

Item No. 8

APPLICATION NUMBER	CB/17/01619/FULL
LOCATION	Land rear of 43 to 91 Silver Birch Avenue South of Alder Green and Aspen Gardens, Aspen Gardens, Stotfold
PROPOSAL	Change of use of agricultural land to countryside recreation/informal open space (Sui Generis) including associated soft landscaping.
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Nikolas Smith
DATE REGISTERED	03 April 2017
EXPIRY DATE	29 May 2017
APPLICANT	Taylor Wimpey UK Ltd
AGENT	DLP Consultants
REASON FOR COMMITTEE TO DETERMINE	This application is associated with planning application reference CB/17/01642/OUT which is also an item on this agenda

RECOMMENDED DECISION

Full Application - Approval

Reason for recommendation

The proposed development would bring forward substantial community benefits and would meet the aspirations of local and national policy relating to the enhancement of green infrastructure and open space for recreation and play.

Site Location:

The site has an area of approximately 3.5ha and is to the north of the Riverside Recreation Ground, to the southeast of the 'Beauchamp Mill' housing development. To the west are houses on Silverbirch Avenue. The River Ivel is to the east.

The site is designated as falling within Flood Zones 2 and 3.

There are a number of public rights of way around the application site.

The site is outside of the Stotfold Settlement Envelope.

The Application:

Full planning permission is sought to change the use of the land from agricultural use to land use for recreation and informal open space. The application is supported by a draft Green Infrastructure Strategy, which sets out how the land would be improved for that purpose.

It explains how the site, together with a parcel of land to the west of it (which does not form part of this application site but does form part of the site subject to planning application reference CB/17/01642/OUT) would be laid out.

The central section would be woodland, with the following key design principles:

- Woodland buffer planting
- Informal routes through
- Views out to the river
- Native local species
- Diverse woodland edge planting
- Benches

The area to the east, adjacent to the river would be informal amenity open space, where the key design principles would be:

- Open, accessible river meadow
- Sparse tree groups
- Informal mown paths
- Ecological features
- Footbath links
- Benches

Whilst it is proposed that the development (together with the land to the west which falls outside of this application site) would be delivered through a s106 obligation attached to planning permission reference CB/17/01642/OUT, this application should be determined independently and on its individual merits.

Relevant Policies:

National Policy and guidance

National Planning Policy Framework (NPPF) (2012)
National Planning Practice Guidance (NPPG) (2014)

Local Policy and guidance

Central Bedfordshire Core Strategy and Development Management Policies - North (2009)

CS1 Development Strategy

CS3	Healthy and Sustainable Communities
CS4	Linking Communities – Accessibility and Transport
CS13	Climate Change
CS14	High Quality Development
CS16	Landscape and Woodland
CS17	Green Infrastructure
CS18	Biodiversity and Geological Conservation
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM14	Landscape and Woodland
DM15	Biodiversity
DM16	Green Infrastructure
DM17	Accessible Green Spaces

Site Allocations (North) Development Plan Document (2011)

Central Bedfordshire Design Guide (2014)

Central Bedfordshire Sustainable Drainage Guidance SPD (2014)

Central Bedfordshire Landscape Character Assessment

Development Strategy

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

Relevant Planning History:

CB/17/01462/OUT

Outline application for up to 95 dwellings

Decision: pending

Consultation responses:

Neighbours were written to and press and site notices were published. The responses are summarised below:

Stotfold Town Council	No response received.
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Neighbours	36 letters of objection have been received at the time of writing. In addition, a petition signed by 498 individuals has been submitted in opposition to the proposed development. Further representations received will be summarised in the Late Sheet.
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Comments made can be summarised as follows:

- There is no need for this amenity space
- Tax payers would need to pay for its maintenance
- It is in the flood zone
- The application has only been submitted to assist the planning application for housing on the adjacent land
- The land would be safeguarded for future residential development
- The plan would encroach on the biodiversity network and could impact Stotfold Mill
- There would be a loss of natural drainage
- The site should be retained for agriculture

The Bedfordshire Rural Communities Charity (BRCC) has provided the following response to the application:

The Green Infrastructure proposals associated with these applications are of great interest and significance to us. Our team has a long history of working in this area; having created the Kingfisher Way, initiated and produced the Stotfold Green Infrastructure Plan and been the principal author of the draft Etonbury Green Wheel Masterplan (The Green Wheel Masterplan has recently been through a stakeholder consultation process, will undergo public consultation in the next couple of months and we anticipate will be adopted by CBC this coming autumn).

The proposed greenspace has the potential to be a key component of the new Etonbury Green Wheel and a redeveloped Kingfisher Way (the latter due to be enhanced and re-launched in 2019 to celebrate its 21st anniversary).

The Green Wheel seeks to provide an accessible, off-road corridor through and beside areas of landscape, wildlife and heritage interest; and the proposals in the applications go a long way towards this. The Kingfisher Way, a walk along the length of the River Ivel, currently uses paths and roads away from the river; but there is the potential for the KFW to share the same route as the EGW through this site, taking it close to the river.

Of importance to both the EGW and the KFW is the north-south connectivity beyond the application boundary. We are pleased to see that the maps on pages 37, 41 and 55 of the application's Green Infrastructure Strategy indicate key and secondary access routes through the site and links to other GI to the north and south. In relation to this we would ask that:

- the key north-south route through the site is dedicated as a Public Right of Way to cater for walkers and cyclists
- a continuation of this route, both north and south, is secured
- the key north-south route through the site is created to EGW standards and specifications
- consideration is given to the creation of an additional pedestrian link in the south east corner of the site, onto the recreation ground, to facilitate the re-routing of the KFW along a greater portion of the river (in both the application site and the recreation ground)

Should the above not be achievable by the applicant, we would encourage CBC to seek a S106 contribution to enable the EGW to be delivered by other parties / means. BRCC would welcome the opportunity to be involved in such an agreement.

Given the potential that these applications have to enhance the local GI network, I would welcome the opportunity to meet with yourself and / or the applicant to discuss how the above points can be achieved.

Additionally, we would be keen to discuss the longer term management of the GI assets. We have over 20 years' experience of developing and managing community green spaces, both on behalf of and in partnership with, Town Councils and Local Authorities. As both an asset in its own right, and as a component of the Etonbury Green Wheel, we would welcome the opportunity have an involvement in this site, should it be created.

BRCC acts as host of the Upper & Bedford Ouse Catchment Partnership and as such are interested in the proposals within the applications to include SuDS, channel enhancements. The GI Strategy makes reference to a site in Gamlingay where ecological enhancement works have been undertaken to a watercourse as part of a local development. BRCC and the U&BOCP have recently undertaken further enhancement works at this location – with IDB and Parish Council consent; and we would welcome the opportunity to work with the applicant and the IDB to design any such enhancements to maximise biodiversity and public benefits.

A number of the responses addressed concerns relating to the planning application for housing at the adjacent site, which can be summarised as follows:

- The site is greenfield and outside the settlement envelope

- The Council can now demonstrate an ability to meet its five year housing need
- This is very similar to an application that has already been refused
- There are a large number of housing proposals in this area
- The proposed sporting/green infrastructure/leisure enhancements would not be needed or useful
- The 'blue land' could come forward for housing in the future
- The development would diminish a green corridor between the A1 and Stotfold
- The site is in a flood zone
- There is not enough local infrastructure
- There would be a loss of local amenity
- There would be a loss of farmland
- There would be harm to local wildlife
- The application uses old data
- The site is not sustainable
- There would be increased traffic congestion
- There could be harm to heritage assets
- There would be harm to living conditions at nearby properties
- There have been enough developments in Stotfold
- Employment growth does not match new housing delivery
- The junction would be dangerous
- There is not enough school places
- Construction would be disruptive
- The Council does have a five year housing land supply
- The submitted LVIA is inadequate
- There are limited bus services through Stotfold
- There are other, more suitable sites in the area
- Open space within the flood zone cannot be relied upon
- The site cannot accommodate 100 dwellings
- Gas, electricity and water services cannot cope
- There would be environmental and noise pollution
- The roads are already dangerous
- The development would not be in-keeping
- There would noise and loss of light and privacy
- The development would be too dense
- The indicative layout is inadequate
- Trees have been removed from the site
- There would be no community benefits
- There are not enough facilities in Stotfold for young people
- The site is used for walking

Consultee responses:

Trees

Proposal is for a change of use for this site from agricultural land to amenity land, this is in conjunction with development of adjacent land for housing along with a further recent development at Beauchamp Mill.

The site contains little as regards redeeming landscape features at present with trees located around boundaries and identified on the supplied Tree Report. The River Ivel runs along the east boundary.

The Green Infrastructure Strategy and Indicative Masterplan indicate that the proposals will include extensive native tree planting both as standard tree planting and smaller planting with new woodland areas close to the adjacent nearby housing development, I would also ask that we include some new Willow along the river bank with the Ivel. It seems that there is a requirement to leave a 7 metre strip for maintenance so it would be some distance in from the river edge. As part of the maintenance schedule we would look for these to be incorporated into a pollarding regime in line with offsite Willows.

Full and detailed landscape proposals including species, sizes and densities of planting will be required this will emphasise native species in keeping with surrounding area, where possible local provenance planting should be used. Suitable contact would be The Community Tree Trust based at Clophill.

Pollution Team

No comment

Environment Agency

No response received.

Ecology

Having read through the Ecological Impact Assessment (EclA) and studied the layout plans I am satisfied that the proposal would not result in a detrimental impact to biodiversity. Acknowledgement in the layout for a desire to provide community woodland, ecological trail and natural play areas is welcomed as these will support net gains for biodiversity. The open space connectivity provides the opportunity for an enhanced route of the Kingfisher Way which currently is removed from the river corridor at this point. The EclA notes a limited number of toad records but the local toad lift from the nearby Taylors Rd has previously yielded numbers in the 100s so provision for new wetland / pond creation would be expected.

To ensure the long term appropriate management of the site, funding of which is referred to in 3.1 of the planning

statement, I would ask that the following condition be applied;

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior *to the commencement* of the development. The content of the LEMP shall include the following;

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (*where the results from monitoring show that conservation aims and objectives of the LEMP are not being met*) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Landscape Officer

I welcome this contribution to the Ivel Valley landscape. The scheme provides an attractive space for use by the local community. The detail of the proposed paths may need to include surfacing in parts, although trod paths through the meadowland would be ideal.

A specific guideline promoted in the landscape character assessment is the need to enhance the riverside with appropriate tree planting. This requirement can be balanced with the need to maintain access for maintenance through the use of willow pollards and trees which can be coppiced, such as alder.

The BRCC , who have undertaken extensive green infrastructure projects within the Ivel Valley would be well placed to aid implimentation of wooded areas in particular. It would be a strength if the local community could be involved in the development of this amenity feature.

The majority of the scheme should be based on locally native species , although some ornamental trees such as the Tulip Tree (Liriodendron) or Marsh Oak or weeping silver lime could be planted to create variety and resilience to climate change.

Underplanting of the woodland areas with suitable shrubs would also enhance the habitat.

Ideally some additional planting could be achieved on the adjacent recreational land to help to "unite " these areas of open space.

A detailed specification and Ecology and Landscape Management Plan will be required by Condition.

IDB

No objection

Green Infrastructure

The proposals deliver significant green infrastructure enhancements in a priority green infrastructure corridor, including the delivery of aspirations identified in the Parish Green Infrastructure plan for Stotfold, namely the provision of a community orchard.

The delivery of this local green infrastructure aspiration, together with the general enhancements to the Ivel riverside area are very welcome.

The site also offers the potential to include a section of the Kingfisher Way through the site - this is currently an underused asset, and is at some distance from the Ivel in this location, but this could complement plans to enhance and relaunch the Kingfisher Way. This should be discussed with colleagues in the Rights of Way teams, and with BRCC.

As part of the SuDS proposals, the applicant should ensure that the surface water management further complements these green infrastructure enhancements. The applicant should refer to CBC's adopted Sustainable Drainage SPD in preparing and submitting detailed surface water drainage plans for subsequent stages of the application process. SuDS could include wet woodland features to complement the proposed planting, and in any case, should demonstrate a range of at surface features within the residential, as well as the open space part of the development.

It is essential that the delivery of the proposals set out in the application to enhance the green space is required as a condition should the development proposal be permitted. Together, the proposals have the potential to deliver green infrastructure enhancements in this priority

area.

Determining Issues:

The considerations in the determination of this application are:

1. The principle of the development
2. The quality of the proposed development
3. The impact on neighbours and future living conditions
4. Conclusions

Considerations:

1. The Principle of the development

S38(6) of the Planning and Compulsory Purchase Act (2004) and the National Planning Policy Framework (NPPF) (2012) set out that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

This site lies outside of the Settlement Envelope, where a outdoor recreation use like that proposed would be acceptable in principle.

The applicant has submitted an Agricultural Land Classification Report that seeks to demonstrate that the site should carry a classification of Grade 3a (good quality) and 3b (moderate quality). The Council instructed a consultant to review this report, who disagreed with some of the methodology used and the overall conclusions. The NPPF does seek to ensure that the best and most versatile agricultural land is not developed without sufficient justification.

However, the NPPF attached notable weight to the benefits associated with development that promotes health and well-being. At paragraph 69 it states that The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities and paragraph 72 sets out that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

These objectives are also reflected in local policies. Policy CS3 (Healthy and Sustainable Communities) states that the Council will approve new development which provides new recreational and sports facilities and open space. Policy DM17 (Accessible Greenspaces) seeks to increase the amount of publically accessible green space in Central Bedfordshire.

An outdoor amenity use like that proposed is a 'water compatible use'; acceptable in principle within Flood Zones 2 and 3. No objection has been received from the Environment Agency.

Whilst this development would result in the loss of agricultural land, the benefits that it would bring forward would far outweigh that dis-benefit and the principle of the proposed development would be acceptable.

2. The appearance of the site, the landscape impact, Green Infrastructure, quality of the proposed development

Green Infrastructure is strategically planned and managed networks of green spaces, access routes, wildlife habitats, landscapes and historic features which meet the needs of existing and new communities.

Policies CS17 and DM16 require development schemes to provide a net gain in green infrastructure through the protection and enhancement of assets and the provision of new green spaces.

This application would result in an extensive area being provided for green infrastructure, recreation and leisure. The applicant has submitted a Green Infrastructure Strategy for the site and a condition would ensure that landscaping at the site was based on this document and that it was properly managed and maintained going forwards.

This area would offer substantial green infrastructure, leisure, recreation and ecological enhancements. They would improve connectivity and provide a significant local facility for existing and future residents.

The Council's Landscape and Green Infrastructure officers are in agreement that this facility would be of significant value and would represent a genuine local, community benefit that would also contribute to strategic green infrastructure objectives.

3. The impact on neighbours and future living conditions

Policy DM3 requires that new development respects the amenity of neighbouring properties.

Opening this land up for public use would likely result in pedestrian activity in the area which could cause a level of noise and disturbance for existing neighbouring residents. It is not likely that this would be significant and would very likely be restricted to daylight hours. In any event, the benefits associated with this land being made available for existing residents would outweigh any modest impacts associated with its use.

4. Conclusions

This development would bring forward significant community benefits that outweigh harm caused through the loss of agricultural land at the site and so planning permission should be granted.

Recommendation:

That Planning Permission is approved subject to the following conditions:

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall commence at the site before a details of hard and soft landscaping at the site based on those shown at Appendix 3 (Green Infrastructure Strategy) to the Landscape and Visual Appraisal, a timetable for the implementation and completion of that landscaping and a programme for its long-term management and maintenance have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and the approved timetable.**

Reason: To ensure that the appearance of the development would be acceptable and that the contribution made by the development to green infrastructure, recreation and leisure would be high in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers T.0298_20 REV I, Agricultural Land Classification and Soil Resources Report dated July 2016, Planning Statement dated March 2017, Landscape and Visual Appraisal dated March 2017, Ecological Impact Assessment dated March 2017 and Flood Risk Assessment and Drainage Strategy dated February 2017

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

INFORMATIVE NOTES TO APPLICANT

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

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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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