, competencies, experience, and operating platform etc.) is appointed.

If and when the Residents Group are comfortable that all of the above conditions will be met, they will engage and communicate with the Clophill community to update them and endeavour to secure their positive support to the proposed development. All communications would of course be carried out in collaboration with the PC.

Conservation Officer

the current proposal is an acceptable development and would not have a detrimental impact on the character of the Clophill Conservation Area. Therefore I raise NO OBJECTION on the basis that the proposal would satisfy the provisions of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as supported by the aims of Section 12 of the NPPF.

Objection on the following grounds:

- Not a natural extension to the rural village – linear in nature. This application proposes an unnatural clump of housing outside of the settlement envelope
- Detrimental impact on views from Cainhoe Castle – changing the outlook from this heritage site
- Urbanisation of Clophill would have a devastating impact on the surrounding countryside in terms of light and noise pollution
- The minimal proposals for the Lakes area do not justify the unacceptable development outside of the settlement envelope of Clophill
- The housing element should be considered on its merits as a development of 50 homes on an unsuitable and unsustainable site
- Application states that the lakes would be held in public ownership – however, the appropriate body and management plan remain unidentified within the Statement
- The cost of stewardship is not identified or allocated – difficult to believe such development could result in required net increase in biodiversity and ecological improvement.
- Threat of deterioration of the scheduled ancient monument because of increased footfall
- A failure to resist sites outside of the local plan allocations will result in long lasting detrimental effects on the countryside, agriculture, transport, tourism, business and the quality of life in many towns and villages in Bedfordshire.
- Developer has no confidence that the site would be included within the Plan and seeks to force agreement based on NPPF presumption in favour of sustainable development
- The site does not meet the criteria of sustainable development and should be refused
- Consideration should be given to Clophill's emerging Neighbourhood Plan
- Cumulative impact on village of Clophill and the landscape in the area, if this and other current applications were approved (Readshill Hill Quarry)
- Should be refused on similar grounds to that of Jays Farm, Pottton (CB/16/02960), urbanisation effect, poor relationship with Clophill, significant harm to character and appearance of the area.
- The fields represent part of the historic pattern of field use in the area – developing it would affect the setting of Cainhoe Castle.
- It would be overdevelopment of this area of Clophill
- Site falls within floodplain 1, 2, and 3.

- Little evidence that the application has taken on board the contents and aspirations of the LCA or addressed issues of future safety.
- Not sustainable on economic grounds
- Not sustainable on transport grounds – the proposal fails to reduce the need to travel and reliance on cars – some considerable distance from local amenities.

The Greensand Trust

The site is within the Greensand Ridge Nature Improvement area and is very close to our Sandy Smith Nature Reserve. Fully support the principle of appropriate, sustainable development in the village enabling the Lakes area to provide public access in a manner appropriate to the site, its biodiversity, heritage and landscape. Also note the open space deficiencies in Clophill parish. The Clophill Parish Green Infrastructure Plan produced with the local community, very much supports this case and identifies making the Lakes site more accessible as a high priority. We welcome the recent application which significantly reduces the number of proposed dwellings to 50, but note this is still a significant development in terms of its impact on the landscape, ecology and access.

Primary concern remains the same as previously noted

- that the current proposal does not provide a viable mechanism for the long-term management of the site. The generation of income for the viable management of the site would need to be considered.
- Whilst not part of this proposal a visitor facility would be of benefit to the site.
- The access networks are very intensive and should be scaled down to be more appropriate to the setting.
- The application fails to acknowledge the site's position within the Greensand Ridge Nature Improvement Area. There is also a need to take account of the wider ecological networks and the sites role within the Flit Valley.
- The access network passes through areas with high potential for breeding wetland birds, without proposed mitigation. It is suggested that these areas should be fenced to reduce disturbance.
- The application does not properly recognise the impacts on amphibians, both during construction and creation of access routes and in terms of on going management.
- The site of Cainhoe Castle and its wider setting should be brought into the application area to enable its ongoing management and protection.

- The omission of the lakes and their immediate surroundings is not fully understood – one of the attractions will be the ability to get up close to the Lakes. If this is for ecological purposes there maybe some merit in this happening in certain areas but does not need to be a blanket approach.
- The proposal will have an impact on the Sandy Smith Nature Reserve and feel that some compensation is required to enable conservation interest to be maintained.

Public Art

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

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

The Public Art Plan should detail:

- Management - who will administer, time and contact details, time scales / programme
- Funding - budgets and administration.
- 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
- Future care and maintenance.

MANOP

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

Other Representations:

Neighbours

Representations received from the following addresses raised objection to the application:

729 representations have been received in relation to this application. 4 of these are comments, 1 in favour and 724 against. A large number of the representations were received in the format of a template letter which was collected and organised by the CAUSE residents group.

The representations made against the

Clophill

6, 7A, 8-10, 11, 12, 13, 21, 24, 26A, 28, 28A, 29, 30, 31, 32, 32A, 34, 35, 41, 42, 45, 46, 48A, 49, 50, 51, 52, 53, 54, 54A, 57, 57A, 59A, 61, 62, 63, 64, 69, 70, 71, 73, 75, 77, 77C, 80, 81, 83, 85, 87, 91, 93, 95, 98, 100, 103, 108, 108A, 109, 110, 110A, 111, 112, 117, 118, 118A, 119, 120A, 121, 122B, 123, 124, 126, 126A, 127, 128, 129, 130, 131, 133, 135, 137, 141, 143 High Street

2, 2A, 6, 8, 10, 11, 11A, 15, 15A, 15C, 20, 26, 32, 34, 36, 42 Jacques Lane

3, 3b, 7, 10, 17 The Causeway

1, 2, 3, 4, 5 Hawthorne Close

3, 9, 11, 13 The Green

1, 2, 3, 11, 15, 17, 22, 27, 32, 38, 39, 40, 41, 50 Cainhoe Road

1, 4, 5, 7, 8, 9, 12, 16, 17, 19, 20, 20A, 21, 22, 25, 29 Tanqueray Avenue

Clophill Fruit Farm

5 Beverley Gardens

2, 4, 8, 10, 16, 39, 41, 42, 43, 44, 52, 53, 54, 55, 48, Gideon Place, Readshill

1, 2, 3, Howards Mews

6, 6A, 8, 10, 18, 20, 21, 30, 34, Bedford Road

2, 3A, 4, 6, 7, 30 Castle Hill Court

5, 6, 7, 9, 9A, 14, 19, 23, 'A', 'B', 'C', 105, Millenium House, Shefford Road

2 The Compasses

Churchfield Farm, Shefford Road

Waterworks House, Shefford Road

The Old Waterworks, Shefford Road

application raise the following concerns:

- Outside the settlement envelope – over 1 mile from vital amenities such as the shop/Post Office, regular bus services/pub
- Substantial ripple and ribbon development to the east of the village
- Risk resulting from the uncertainty of the Lakes ownership and Gallaghers intention to build hundreds of additional homes in Clophill – the application is ambiguous regarding how the Lakes would be transferred to public ownership and subsequently managed
- Detrimental impact on essential services, such as water, sewerage, Gas, Electricity and broadband due to ageing and poor infrastructure
- Cumulative impact and volume of houses – in combination with other active applications, appeals and the CBC call for sites, the cumulative impact of the development would result in the significant and inappropriate over development of Clophill. This in turn would lead to major issues such as excessive traffic, lack of school places, and the constant breakdown of essential services and amenities.
- Impact on village natural habitats – the Lakes is home to countless species of wildlife that help enrich Clophill. It's vital that these important habitats are preserved for future generations
- Location will have a significant damaging and potentially destroying effect on an established local business that depends on its tranquil location – the proposed location will have a significant detrimental effect on the Clophill Centre, the success of this business depends on its rural location
- Having a quiet and peaceful location is so important for people using the Clophill Centre
- Clophill Centre is a vital facility within the locality and assists many people in support and guidance
- One of the key attractions of Clophill Centre is its location, ease of access, peace and undisturbed natural life around
- The developers have nothing other than

The Pumphouse, Shefford Road

5, 5A, 5C, 5D, 6, 9, 11, 16, 17, 18,
19, 21, 24, 25, 27, 29, 30, 31, 34, 56,
58 Back Street

2, 3, 5, 8, 9, 11, 15, 17, 21, 23,
25, 27, 29A, 31, 37, 39A, 41 Mill
Lane

The Smithy, Brickwall Farmhouse,
1, 2, 3, The Granary, The Stables,
Kiln Lane

3, 5A, 7, 8, 9, 11, 13, The Glen, Glen
Farm, 1 The Gables, Great Lane

6, 7, 8, 11, 11-13, Waybak, Broom
Cottage, Mayfield, Little Lane

2, 4, 5, 10, 11, 12, 14 24 The Slade

1, 2, Church Mews

3, 4, 12, 18, 22, 24, 28, 32
Townshott

4 Old Kiln Lane

1, 2, 3, 4, 5, 6, 8, 7, 10 Dearmans
Close

Old Tack Room, 1 Warren Farm,
The Old Stables, The Granary,
Warren Lane

1, 2, 3, 4, 9, 11, 12, 14, 15, 17,
Mendham Way

1, 2, 3, 5, 7, 8, 9, 10, 14, 15, 16, 17,
21, Goodwood Close

1, 2, 3, 4, 5, 6, 8, 9, 11, 12, 16, 17,
18, 20, 23, 24, 25 Goodhall Crescent

1a, 3, 19 Old Silsoe Road

3 Church Path

Old Watermill

Outside of Clophill

43 Stotfold Road, Arlesey

61 Bedford Road, Barton-Le-Clay

short term profit in mind

- This development would be to the detriment of all who live, work and visit Clophill.
- One of the greatest assets of the Centre is the outside space, including a community garden, this is used extensively by groups and individuals and benefits hugely from the tranquillity of the setting – the lack of noise pollution and low motor fuel emissions and relative lack of light pollution at night. The benefits to wellbeing would be seriously under threat if this development was to go ahead.
- The annual Humdrum music festival is run from the Clophill centre. We would have to look for another site for the festival if this is approved as the volume of music would be a nuisance to such a close residential development
- Large construction project and creeping urbanisation of the surrounding area will irrevocably alter the character of the village and affect the ability of the centre to offer much needed spiritual retreat
- Clophill Centre supports so many in a network that extends not just to the surrounding counties but internationally bringing cultural diverse connection and an amazing world view
- Having a building site on the other side of the road to the Clophill Centre with all the noise this would bring with it during the building phase, would be completely opposed to all the work undertaken at the centre. Quietness is absolutely essential to all the studies/ activities. Once built the residents would need to get about and as the development is planned for the opposite end of the village to all its amenities, there would be a lot of traffic caused by the residents needing to get about – this again would be detrimental to the centre.
- The benefits to the village are at best minor
- Lack of adequate mitigation measures to protect the badgers which reside in the curtilage of The Pump House – The Badgers Trust and CBC Ecologist have confirmed that the sett is active and extensive, with the feeding grounds being

Hillfoot Farm, Ace House, 1 Blackhill Lane, Pulloxhill

5, 17, 28 Vicarage Road, 4 The Orchards, 11 Ampthill Road, Silsoe

The Peacocks Roost, 6 Berberry Drive, Flitton

3 Falkland Close, 16 Orchard Way, 19 Millards Close, Flitwick

22 Shillington Road, 6 The Glebe, Millstream, Gravenhurst

Camptonbury Farm, Campton

1, 2, Top Farm Cottages, Mayfield, Beadlow

26 Harrow Piece, 21 Bedford Road, 3 Nursery Close, 25 Ampthill Road, Maulden

29 Bilberry Road, 2 Jubilee Close, Clifton

1 Westoning Manor, Westoning

105 Southfields, 39 Queen Elizabeth Close, 10 Overlord Close, Shefford

77G Station Road, Lower Stondon

60 Hillfoot Road, Shillington

Greenfield Farm, Ickwell

5, 6 Church Close Houghton Conquest

86 London Road, Dunstable

29 Spencer Close, Potton

30 Cetus Crescent, Leighton Buzzard

Hill Farm house, The Maltings, Stanford

31 Jackmans Place, Letchworth

Bourne End House, Wootton

25 Dover Crescent, 30 Bradgate Road, 47b Howberry Street, Bedford

on the adjoining land owned and proposed by the applicant for development. The entrances to the sett are circa less than 5 metres from the development boundary.

- The proposed residential development fails to incorporate a green corridor to allow the badgers continued access to this food source and avoid potential conflict between the badgers, new residents and their gardens.
- It is considered highly likely that Badgers are present within the wider rural landscape, and indeed an active Badger sett has been identified in land off-site, to the north, but the results of the survey work indicate that Badgers do not rely upon the development site for foraging. As such the site is of no more than low ecological value at the site level for badgers. The application fails to provide appropriate mitigation to manage the risks, both short and long term to the badgers.
- Why has the 30m buffer zone not been included between the development and the Pumphouse.
- The Ground conditions summary report highlights the requirement for vibro treatment/ piled foundations adjacent to the eastern boundary of the Pump House – this will cause disturbance and disruption to the Badger sett
- The proposal by the applicant to cede approximately half of the land is not acceptable – the original application stated that all of the land would be handed over and it is this that is required before the application can be approved
- The land behind the school should be given over to the school/ parish council
- Vehicle traffic – increase in traffic, already congested with vehicles leaving the village in the morning at A6 and A507 junctions
- Pedestrian traffic into the village – lack of suitable footpath connection
- Local problems with the water and sewage system – out dated and under pressure
- House sizes – no real detail on the sizes of the houses in this proposed

2 Eastcote, Shortstown

150 Spring Road, 22 The Silver Birches, Kempston

34 Luton Road, Wilstead

128 High Street, St Neots

8 Southview, Great Barford

Little Warren Farm, Stewkley

41 The Magpies, Bushmead, 139 Gooseberry Hill, 3 Nymans Close, 6 Lavender Close, 77 Kirby Drive, 7 Florence Avenue, 32 Black Swan Lane, 168 Hitchin Road, 21 Shelton Way, Luton

2 Cleveland, 18 Bradwell Road, Milton Keynes

42 Penn Road, Richardson Close, 11 Dymoke Green, 39 St Vincent Drive, 29 Westfields, St Albans

21 Fortuna Close, Stevenage

18 Frampton Road, Potters bar

50 High Street, Whitwell

6 Frericus Close, Wickford

9 Culworth Crescent, Northampton

18 Oaklands, Reading

21 Tiverton Way, 34 High Street, Cambridge

302 Middle Road, Southampton

17 Mead Close, Swanley, Kent

34 West Street, Colne, Lancashire

5 Martlet House Bexhill

5 Rockaway Lane, Arlington

46 Barrow Road, Kenilworth

65 Highfield Lane, Halesowen

14 St Michaels Close, Newport

development – need is for smaller housing

- GP and education provision
 - Possibility for further development on GE land if the ownership of all land that GE own in Clophill is not legally transferred to a public body
 - The site is a designated County Wildlife Site - the ecological report submitted is not a true reflection of the current status of the wildlife species present and has seriously underestimated the ecological importance and biodiversity of the site. It has previously been suggested that the site has enough important biodiversity to warrant a SSSI designation.
 - The developer has not been able to demonstrate that the benefits of this development outweigh the harm
 - The development will increase the potential risk of flooding particularly to properties at the lowest point of Jacques Lane
 - The development is to take place on unstable land – which could lead to the risk of subsidence within the proposed new properties
 - Piling and compacting construction techniques would disturb abundant wildlife of significant importance within the immediate area of the housing site location
 - Development on the proposed site would be in direct conflict with a number of the Local Character Assessment
- Development Considerations
- Concerns regarding water pressure and recent sewage leak

Comments made in relation to the application

- It is good that the housing numbers have been reduced
- The plans show no car park and the LEAP is now adjacent to the houses – reduction in anti-social behaviour
- Country park appears to have been down-graded; this should please a majority of villagers who felt huge concern at the potential for large numbers of visitors coming to Clophill
- Gallagher Estates are respecting the sight lines from the castle mound to the Old

3 Wood Road, Harrold

2 Trafalgar Terrace, Harrow

11 Sandtoft Road, 5 Lower
Richmond Road, 6 Haversham
Place, London

1 Southleas Far Cottage, Minster

95 Mandeville Road, Hertford

3d The Avenue, 150 Chaucer Way,
8 Whinbush Grove, 56
Meadowbank, 62B William Road,
Hitchin

16 Ledborough House, Beaconsfield
8 Hares Chase, Billericay

19 Orchard Avenue, Bingham

10 Duxford Road, Hinxton

Overseas

Bellavista 62140, Cuernavaca,
Morelos

66 Childrens Way, Bergviet 7945,
Cape Town

Markova 15, Bratislava 85101,
Slovakia

Hidalgo no 23 Tamaulipas

21 Rue Montbrun, Paris 75014

WPI Worcester, Massachusetts

The following addresses raised
comments on the application:

76, 104 High Street Clophill

36A Jacques Lane, Clophill

26 Courtlands Drive, Biggleswade

The following addresses
supported the application:

30A High Street Clophill

Church

- A further reduction in housing numbers so that a buffer zone to ensure the safety of the resident badgers is absolutely non-negotiable
- The safety of lakes is an issue that appears to have been given no regard
- Funding and management of the land which is promised to the village MUST be seen to be in place before consent is given. And of course this land must be handed over with a legal agreement
- Bedfordshire Bird Club have commented on the application in terms of the importance of birds, winter wetland birds other than waders, winter waders and other species. It also acknowledges the importance of a detailed plan and management company to manage the Lakes area.
- Concerned that a reduction in the number of houses has resulted in a reduced form of capital works to the Lakes
- Also concerned that the proposed contribution to the Lower School will impact on the amount of capital funds available to undertake the work on the Lakes.
- The whole of the landholding should be transferred to a local trust or charity not just to safeguard from future development but also to provide income from rental of the land for remaining in agricultural use etc.
- Concern over the status of the reserve land for the school – who is this to be transferred to/ maintained by?
- Restrictions on the use of the lakes – for instance not allowing, motor sports, flying of model aeroplanes/ drones, outdoor concerts and unauthorised camping
- Scheme to reserve the visitor car park for the Lakes should be in place.
- Control of access points
- Access for pedestrians to the fishing ponds
- Safety fencing around the Lakes area is unnecessary and intrusive
- Cainhoe Castle – maintenance and management responsibilities
- Security of adjacent properties
- Conditions/ legal agreement should

- ensure that the Lakes are actually delivered
- Vital the rest of the land ownership is protected from further residential development
- Who will run and fund the lakes area?
- No indication of boundary of land for future school use
- Hours of use for the parkland?

Comments made in support of the application

- The 50 houses proposed is preferable to the previous number of houses proposed
- Additional traffic along the High Street is still an issue for consideration
- The fish ponds are held as club fishing only – it would be a benefit if they could be used for general public and not only club use.
- Anglers using the Lakes could enhance the safety issues

Determining Issues:

The main considerations of the application are;

1. The principle of development
2. Access and highway considerations
3. Impact on the character and appearance of the area
4. Impact on the amenity of neighbouring residents
5. Biodiversity
6. The benefits of the scheme
7. Planning Contributions
8. The Planning balance
9. Other matters

Considerations

1. The Principle of Development

- 1.1 The application site lies outside of the settlement boundary as defined on the Core Strategy Proposals Map. In this location, new residential development would not normally be acceptable in principle under Policy DM4 which seeks to protect the open countryside from inappropriate development.
- 1.2 In line with the core principles contained within the NPPF, there is a requirement for planning authorities to "proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs." Paragraph 49 states, "Housing applications should be considered in the context of the presumption in favour of sustainable development unless there is significant and demonstrable harm.

- 1.3 In April 2017 the Council's latest Housing Supply position was published. This stated that the Council can now demonstrate a housing supply of 5.88 years. Therefore, in terms of the NPPF, it is considered that housing policies can now be considered up to date and can be given weight in the decision making process.
- 1.4 This application is a hybrid application with full planning permission being sought for the development of the Lakes area and outline planning permission with all matters reserved except access for the residential element. The residential element of the development is promoted within the application as enabling development that is essential to bring forward the Lakes development and public access arrangements.
- 1.5 Given the current position in terms of the 5 year housing supply the current residential element of the proposal would be in conflict with Policy DM4 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). However, the following sections of the report will look at the proposal in detail, with a concluding section which will discuss the planning balance.

2. Access and Highway Considerations

- 2.1 The access to the public open space 'the Lakes' area will be from the High Street, Shefford Road and the new housing development by foot/ cycle. The existing public right of way is to be reviewed and provide additional pedestrian access. The parkland will be navigated by a footpath network. 2m wide hoggin paths will run through the site on key north-south and east to west positions, offering routes through the site for pedestrian, cycle users and horse riders. Informal grass routes will also be provided as part of the on-going site maintenance.
- 2.2 Vehicular access to the parkland area is to be restricted to the existing gated access off Shefford Road for the fishing club and maintenance to Clophill Lakes only. As part of the residential development there is to be a small visitors car park provided within the development to allow for some visitor parking visiting the parkland area.
- 2.3 The proposed residential development is seeking outline consent only, with all matters reserved except access. The site is to be accessed via a single access from Shefford Road, with pedestrian/ cycle links through the site connecting with the parkland area.
- 2.4 The Highways Officer has considered the transport assessment submitted and the proposed development and raises no objection subject to conditions. A transport assessment was submitted in support of the application and the access has been modelled and is considered to operate within capacity and the results are considered satisfactory.
- 2.5 In addition, modelling output is provided for the A6/A507 roundabout and whilst this junction operates within its capacity the modelling does indicate that there are problems with queuing in the peak hour in the base year. The modelling for 2021 has demonstrated that there may be capacity issues and this is to be looked at in a future A507 routing study to be conducted by CBC.

- 2.6 In terms of the public transport improvements proposed within the application the Public Transport Officer has commented and raised concern regarding the upgrade of the bus shelter to the north in that it is used infrequently and would not warrant upgrade and given its proximity to residential dwellings there may be objection to the shelter. Instead they have suggested that the stop on the A6 at the Flying Horse would better serve the community and be better used if it were upgraded. A contribution has been agreed.
- 2.7 The transport assessment also proposes a number of other localised improvements to improve access by more sustainable modes of transport. These include improvements to pedestrian movements such as drop crossings, 20mph speed limit adjacent to the school footway across the site frontage.
- 2.8 Pedestrian access is also provided via Jacques Lane, the existing rights of way network and a further exit to the west of the school. There is concern that there is no parking provision proposed near to the access from Jacques Lane which would result in potential for parking in this area. A visitor car park is proposed as previously stated with the enabling residential development. The purpose of the Jacques Lane access is purely for pedestrians. It is recommended a condition be imposed should planning permission be approved that requires temporary parking provision to serve the recreational area until the visitor parking within the residential development is constructed and details of how on street parking at the pedestrian accesses will be avoided.
- 2.9 There is an additional existing access which was the Quarry access which currently serves the site and the fishermans access to the Lakes. This access is to be modified by reducing the width and radii to avoid vehicles parking within the bell mouth.
- 2.10 Access to the residential development is to be taken from within the 40mph speed limit area, which requires a visibility splay of 120.0m. This can be achieved but would require the removal of some of the frontage boundary hedge. Part of the transport assessment proposals is for the speed limit to be reduced to 30mph at this point with dragons teeth and a gateway feature to promote/ advise the driver of the road speed. The reduction in speed at this point whilst proposed is not guaranteed as this would be subject to further consultation.
- 2.11 As part of the transport assessment the applicant has provided a tracking diagram for a refuse vehicle showing it entering and exiting the access. It has been agreed with the applicant that should planning permission be approved the access width shall be 6.0m for the first 15.0m into the site and with 8.0m radii, thereafter the access will be reduced in width to 5.5m.
- 2.12 As stated previously the Highways Officer has raised no objection to the application and believes it is acceptable in highway terms subject to conditions. It is therefore considered that the proposal is acceptable in highway terms.

3. Impact on the character and Appearance of the area

- 3.1 A Landscape Visual Impact Assessment has been submitted with the application. The site is some 38 hectares in size and has been divided into two components, the housing development area and the area proposed as Clophill Lakes Park.
- 3.2 The area proposed for housing is located to the north-east of the application site on what is currently used as arable land adjacent to Shefford Road. The land slopes gently from north to south towards the River Flit corridor. The northern boundary is partly defined by Shefford Road, with a native hedgerow currently running along the boundary. The eastern edge overlooks existing agricultural land through a native boundary hedge. The south-eastern boundary is undefined open to arable land which end at the Fishing Lakes. Again, the south side is arable land with an existing hedgerow dividing 2 fields.
- 3.3 The Clophill Lakes Park of the site is predominantly on land which was the former quarry site, which currently has no public access and consists of 2 lakes, the River Flit corridor and the fishing ponds/ car park. The application proposes that these will remain undeveloped and the development in this area is primarily resulting around improvements to access in terms of footpaths/ board walks, increasing ecological improvements and some potential fencing to the Lakes area. It is therefore considered that in terms of the Lakes area, there would be no detrimental impact on the character and appearance of the area and given the improvements, would potentially enhance the character and appearance of this area through improved means of access and management.
- 3.4 The site lies within the National Character Area (NCA) 90 Bedfordshire Greensand Ridge, which is surrounded by the NCA 88 Bedfordshire and Cambridgeshire Claylands. The Greensand Ridge area is described as 'a narrow ridge running north-east, south-west. The distinct ridge has a north-west facing scarp slope formed by the underlying sandstone geology which as shaped the landscape and industry of the area'.
- 3.5 On a local level, the site is identified as lying across 2 character areas, the 'Greensand Valley' and the 'Wooded Green Ridge'. In terms of the Greensand Valley it is identified as having the following key characteristics;
- Small-medium scale valley of the River Flit and River Ouzel
 - Surrounded by the enclosing landform of the wooded Greensand Ridge
 - Rivers and associated wetland sites are important for biodiversity
 - Mixed woodland blocks and shelterbelts increase the sense of enclosure
 - Field and roadside boundaries are variable ranging from mature shelterbelts to scrubby degraded margins.
- 3.6 Key recommendations for development within this character area are:
- Conserve the visual relationship with the Mid Greensand Ridge and avoid development that would compromise the relationship aim for undeveloped valley crests
 - Ensure an appropriate rural interface between settlement edges and the adjoining rural landscape. This is particularly important where

settlement edge expansion is proposed. Retention of agricultural hedgerows, appropriate new tree screening and careful design boundaries and lighting will help to create a sympathetic rural/urban edge.

- 3.7 The Wooded Greensand Ridge is identified as having the following key characteristics:
- Large scale, elevated landscape providing extensive views
 - Narrow, prominent ridge running southwest-northeast across the country and forming a strong horizon, divided by the Rivers Flit and Ivel which have carved distinct valleys
- 3.8 Key recommendations for development within this character area are:
- Respect the consistent, unified architectural character of villages
 - Monitor linear development, infill of villages in order to prevent further settlement coalescence and loss of individual village identity
 - Conserve the ridge in providing a strong wooded horizon, skyline and backdrop to the surrounding vales
 - Conserve the distinction between the ridge and the adjacent Flit Greensand Valley and ensure development does not spill over the ridge diluting the contrast between the two landscapes
 - Promote Green Infrastructure and explore options for improving recreational opportunities and public access. Nevertheless, it is important to consider the associated development of facilities e.g. visitor centres, car parking and potential impact of increased traffic that might impact upon the rural, tranquil character defining much of the ridge.
- 3.9 Whilst the proposal in terms of the residential development will result in a loss of agricultural land on the edge of the settlement, the essential landscape features within the site can be retained, most notably the hedgerows and existing trees. The development of the lakes element of the proposal is able to respond positively to the local landscape character and will bring long term management and public access opportunities to the area.
- 3.10 The Landscape Officer has raised no objection to the application and has welcomed the reduction in the enabling development from the previous application.
- 3.11 The residential element of the proposal is relatively contained and will be effectively screened on all boundaries by existing and new landscape; with a significant landscape buffer (some 25m) provided between the proposed housing and the wider countryside to define the settlement edge. Views of the site from Shefford Road will be limited with only one access serving the development and a further substantial landscape buffer. This would not result in a loss of village identity.
- 3.12 Overall, it is considered that the proposal would not result in a significant harm to the character and appearance of the area and in terms of the Lakes element would enhance the local landscape character, bringing long term management and public access to the area.

4. Impact on the amenity of neighbouring residents

- 4.1 The residential use of the site in itself would not be incompatible with existing residential uses to the western and northern boundaries. The layout, which would be assessed at reserved matters stage would need to demonstrate that the living conditions of existing neighbours would not be harmed through loss of privacy, or by creating an oppressive or overbearing impact.
- 4.2 One of the main neighbouring properties in question would be The Pump House, this is adjacent to the boundary with the site. Given the ecological issues identified on the site there would need to be a 30m buffer between the boundary of this property and the rear gardens/ properties within the new development. This would minimise any potential impact on this neighbouring property in terms of overbearing, loss of light, and loss of privacy.
- 4.3 Concern has been raised from the owners and practitioners from the Clophill Centre opposite the residential development part of the site in terms of noise disturbance and general loss of tranquil environment. It is acknowledged that there will be noise related with the construction process, although these will only be temporary, and the comings and goings from the site following construction. However, there would be only one access point off Shefford Road and there will be landscaping to the site at the front which would soften the appearance of the development and set it back from the road frontage. There would be some increased noise and disturbance but given the scale of the development proposed this would not be significant.
- 4.4 Given the illustrative masterplan and the information within the application, it is considered that the proposed land identified for residential purposes could accommodate up to 50 dwellings without detrimental loss of amenity to the existing neighbouring residents, subject to an acceptable layout at reserved matters stage.

5. Biodiversity

- 5.1 An ecological appraisal has been submitted with the application, along with a Framework Habitat Management Plan. The development site comprises arable fields with hedgerows on the north and west boundaries, with the wider site containing large waterbodies, grasslands, woodland, scrub and inundation areas. The hedgerows and trees provide some opportunities for a number of species/ species groups, including foraging bats and nesting birds. An active badger sett has been identified in close proximity to the development and the appraisal recommends specific mitigations and consideration of this aspect. The wider site has potential to support a range of species particular birds, bats, invertebrates and possibly reptiles. A number of mitigation measures are proposed which cover both the construction and operational phases.
- 5.2 The proposals include a range of ecological enhancements within the development site, with larger scale plans for enhancing and managing the wider Clophill Lakes also proposed.
- 5.3 Concern has been raised particularly by neighbouring residents and a number of interest groups regarding the badger sett that has been identified on the western boundary of the residential site. It is clear that badgers use the development site for foraging. The Councils ecologist has commented on

this aspect stating that badgers will likely to continue to forage on the site when the homes are built, therefore rather than the long gardens shown on the illustrative layout, a 15m buffer between the hedgerow on this boundary and the boundary of the new development should be created. This would be in the public realm and provide a continuation of access on to the site. The orientation of buildings could be altered and the LEAP and attenuation features possibly reversed to minimise disturbance to the badgers. As layout is reserved for future consideration, this is considered achievable in terms of the proposed parameters and therefore would be a detailed consideration at the reserved matters stage.

- 5.4 Overall, the Council's Ecologist does not object to the proposal and is satisfied from the information submitted that the development would achieve a net gain for biodiversity subject to appropriate conditions, including the implementation of the Landscape and Ecology Framework Management Plan with appropriate timescales.

6. The Benefits of the Scheme

- 6.1 There are a number of documents submitted in support of the application that aim to highlight the benefits of the scheme. The applicant was asked to provide further clarification in relation to this aspect by the Parish Council. In response, the applicants outlined what they considered to be the benefits of the scheme as follows:

- Provision of 25 hectares of community parkland
- Provision of a local equipped area for play
- Land to the rear of the lower school for future school expansion
- Educational contributions amounting to £408,00.00
- Policy compliant affordable housing provision (35%)
- Ecological mitigation resulting in a net increase in biodiversity
- Future management and long term stewardship of Cainhoe Castle
- Construction value of c.£8m
- Direct and indirect employment benefits
- Increased residential expenditure on local services
- Additional Council tax revenue
- Transfer of parkland to public body to manage the site for the community

- 6.2 In terms of the proposed development the application proposes a series of general improvements to provide 25 hectares of community parkland accessible for local people along with a series of ecological and landscape enhancement works. This is a scaled down version of the previously proposed country park concept given concerns raised by the local community in terms of people visiting Clophill for the use of such a Country Park. The enabling development element comprises a residential development of up to 50 dwellings to generate funding to cover the cost of the capital works to create the parkland environment and ongoing management. The local community have had long term aspirations for public access to this land for a number of years with reference made to this in the Parish Plan and the Parish Green Infrastructure Plan.

Feedback on the Community Plan, which helps inform the new local plan for the Clophill area, included comments about improving the amenity value and

ecological value of the Lakes south of Clophill.

- 6.3 Concern has been raised by both the Parish Council, the local action group (CAUSE) and local residents in terms of the long term management and land transfer of the entire site. The applicants have confirmed in writing to the Parish Council the land that would be transferred as part of the application. The land will be transferred to an appropriate body to manage and through covenants and restrictions on the transfer will ensure that no further residential development can come forward beyond that proposed in this application. The details of such land transfer will be referenced in any S106 agreement should planning permission be granted.
- 6.4 The applicant has progressed discussion with two potential bodies who may take on the future ownership of the land, with principle agreements in place with both the Greensand Trust and the Land Trust.
- 6.5 A management plan will be required by condition should planning permission be granted to ensure the appropriate management of the Lakes area, including the Scheduled Ancient Monument.

7. Planning Contributions

- 7.1 A S106 agreement will secure the relevant contributions required towards local infrastructure. The Heads of Terms that have been agreed are as follows:

Education

- Lower School – Expansion Land and contribution of £115,220.00 towards creation of additional class bases.
- Middle School – Contribution of £115, 939.20 towards the expansion of Arnold Middle School planned from September 2018.
- Upper School – Contribution of £142,172.16 required towards the future expansion of Harlington Academy to meet forecast demand for pupil places.
- Early Years - Contribution of £34,566.00 required for provision of early years places resulting from the residential development.

Affordable Housing

- 35% affordable housing will be secured across the site.

Leisure

- Provision of land for on-site play provision, including equipment and management scheme.

Land Transfer Agreement

There would be a mechanism within the S106 to ensure that the land for the lakes and wider site is transferred to an appropriate body within an agreed timeframe. The S106 would also include provision for the Council to approve the nominated body. The applicant has agreed that the land transfer will take place prior to any development and the works to create the Lakes area will take place prior to the occupation of the 5th dwelling.

8. The Planning Balance

- 8.1 At the time of submission of this application, the Council could not demonstrate a 5 year supply of housing. However, this position has now changed and as of April 2017, the Council can now demonstrate a 5 year supply of housing, as stated previously. The benefit of housing provision in the planning balance has therefore been reduced.
- 8.2 The benefits in terms of the public access and ecological/ landscape enhancements offered to the Lakes area are seen as an important public benefit of this scheme, which has been an aspiration of the Parish Council and the local community for many years. The enabling residential development now scaled back from up to 90 dwellings to up to 50 dwellings is considered not to result in harm to the character of the area.
- 8.3 Concern was raised in terms of the Scheduled Ancient Monument, however, the benefit of the long term management of this site secured through condition, and the scaled down proposals are considered to outweigh any potential harm identified.
- 8.4 It is considered that the proposal when considered in its entirety would result in a sustainable form of development, that would offer significant public benefit in terms of access to and management of the Lakes area. It is for this reason that it is considered that on balance planning permission should be approved.

9. Other Matters

9.1 Ground Conditions and contamination

A desk based review of environmental information relating to the ground conditions at the development has been completed and submitted in support of the application. The report highlights that no current or historical potential sources of significant soil and groundwater contamination have been identified that could pose a significant risk to human or controlled water receptors in the area proposed for residential development

9.2 Flood Risk

A flood risk assessment has been submitted in support of the application. The assessment focuses on the residential development area in the north of the site. The flood mapping prepared by the Environment Agency shows that the proposed residential area to be located wholly within Flood Zone 1 – therefore comprising land assessed as having less than 1 in 1000 annual probability of river/ sea flooding in any year. In flood zone 1 there is no requirement within the NPPF for sequential or exception tests to be undertaken. The report makes a number of recommendations such as finished floor levels set at least 150mm above proposed external levels and 300mm above existing levels; ground profile around buildings, where possible shall direct surface water away from buildings, development to incorporate a positive surface water drainage system which will intercept runoff from roofs and paved areas before discharging offsite. An outline drainage strategy has been prepared in support of the application, this shows betterment downstream. Subject to the mitigation measures proposed within the assessment it is not considered that the development would pose a significant flood risk.

9.3 Scheduled Ancient Monument

The wider Lakes site would include the scheduled ancient monument known as Cainhoe Castle: a motte and bailey with associated moated site. Concern has previously been raised regarding the impact of the development on this monument in terms of views and increased footfall in the vicinity of the monument due to the public access.

Following the reduction in the capital works proposed to the Lakes area and the reduced scale of residential development Historic England acknowledged that the potential for harm to the heritage asset has been reduced. However, they remain concerned about the ownership of the Scheduled Ancient Monument, its overall management and the production of a conservation management plan for the asset.

As mentioned previously the land including the Scheduled Ancient Monument (SAM) would be transferred to an appropriate body to ensure it is appropriately managed and maintained. A condition survey of the SAM has been submitted and highlights issues that would need to be addressed as part of the future management of the heritage asset through the proposed conservation management plan which would form part of the long term stewardship of the site. The Landscape and Ecology Framework Management Plan would inform the detailed conservation management plan which would be required to be a pre-commencement condition should permission be granted.

It is therefore acknowledged within the application that there is potential harm to the visual setting of the monument from the residential development. This has been mitigated by the structured planting proposed and it is therefore considered that this harm would be minimal. The proposed mitigation measures and the benefits of the improved management of the monument are considered to overcome this harm.

9.4 Human Rights

The development has been assessed in the context of human rights and would have no relevant implications.

9.5 Equality Act 2010

The development has been assessed in the context of the Equalities Act 2010 and would have no relevant implications.

Recommendation:

That Planning Permission be APPROVED subject to the completion of an acceptable S106 and the following conditions:

RECOMMENDED CONDITIONS

Part A Conditions (Full Planning Permission)

- 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 equipment, machinery or materials shall be brought on to the site for the purposes of development until details of substantial protective fencing for the protection of any retained trees, has been submitted to and approved in writing by the Local Planning Authority and the fencing has been erected in the positions shown on the Tree Protection Plan (Drawing No. 9136 TPP 01 Rev A) contained in the Arboricultural Impact Assessment (January 2016). The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

Reason: Details are required prior to commencement of development to protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended. (Policy DM14 of the Core Strategy for the North and Sections 7 & 11, NPPF).

- 3 **No development shall commence until a Landscape and Ecological Management Plan has been submitted to and approved by the Local Planning Authority. The development shall then be managed and maintained in accordance with the approved details.**

Reason: To ensure an acceptable management of the landscape and to enable proper consideration of the impact of the development on the contribution of nature conservation and ecology in accordance with Policy DM14 of the Core Strategy for the North and Section 7 & 11 of the NPPF.

- 4 **No development shall be commenced until a Management Plan relating to the Cainhoe Castle Scheduled Ancient Monument as shown on the Landscape Masterplan (Drawing No. DE186_L_001 F) has been submitted to and approved by the Local Planning Authority. The development shall then be managed and maintained in accordance with the approved details.**

Reason: To ensure acceptable management of the Scheduled Ancient Monument in accordance with Policy CS15 and DM3 of the Core Strategy for the North and Section 12 of the NPPF.

- 5 **No development shall commence until details of temporary parking provision for users of the outdoor parkland and access thereto shall be submitted to and approved in writing by the local planning authority and the development shall not be brought into use until the temporary parking provision and access have been constructed in accordance with the approved details. Within one month of the permanent parking provision and access being constructed, the temporary parking provision shall be removed and the access thereto closed and**

reinstated in accordance to details approved in writing by the local planning authority.

Reason: Details are required prior to commencement to avoid on street parking and obstruction to users of the public highway. (Policy DM3,CSDM)

- 6 The development shall not be brought into use until the junction of the 'fishermans access' has been modified and the surplus lengths of access closed and re-instated, in accordance with the indicative layout illustrated on drawing no. J32-2349-PS-010 Revision A, along with the passing bay and parking provision indicated on the approved drawing no. DE186_L_001 Rev F.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

- 7 **Development shall not commence until further details of the pedestrian access to the site have been submitted to and approved in writing by the local planning authority including mechanisms for mitigating the impact of any on street parking associated with the promotion of the recreational area. The development shall not be brought into use until any improvements to the pedestrian access and any mitigation mechanisms have been implemented in accordance with the approved plans.**

Reason: Details are required prior to commencement in the interest of highway safety and to encourage sustainable access to the site.(Policy DM3, CSDM)

- 8 **Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress, including provision for on site parking for construction workers has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.**

Reason: Details are required prior to commencement to ensure the safe operation of the surrounding road network in the interests of road safety. (Policy DM3, CSDM)

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

- Red Line Plan (Drawing No. DE186_003 E)
- Site Location Plan (Drawing No. DE186_001 A)
- Application Zone Pan (Drawing No. DE186_007 B)
- Development Framework Plan (Drawing No. DE186_006 K)

- Landscape Masterplan (Drawing No. DE186_L_001 F)

Reason: To ensure the development is carried out in accordance with the approved plans.

Part B Conditions (Outline Permission)

- 10 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.

- 11 **No development shall take place until approval of the details of the layout, scale, appearance, and landscaping, including boundary treatments (herein called “the reserved matters”) associated with the residential development has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

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

- 12 **No equipment, machinery or materials shall be brought on to the site for the purposes of development until details of substantial protective fencing for the protection of any retained trees, has been submitted to and approved in writing by the Local Planning Authority and the fencing has been erected in the positions shown on the Tree Protection Plan (Drawing No. 9136 TPP 01 Rev A) contained in the Arboricultural Impact Assessment (January 2016). The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.**

Reason: Details are required prior to commencement of development to protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended. (Policy DM14 of the Core Strategy for the North and Sections 7 & 11, NPPF).

- 13 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (15-0735 Clophill Lakes January 2016) (and outline drainage strategy appendix C) and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details of how the system will be constructed, including any phasing, and**

how it will be managed and maintained after completion. 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 policy DM3 of the Core Strategy and Development Management Policies 2009 and para 103 of the NPPF.

- 14 **No development shall take place until details of the existing and final ground slab levels of the buildings hereby approved have been submitted to and approved in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

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

- 15 **No development shall commence until a Phase 1 Desk Study report prepared by a suitably qualified person adhering the BS 10175 and CLR 11 documenting the ground and material conditions of the site with regard to potential contamination, has been submitted to and approved in writing by the Local Planning Authority.**

Reason: Details are required prior to the commencement of development to protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 16 Where shown to be necessary by the Phase 1 Desk Study approved under Condition 15 of this planning permission, no dwelling hereby permitted shall be first occupied until the following has been submitted to and approved in writing by the Local Planning Authority:
- a) A Phase 2 Site Investigation adhering to BS 10175 and CLR 11, incorporating all appropriate sampling, prepared by a suitably qualified person.
 - b) Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 Remediation Scheme (RS) prepared by a suitably qualified person, 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 remediation 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).

- 17 The dwellings hereby approved shall not be occupied until details of a refuse storage/collection point have been submitted to and approved by the Local Planning Authority and the said storage area/collection point has been constructed in accordance with approved details.

Reason: To ensure that the refuse collection bins do not cause a hazard or obstruction to the highway / or access driveway / or parking area or users of the premises. (Policy DM3, CSDM)

- 18 The dwellings hereby approved shall not be occupied until details of the children's play area and associated open space land as shown on the Landscape Masterplan (Drawing No. DE186_L_001 F) have been submitted to and approved by the local planning authority. This is to be provided prior to occupation of the 5th dwelling.

Reason: To ensure that the children's play facilities are in accordance with Policies CS17, DM16 and DM17 of the Core Strategy and Development Management Policies Document (2009).

- 19 **No development shall commence until a scheme detailing a badger mitigation corridor has been submitted to and approved in writing by the Local Planning Authority. The details of the scheme shall be taken into account in the submission of any reserved matters application and the scheme shall be carried out in accordance with the approved details.**

Reason: Details are required prior to commencement to ensure an acceptable management of the landscape and to enable proper consideration of the impact of the development on the contribution of nature conservation and ecology in accordance with Policy DM14 of the Core Strategy for the North and Section 7 & 11 of the NPPF.

- 20 **Notwithstanding the submission of indicative plan number J32-2346-PS-009 Rev B submitted as part of this application, no development shall begin until further details have been submitted to and approved in writing by the local planning authority for a highway improvement scheme to Shefford Road and the High street which should look to include:**

- **School safety zone pedestrian enhancements**
- **extensions to the speed limit beyond the site access**

No dwelling shall be occupied until such time as the approved scheme has been implemented and the development shall be constructed in accordance with the approved plans.

Reason: Details are required prior to commencement in the interest of highway safety and to encourage sustainable access to the site.(Policy DM3, CSDM)

- 21 **Development shall not commence until details of a 6.0m wide junction for the first 15.0m into the site and with 8.0m radii for the proposed estate road with the highway and thereafter the access will be reduced in width to 5.5m, have been submitted to and approved in writing by the Local Planning Authority, such details will include provision for refuse vehicles and visibility splays in accordance with the speed limit. No building shall be occupied until that junction has been constructed in accordance with the approved details and the visibility splay implemented.**

Reason: Details are required prior to commencement in order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road. (Policy DM3, CSDM)

- 22 **Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress, including provision for on site parking for construction workers, and measures to prevent mud on the road has been submitted to and approved in writing by the Local Planning Authority.**

The scheme shall be operated throughout the period of construction work.

Reason: Details are required prior to commencement to ensure the safe operation of the surrounding road network in the interests of road safety.(Policy DM3, CSDM)

- 23 **Any subsequent reserved matters application shall include the following:**
- **The road designed to a geometric standard appropriate for adoption as public highway**
 - **Vehicle parking and garaging, inclusive of visitor parking provision in accordance with the councils standards applicable at the time of submission**
 - **Cycle parking and storage in accordance with the councils standards applicable at the time of submission**
 - **A vehicular turning area within the curtilage of the site taking access from the public Highway**
 - **Driver/driver inter-visibility and pedestrian visibility from the residential accesses within the site and taking access directly from the public**

- highway
- Pedestrian and cycle linkages to existing routes
- Wheel cleaning arrangements
- Permanent parking provision in accordance with assessment of other such areas with regard to parking provision and this data is used to provide a robust parking strategy for the recreational area
- Details of the permanent parking provision for the community parkland area and timeframe for provision

Reason: To ensure the development of the residential site is completed to provide adequate and appropriate highway arrangements at all times. (Policy DM3, CSDM)

INFORMATIVE NOTES TO APPLICANT

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

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