

Item No. 9

APPLICATION NUMBER	CB/17/01642/OUT
LOCATION	Land rear of 43 to 91 Silver Birch Avenue South of Alder Green and Aspen Gardens, Aspen Gardens, Stotfold
PROPOSAL	Outline application for up to 95 dwellings (including affordable housing) and all associated infrastructure and landscaping, with all matters reserved except access.
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Nikolas Smith
DATE REGISTERED	31 March 2017
EXPIRY DATE	30 June 2017
APPLICANT	Taylor Wimpey UK Ltd
AGENT	DLP Consultants Ltd
REASON FOR COMMITTEE TO DETERMINE	Departure from the Development Plan. Town Council objection to a major application.

RECOMMENDED DECISION	Outline Application - Approval
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Reason for recommendation

Whilst the legal and planning policy contexts have changed since the last application for similar development at this site was determined, the proposals have been amended so that the benefits associated with it would outweigh any harm associated with it. The proposals would represent a sustainable form of development, for which planning permission should be granted.

Site Location:

The site has an area of approximately 4.4ha and is to the north of the Riverside Recreation Ground, to the south of the 'Beauchamp Mill' housing development. To the west are houses on Silverbirch Avenue. The River Ivel is to the east.

An area outside of the application site, to the east of it is designated as falling with Flood Zones 2 and 3. This land is within the control of the applicant.

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

The site is adjacent to but outside of the Stotfold Settlement Envelope.

The Application:

Outline planning permission with all matters reserved except access is sought for up to 95 dwellings at the site. 35% of the units would be affordable. Access would be taken from Aspen Gardens, the existing road from Taylors Road through the

Beauchamp Mill site.

Planning permission was refused for a development of up to 100 houses at the site in 2016 (CB/15/04872/OUT) for the following reason:

The development by reason of its location would represent the encroachment of built development into the countryside, thereby causing harm to the character and appearance of the site as a result of urbanisation of the open countryside, would cause harm to the wider landscape, and result in the loss of Best and Most Versatile Agricultural Land, contrary to Policies CS14, CS16, DM3, DM4 and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009), the Central Bedfordshire Design Guide (2014) and the National Planning Policy Framework (2012). Together, these adverse impacts would significantly and demonstrably outweigh the benefits of the development.

This submission application is different to that which was refused in the following ways:

- The number of dwellings proposed has decreased by five from 100 to 95.
- A contribution of £196,000.00 would be secured towards the repair or replacement of the MUGA at the Riverside Recreation Area or at another site in Stotfold
- The application is supported by an enhanced Landscape and Visual Impact Assessment which includes Green Infrastructure Strategy for land within the site and for the area of land of around 3.5ha to the east of the site, between it and the river. A scheme for green infrastructure, leisure and recreation based on that Strategy would be secured and carried out by the developer. That land would be offered for transfer to the Town Council or another appropriate body with a commuted sum for ongoing maintenance. If no transfer offer was accepted, the land would be managed in accordance with an approved scheme.
- The applicant has submitted an Agricultural Land Classification Report
- The submitted indicative layout shows that greater separation distances than previously shown could be achieved between the rear of proposed properties and those on Silver Birch Avenue,

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
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	High Quality Development
CS15	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

Site Allocations (North) Development Plan Document (2011)

Central Bedfordshire Design Guide (2014)

Central Bedfordshire Sustainable Drainage Guidance SPD (2014)

Mid-Bedfordshire Landscape Character Assessment (2007)

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

Development Strategy

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

Relevant Planning History:

The Development Management Committee resolved to refuse a planning application for up to 100 dwellings at this site (CB/15/04872/OUT) in May 2016. That application was refused for the following reason on 25th May 2016:

The development by reason of its location would represent the encroachment of built development into the countryside, thereby causing harm to the character and appearance of the site as a result of urbanisation of the open countryside, would cause harm to the wider landscape, and result in the loss of Best and Most Versatile Agricultural Land, contrary to Policies CS14, CS16, DM3, DM4 and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009), the Central Bedfordshire Design Guide (2014) and the National Planning Policy Framework (2012). Together, these adverse impacts would significantly and demonstrably outweigh the benefits of the development.

An appeal has been lodged against this refusal and a Public Inquiry is scheduled for September 2017.

Planning permission has been sought for the change of use of the agricultural land to the east of the site (between the proposed development and the river) to countryside recreation/informal open space (Sui Generis) including associated soft landscaping (CB/17/01619/OUT). If approved, a s106 obligation associated with this application would ensure that the land would be laid out in accordance with a Green Infrastructure Strategy and offered for transfer with a commuted sum to the Town Council or another appropriate body.

A planning application has also been submitted for residential development fronting Taylor's Road on land to the southwest of Aspen Gardens (CB/17/02307/FULL). No decision has yet been made on that application.

The Council refused planning applications for residential development on the opposite side of Taylor's Road and on land to the west of Astwick Road (CB/16/03344/OUT and CB/16/04161/OUT). Both of these decisions are the subject of current appeals.

Planning Permission was granted for 118 dwellings at Beauchamp Mill under reference CB/12/02503/FULL in 2013.

Consultation responses:

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

Stotfold Town Council

Objection for the following reasons:

The site falls outside of the development envelope for Stotfold, and we believe for this reason the application should fail under CBC policy NE3.

Available data indicates that the site is designated as Grade 2 agricultural land i.e. very good with only minor issues preventing it from being grade 1. As such development in this location would fail the test of making the most efficient use of land. The NPPF includes policy guidance on 'Conserving and Enhancing the Natural Environment' (Section 11). Paragraphs 109 (page 25) and 112 (page 26) are of relevance to this assessment of agricultural land

quality and soil and state that:

‘109...The planning system should contribute to and enhance the natural and local environment by: ...protecting and enhancing valued landscapes, geological conservation interests and soils...’ and

‘112...Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

The planning history of this site is relevant to this current application in that over the years it has been subject to several planning applications, and investigations for inclusion in the structure plan, these applications have been opposed by the council at the time, and all of which have been refused.

In the 70s application MB74 /1070A and B for factories on the site was refused because:

“The proposed development would form an unwarranted intrusion into an area of open and undeveloped land and would be detrimental to appearance and rural character”

This statement is just as applicable today with the present proposal.

In 1995 application 48/MB/94/889 was made for change of use for a 15mtr wide strip along the western boundary from arable land to gardens, this was refused the reasons for refusal being:-

“it was an intrusion into open country side outside the settlement boundary and was contrary to the policy NE3.”

In preparation for an earlier structure plan the site was considered for houses. During the consultation was identified as H331 and E77 the site was rejected at stage 2 of the consultation, the reasons quoted as:

Quote “The site scored poorly within the settlement being ranked 11 out of 14. There are other sites within Stotfold that have scored higher and are more suitable for residential development for these

reasons the site has not progressed to stage 3.”
Within 500 metres there are brown field sites as follows:

CB/10/02061
CB/15/02999
CB/15/03723
CB/15/04836

Together these sites are planned to deliver over 100 houses, meeting the requirements of NPPF and therefore negating the need to develop a green field site.

Sustainability is cited as a reason for approval however, there are numerous inaccurate statements in the application submission.

Lower schools in Stotfold are at capacity, children are having to be accommodated in schools outside of Stotfold.

Health care is extremely stretched, the local surgery has difficulty in retaining sufficient doctors to meet the health care needs of an ever expanding population. The local pharmacy has reached its capacity to service prescriptions. NHS dentistry is unavailable in Stotfold.

There is no bank in Stotfold, simply an ATM.

Some of the public houses shown have been demolished and replaced with housing.

The café has become a small shop.

The development will be at the furthest extremity of the town placing it the furthest from the library, the Co-op and the very limited shops all of which is likely to induce travel by car rather than as a pedestrian.

Bus services for the most part are extremely sparse, stopping at most times when people would be likely to use them.

The traffic impact assessment is 10 years old and simply to adjust the nearby junctions by a growth factor is not good enough. Traffic flow to and from other significant current developments in Stotfold will impact on and worsen the effects of additional traffic from this proposed development through the town to the A507 bypass. The application should be

rejected until a new traffic impact assessment has been made.

There is a naturally high water table on the site. Land drainage after surface flooding is a serious problem that has not been properly investigated.

Central Beds Council's Public Protection should consider noise impact from the Stotfold Town Council's recreation ground activities and ensure that the developer installs any attenuation measures required. It should be noted that no agreement has been sought from the Town Council for links onto the recreation land and this cannot be assumed.

Stotfold Town Council's Town Plan indicates that developments should only be on brown field sites.

Neighbours

63 letters of objection have been received at the time of writing (including one from the Campaign for the Protection of Rural England). 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.

Comments made 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

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.

Consultee responses:

Highways

The outline proposal for up to 95 dwellings with matters other than access reserved. Access to the site will be via an extension of Aspen Gardens off Taylors Road at its north west. Aspen Gardens was constructed by Taylor Wimpey under consent ref: CB/12/02503/FULL. Between the application site boundary and Beauchamp Mill to the north is a Public Right of Way, Footpath, FP7 part of which is incorporated into Beauchamp Mill site and it is intended to retain it, where possible. The proposal follows grant of planning consent following an appeal on refusal for up to 100 dwellings under ref: CB/15/04872 which was considered satisfactory in highway terms subject to a contribution of £20,000 towards a signing strategy to reduce use of Taylors Road to reach the A1. The application includes a Transport Assessment as part of the supporting documentation. The accompanying Travel Plan is subject to a separate response by Strategic Transport.

Aspen Gardens forms a simple priority 'T' junction with Taylors Road with as visibility splay of 2.4 x 43.0m in each direction and has a width of 6.0m with a footway on each side, street lighting and utility apparatus therein. It has been design and constructed to allow extension should development, such as this application come forward. A 30mph speed limit applies. Public rights of Way, Footpaths, FP7 and FP15 pass at the northwest and southwest of the site, respectively.

The indicative masterplan, Drawing no: T.0298_02 Rev P shows a street hierarchy passing from the Main Street at Aspen Gardens to a series of secondary and shared surface streets, private drives, mews, lanes and paths to achieve an accessible and permeable layout. The streets are to provide direct access to the dwellings and potentially to the Footpaths.

Parking is to accord the Central Bedfordshire parking standards and be mainly on plot or in parking courts. Most is intended to be located to the side of dwellings

within an individual parking bay and/or garage set just back from the building line to allow ease of access to dwellings. Disabled, and parking for bicycles are to be provided. Any visitor parking and bays for dwellings with a greater number of bedrooms outside of private areas should be positioned in the carriageway forming the street and the potential adopted highway. These spaces will need to be unallocated assuming the internal roads are to become adopted highway. The swept path analysis at Appendix H of the Transport Assessment demonstrates that the proposed indicative layout can satisfactorily accommodate waste collection and other larger vehicles.

The Transport Assessment details the existing and future conditions, forecasts vehicular trip generation associated with the development and analyses the impact of the proposed development five years hence in 2022. The development is considered to be well placed for local services. Traffic surveys along Taylors Road date from February 2005 and establish the morning and evening peaks. In pre-application correspondence, it was agreed between the transport consultants and the Highway Authority that these flows would still be representative in 2017 on application of growth factors given the limited changes in the surrounding area. Additionally, 2016 flows were recorded as part of other development proposals at the nearby Astwick Road / Taylors Road junction allowing cross reference and these were found to be in keeping with the flows factored from 2005. The surveys indicate that Taylors Road carries around 120 vehicles two-way in each of the peak hours investigated. Analysis of personal injury accidents for the three year period until 2016 indicates that of the five recorded, four resulted in slight injury and one severe, mainly at different locations with no discernible pattern. Trips rates of 0.55 and 0.64 / dwelling in the morning and evening peaks are identified based on the TRICS national database and earlier assessments, predicting vehicle trips of 52 and 61 two way in the respective peaks adding around 50% more traffic to Taylors Road. 90% of this traffic is anticipated to route towards Astwick Road and 10% towards the A1. Four junctions were investigated for capacity purposes:

- Aspen Gardens / Taylors Road
- Taylors Road /Astwick Gardens
- Hitchin Road / Arseley Road / Regent Street / High

Street

- A1.

The impact assessment indicates that all junctions will operate within capacity and traffic can be accommodated onto the highway network without changes; although altering the Astwick Road / Taylors Road junction to a mini roundabout was considered for perceived safety reasons following public consultation, it was precluded due to there being no capacity requirement and the need to acquire third party land. The developer is prepared to consider a contribution towards a signing strategy.

The Transport Assessment is considered robust and adverse implications from the development for the highway and transport network are unlikely to arise; there being adequate capacity with the layout designed with safety in mind. Additionally, should the proposal proceed to the build stage, to protect roads and residents, further details will be required of construction to include routing, parking for contractors and wheel wash facilities.

Further information will be required at reserve matters stage, including:

- Details of the internal roads, pedestrian and cycle links
- Visibility splays
- A swept path diagram to show vehicles entering and exiting the site in a forward gear, at junctions, bends and to show reversing movements at the turning heads
- Waste collection strategy
- Parking strategy
- Construction management plan.

Any works in the highway will be subject to further technical approval, including safety audit and agreement post planning and the Council encourages the adoption of internal roads where applicable.

As the access from the extension of Aspen Gardens can be laid out satisfactory and the development is unlikely to cause adverse impacts to the surrounding highway and transport network, the Highway Authority raises no objection subject to conditions and informatives being applied to any consent granted:

Conditions

Access

The means of access to and egress from the development hereby permitted shall be derived from Aspen Gardens and shall then be laid out and completed in all respects in accordance with submitted details prior to occupation, and, similarly, shall be retained thereafter.

Reason - To ensure the formation of a safe and satisfactory means of access and movement of traffic in the interests of highway safety

Estate Roads

The proposed development shall be served by an estate road, laid out and constructed to at least base course level in accordance with details to be submitted to and approved by the Local Planning Authority, including:

- a. line, level, width, junction layouts, for streets, footways, footpath and cycleways and connections, service margins and turning heads where applicable
- b. visibility splays at junctions, including driveways
- c. swept path analysis of turning where applicable for 11.5m waste collection vehicle
- d. waste collection points and strategy
- e. the means of disposal of surface water
- f. the provision of satisfactory street lighting
- g. the positioning of dwellings proposed for the site and means of access and parking thereto
- h. phasing plan.

Reason: to ensure the formation and completion of streets to a satisfactory and safe standard suitable for adoption as public highway and suitable for occupants of the dwellings in the interests of highway safety

Construction Management Plan, Wheel washing facilities and contractor parking

Informatives

The development involves works within the public highway that requires written permission of the Highway Authority at Central Bedfordshire Council. The Applicants / Developers should note that it is the Applicants' / Developers' responsibility to ensure that in addition to planning permission, any necessary consents or

approvals under the Highways Act 1980, the New Roads and Streetworks Act 1991 and other related legislation as amended are obtained from the Council. The Applicants / Developers, upon receipt of this Notice of Planning Approval, are advised to contact Central Bedfordshire Council's Highway Help Desk on 0300 300 8049, to write to Central Bedfordshire Highways, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under s278 or other sections of the Highways Act, 1980 to be implemented.

The Applicant is encouraged to offer the internal road for adoption as highway maintainable at public expense under S38 of the Highways Act, 1980 for which further technical approval and agreement is required. The Applicant is advised to contact Central Bedfordshire Council as per note 1.

The applicant is advised that Central Bedfordshire Council as highway authority will not consider the proposed private drives as areas for adoption as highway maintainable at public expense and a management company arrangement should be considered.

Any repositioning of street furniture will be at the permission of the Highway Authority and public utility apparatus under the agreement of the service provider, and will be at the Applicants' / Developers' expense.

A contribution towards a signing strategy for local and strategic directions up to £20,000 at May 2017 prices plus indexation.

For avoidance of doubt the internal layout is taken as illustrative.

Trees Officer

The land currently is agricultural with little in the manner of landscape features, all trees identified in the supplied Arboricultural Report are offsite or on the site boundaries. Access to the site will be through the Beauchamps Mill estate which is a new development to the west of this site.

Realistically there would be little reason from my viewpoint to object to the principle of the proposal. There appears on the Indicative Masterplan to be substantial open space and amenity area proposed to the northern east edge of the site with extensive SUDS separating the development from the open space, a new drainage route seems to be proposed running down to the River Ivel, the amenity

space and SUDS should offer good opportunities for new planting and landscaping and this should be utilised to the maximum to vastly improve planting and biodiversity from what currently exists. Extensive native planting of species suitable for the local environment will be expected on the boundaries and north east amenity areas.

Developed area appears to include proposals for tree lined streets, details will be required of species trying to select imaginative species suitable for the available space ensuring that minimal pruning requirements will be needed at maturity.

Supplied with the application is a Tree Protection Plan that covers not only the red line area of this development but also the additional land to the east that is in the applicants ownership. The development should have minimal impact on trees to be retained with construction footprints being away from trees. However on the south boundary of the site are two A1 category trees and two B2 groups of trees (T31, T32, G30, G33) that are close to a proposed new footpath link. It is essential that this is not within the root protection areas of these trees.

We will require a detailed Arboricultural Method Statement based on final agreed layout that will cover all aspects of tree protection and retention from start of development through to final landscaping.

Environment Agency

Flood risk

Although the applicant has taken a sequential approach, locating development within Flood Zone 1, the development remains in close proximity to both Flood Zones 2 and 3.

For a development of this scale in Flood Zone 1, we would still expect the impact of climate change to be considered at a Central (25%) allowance. This is important to ensure that the development does not become at risk in the future, a requirement outlined in Paragraph 102 of the NPPF.

It is worth noting, the current Flood Zones in this location are based on JFLOW modelling. JFLOW is considered crude and as such we have low confidence in the modelling. It is for this reason, as well as the importance of taking Climate Change (CC) into account, that we requested hydraulic modelling.

We accept that hydraulic modelling at this stage may be unreasonable based on our previous advice. However it is still important you make an assessment on the impact of

climate change, using both land levels and the crude modelling available. This will provide some confidence that the impacts of climate change will be mitigated for. This is especially important for those properties located adjacent to Flood Zone 2 and 3.

To that end we are minded to withdraw our current objection on flood risk grounds, provided that any subsequent Full or RM application includes an amended FRA which satisfactorily addresses the issues discussed above associated with climate change, including finished floor levels, to provide satisfactory flood risk mitigation. Environment Agency position.

Whilst the Agency has no objection in principle to the proposed development we wish to offer the following recommendations and informatives.

We are reliant on the accuracy and completeness of the reports in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

Statutory Consultee role on Planning. It will be necessary for you to consult your Lead Local Flood Authority (LLFA), in respect of its statutory consultee role on planning, specifically sustainable surface water drainage, please contact them direct.

Notwithstanding the above, infiltration drainage, including soakaways, will only be acceptable where it has been demonstrated by the applicant that the land is uncontaminated.

The IDB should also be consulted.

Flood risk

An amended FRA which satisfactorily addresses the above issues associated with climate change, including finished floor levels, shall be submitted as part of any subsequent Full or RM application. Failure to do so will likely result in an Objection from the Agency.

Surface Water Drainage

Where infiltration drainage schemes, including soakaways, are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres

below existing ground level. Soakaways will not be permitted to be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

Foul Water Drainage

Foul water drainage (and trade effluent where appropriate) from the proposed development should be discharged to the public foul sewer, with the prior approval of AWS, unless it can be satisfactorily demonstrated that a connection is not reasonably available.

Anglian Water Services Ltd. should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution or flooding. If there is not capacity in either of the sewers, the Agency must be reconsulted with alternative methods of disposal.

Contaminated Land

If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

General Informatives

Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes. The installation must comply with Control of Pollution Regulations 2001, and Control of Pollution (Oil Storage) Regulations 2001.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

Conservation

Opportunities should be provided for wildlife habitat enhancement through enlargement and/or appropriate management of existing habitats and through creation of new habitats. Subsequent proposals must demonstrate enhancement.

SUDS

We consider that 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, if the following recommendations and planning conditions are secured.

- The watercourses and River on the boundary of this site are managed by the Bedford Group of Internal Boards, although the owners of the land will still be responsible for maintenance (a maintenance plan will be required). There will also be bye-laws restricting development close to the watercourse. The IDB and the EA will need to be consulted on discharge and consent gained.
- The areas of highway flooding near Stotfold Green on Aswick Road could be related to culvert capacity or ditch maintenance, this should be investigated and resolved to prevent the flooding worsening or the watercourse causing fluvial flooding to encroach on the site.
- We require detailed plans and drawings showing the proposed drainage system in its entirety, including location, pipe run reference numbers, dimensions, gradients and levels (in metres above Ordinance Datum). This shall include all elements of the system proposed, including source control,

storage, flow control and discharge elements;

- We will expect that any components that require replacement and/or maintenance will be designed to be accessible without undue impact on the drainage system and adjacent structures or infrastructure.
- Where the use of permeable surfacing is proposed, this should be designed in accordance with the 'CIRIA RP992 The SuDS Manual Update: Paper RP992/28: Design Assessment Checklists for Permeable/Porous Pavement'.
- The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).
- To ensure future homeowners and subsequent homeowners will be aware of any maintenance requirements / responsibilities for surface water drainage; further measures should be proposed by the applicant and may include, for example, information provided to the first purchaser of the property and also designation/registration of the SuDS so that it appears as a Land Charge for the property and as such is identified to subsequent purchasers of the property. Any methods involving designation or registering a Land Charge are to be agreed with the LPA.
- The Council does not, and is not required to, adopt any SuDS feature. It is the responsibility of the applicant to ensure that the surface water drainage system, in its entirety, will be effectively maintained in the long-term. We therefore expect confirmation of the proposed arrangements for maintenance to be provided with the final detailed design, including the future maintenance and operational needs and the responsible bodies for

undertaking maintenance (for all public and private drainage components).

Condition 1: No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (February 2017) 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 para 103 of the NPPF.

Condition 2: No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

Pollution Team

Public protection would like to make the following comments on the proposed development;

Noise

The proposed development is adjacent to a floodlit multi use games area (MUGA) to the southern boundary within the Riverside recreation grounds located off Malthouse Lane, Stotfold and managed by Stotfold Town Council. There is also currently a football ground to the immediate

south east of the proposed development, although this is subject to a separate planning application for residential development.

The applicant has submitted an IEC Acoustic Assessment dated 1 April 2016 ref IEC/3324/01/AVH and a Cass Allen Assessment of Noise emissions letter dated 24th March 2017 ref LR02 - 17272 with the application.

The site layout to the south of the site on the boundary with the MUGA has been revised from an earlier application so that no windows of habitable rooms overlook the MUGA and a noise barrier is proposed along the boundary. The following planning condition should be imposed to ensure that the noise mitigation scheme is fully implemented.

1. Development shall not begin until a scheme for protecting future residents from noise from the Multi Use Games Area adjacent to the southern boundary has been submitted and approved in writing by the local planning authority. The scheme shall ensure that windows of habitable rooms do not overlook the MUGA and include details of a noise barrier as stated in the Cass Allen assessment of noise emissions letter addendum dated 24th March 2017, Ref LR02-17272. Any works which form part of the approved scheme shall be completed before any permitted dwelling is occupied unless an alternative period is approved in writing by the authority.

Reason: To protect the amenity of future occupiers and to safeguard the continued use of the Multi Use Games Area facility.

Light

Prior to development commencing information regarding the light impact from adjacent MUGA use at the Riverside recreation ground to the southern boundary should be submitted to the Local planning authority together with a scheme to protect future residents from detriment to amenity from the MUGA floodlights. It may be also appropriate for the applicant to have discussions with Stotfold Town Council and the applicant for the Roker Park development (CB/15/04836) in this respect. The following condition should be imposed;

1. Development shall not begin until a scheme for protecting the future residents from light nuisance and glare from the Multi Use Games Area floodlights to the southern boundary has been submitted and approved in writing by the Local Planning Authority. Any works which form part of the scheme shall be completed before any

permitted dwelling is occupied unless an alternative period is approved in writing by the Local Planning Authority.

Reason: To protect the amenity of future occupiers and to safeguard the continued use of the Multi Use Games Area facility.

Land contamination

The Peter Brett Associates Phase 1 assessment refers to an intrusive site investigation but this information does not appear to have been submitted by the applicant.

Due to the history and location of the site, along with the findings of the previously submitted Phase 1 Ground Condition Assessment, please attach the following conditions and informative to any Permission granted:

1. No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

A Phase 2 intrusive Geoenvironmental Ground Investigation as recommended by the previously submitted Peter Brett Associates Phase 1 Ground Condition Assessment (Ref: 32219/3501) of August 2015, along with any necessary Remediation Method Statement(s) for the mitigation of plausible pollution pathways thereby identified. Works shall be undertaken by competent persons and follow the 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

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

A validation report that demonstrates the effectiveness of all remediation measures implemented by any approved Remediation Method Statement(s). Works shall be undertaken by qualified professionals and follow the 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

Informative

Any unexpected contamination discovered during works should be brought to the attention of the Planning Authority.

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

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

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.

Impact of construction works

The size of the proposed development is likely to result in noise, vibration and dust impacts in the area over a period of many months. It is advised that a condition requiring the submission of a Construction Environmental Management Plan is imposed to ensure that best practice is employed to keep such impacts to a minimum.

1. No development shall take place until an Environmental Management/Construction Management/Method Plan and Statement with respect to the construction phase of the development have been submitted to and approved in writing by the Local Planning Authority. Development works shall be undertaken in accordance with the approved Environmental Management/Construction Management/Method Statement/Plan. Amongst other things, the details shall include, hours of work/piling/deliveries; access arrangements for construction vehicles; contractors parking areas, compounds, including storage of plant and materials; specification of plant and equipment to be used; construction routes; details of wheel washing facilities; loading and unloading areas; minimisation of dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development; an undertaking that there shall be no burning of materials on site at any time during

construction; details of any piling required, including method (to minimise noise and vibrations), duration and prior notification to affected neighbouring properties; overall monitoring methodology; and details of the responsible person (site manager/office) who can be contacted in the event of a complaint.

Reason: To protect the amenity of existing and future residential occupiers from noise, vibration and dust impact during construction of the development.

Rights of Way

I will be asking for the following Rights of Way enhancements to develop the Etonbury Green Wheel (and improve the Kingfisher Way route), connect (via culvert) the application site path network to Public Footpath No.7 (running through the Recreation Ground to the south of the application site and the surfacing with Bitmac (metalled) of the entire length of Public Footpath No.7 that runs through the Recreation ground:

- 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)

I suggest that the applicant submit a Rights of Way Scheme for the entire (Blue lined) site. This will allow Rights of Way and the applicant to create an integrated network that will receive the full support from the local user.

A full scheme for the provision of the public footpath in line with our rights of way standards and guidance will be required. This should include information as to the design of the public footpath through the site (including landscaping, width and surfacing), proposals for the creation of any Rights of Way where this is necessary or desired.

The Rights of Way construction should follow Secured by Design standards and design should consider the future maintenance of any footpath surface - how it is to be kept maintained long-term and by whom. All developments should seek to develop a scheme for the improvement of public rights of way and this development should be no different and should consider enhancements to the Public

Footpath or contributions to such through Section 106. I note that contributions to Leisure, Recreational Open Space and Green Infrastructure is included in the draft Section 106 Heads of Terms and this is welcome. However, a separate, specific sum may be needed for enhancements to Public Footpath no. 7 through the adjacent Recreation Ground to the south. The Rights of Way Standards document attached to this email will clearly demonstrate what I would expect to see should any further application be submitted. If outline permission is granted, I would suggest a condition as per this guidance which would state:- Condition: Prior to the commencement of development, a scheme for the provision of public footpaths and non rights of way access routes be submitted to and approved in writing by Central Bedfordshire Council.

Archaeology

The proposed development site contains the remains of a medieval moated site (HER 1774) and a series of cropmarks (HER 16827), under the terms of the National Planning Policy Framework (NPPF) these are heritage assets with archaeological interest.

There is extensive evidence for occupation in and around Stotfold dating from the prehistoric period onwards. Bronze Age and Iron Age occupation, including both settlement and burials has been found during investigations at Norton Road/Grovelands Way (HER 74), Queen Street (HER 16829) and to the south of the High Street (HER 16831). Roman settlement has also been identified at Norton Road (HER 74) and Queens Street (HER 16829). Stotfold has a complex settlement history in the post Roman period and may have been polyfocal (meaning there were a number of separate but interlinked hamlets) during the medieval period (HER 17161, 17162 and 17163) one of which is Stotfold Green. There is extensive evidence for archaeological remains relating to medieval settlement in Stotfold. On the south side of the High Street archaeological investigation in advance of development has found an extensive but apparently short lived Saxo-Norman settlement (HER 16831). Other remains of Saxo-Norman settlement have been found at Queen Street to the south (HER 16829). Remains of medieval settlement have also been found at St Mary's Lower School to the south (HER 759) which probably formed part of Stotfold Green (HER 17161). Excavations at Groveland Way to the south east produced remains of early-mid Saxon settlement (HER 74). Remains of later

medieval settlement have been recorded at St Mary's Lower School (HER 759) on Rook Tree Lane (to the north of St Marys Church), and at the Old Vicarage, a large medieval ditch has been uncovered (ASC 2013, forthcoming).

The application is accompanied by a report on an archaeological field evaluation (Cotswold Archaeology April 2016) comprising the results of a geophysical survey and a programme of trial trenching. The evaluation was originally undertaken to support an earlier planning application for the site (CB/15/04872/OUT). The information it contains on the archaeology of the proposed development site is still relevant to this application.

Archaeological features were identified across the proposed development site with the exception of the north east corner. Evidence of Roman activity was found on the western edge of the site consisting of a number of linear features, which it is suggested relate to a trackway and field systems. A small quantity of ceramic building material may indicate the existence of a contemporary building in the vicinity, though there was no evidence of structures found in either the geophysical survey or trial trenching. It should be noted that a metal detecting find of a Roman coin (HER 18447) was also made in this field.

The features identified as a medieval moated site (HER 1774) were found in both the geophysical survey and trial trenching. The form and extent of the features, originally recognised from aerial photography, were confirmed by geophysics. The trial trenching examined both the main ditches and the interior of the enclosures encompassed by the ditches. The ditches are substantial, between 6m and 8m wide and 2m deep. In the excavated sections of the ditches no evidence of surviving medieval deposits were encountered. The only dateable deposits in the main ditches were post-medieval to modern. It is suggested that the moat ditches had been re-excavated and backfilled to stabilise the ground during the 20th century. A single feature on the island of the main ditched enclosure produced medieval pottery suggesting activity of that date on the moat island. Although there was little evidence for the survival of medieval deposits within the moat ditches or on the moat island, this does not mean that the ditches themselves were not medieval origin, only that they were significantly altered by recent earthmoving. It is possible

that medieval deposits belonging to or associated with original construction and use of the moated site.

A range of other features were identified in the evaluation but remain undated. While some of them may represent post-medieval and modern activity some will be associated with the Roman features and the moated site.

The proposed development site contains evidence of Roman agricultural landscape with the possibility of occupation nearby and the remains of moated site which is likely to relate to the adjacent settlement of Stotfold Green. The investigation and understanding of Roman agricultural landscapes and regimes have been identified as local and regional research objectives (Going and Plouviez 2007, 21; Oake 2007, 11 and Medlycott 2011, 47) as have the examination of the diversity, character and forms rural Saxon and medieval settlements with the understanding how they appear, grow, shift and disappear (Wade 2000, 24-25; Oake 2007, 14 and Medlycott 2011, 70) and part of this is understanding the relationship between medieval moated sites and the wider medieval landscape.

Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (CLG 2012).

The proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of the archaeological heritage assets. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development; the post-excavation analysis of any archive material generated and the publication of a report on the works. In order to secure this, please attach the following condition to any permission granted in respect of this application.

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

Reason: Reason: (1) In accordance with paragraph 141 of the National Planning Policy Framework; to record and advance the understanding of the significance of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to make the record of this work publicly available.

(2) This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the National Planning Policy Framework that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

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, SUDS, 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.

A number of enhancements are recommended in part 5 of the EclA and as such to ensure gains can be delivered a condition would be required for the provision of an Ecological Enhancement Strategy, suggest wording follows;

No development shall take place until an ecological enhancement strategy (EES) has been submitted to and approved in writing by the local planning authority. The EES shall include the following;

- a) Purpose and conservation objectives for the proposed works.
 - b) Review of site potential and constraints.
 - c) Detailed design(s) and/or working method(s) to achieve stated objectives.
 - d) Extent and location/area of proposed works on appropriate scale plans.
 - e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
 - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - g) Persons responsible for implementing the works.
 - h) Details of initial aftercare and long-term maintenance.
- The EES shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Landscape Officer

There would not be an objection in landscape terms to this development, which has the potential to deliver a significant area of landscape enhancement within the Ivel Valley corridor. The landscape strategy for this area seeks to recreate traditional features such as riverside pasture and wet woodland.

It would be important for the planting in the residential area to reflect the river valley landscape eg through the use of street trees such as alder (in variety) or native birch.

The BRCC have established several woodlands in the Ivel Valley area and could be beneficially involved with the implementation of the green infrastructure.

Sustainable Growth

Policies applicable to this development are: the core strategy policy CS13: Climate Change and development management policies DM1: Renewable Energy and DM2: Sustainable Construction of New Buildings.

Since policy DM1 and DM2 were adopted there have been a number of changes to the national standards, for example CfSH has been phased out and some elements of the Code are now covered by the Building Regulations. However Ministerial Statement following findings of the Housing Standards Review and adoption of the new National Technical Housing Standards made clear that planning authorities can refer to energy standards required by the Code and set energy efficiency requirements above the Building Regulations until zero carbon homes policy is enforced by the Building Regulations (which was expected to happen in 2016, but this intend was removed by the Productivity Plan in July 2016). The renewable energy requirement set by policy DM1 is not affected by the Housing Technical Standards

and is fully supported by the Planning and Energy Act 2008 and NPPF, and therefore policies DM1 and DM2 carry the full weight.

Policy DM1 requires all development above 10 dwellings to deliver 10% of the development's energy demand from renewable or low carbon sources. Policy DM2 requires all new residential development to meet CfSH Level 3. The energy standard of the CfSH Level 3 is below standard required by the Part L2013 of the Building Regulations. All new development should therefore as minimum comply with the new Part L2013 of the Building Regulations and deliver 10% of their energy demand from renewable sources to meet requirement of policy DM1.

It is recommended that the development achieves a high energy efficiency standard, as energy efficient fabric leads to lower energy demand and smaller renewable energy installation to satisfy the requirement of policy DM1. Energy demand can also be lower by application of the Passivhaus design principles.

The development should be design with climate change in mind taking account of increase in rainfall and temperature. The development should therefore minimise hard standing surfaces and increase green, natural areas to allow rainwater infiltration and minimise heat island effect through evaporation and tree shading. Light colour building and landscaping materials should be prioritised over dark coloured which absorb more sun light and retain heat increasing urban heat island effect.

Dwellings should be orientated and designed to maximise solar passive gain and avoid summer overheating. Risk of overheating can be minimised through passive design and use of shading measures such as overlarge eaves and canopies, brise soleil or solar control glazing.

In terms of water efficiency, the development should achieve 110 litres per person per day (105 litres for internal water usage and 5 litres for external water usage) as this is the closest standard to the CfSH level 3 requirement. Central Bedfordshire is in a high water stress area and therefore it is justified to require the higher water efficiency standard set by the new Part G of the Building Regulations. This standard can be met through installation of water efficient fittings such as low flow taps and dual flush toilets. All dwellings should be fitted with a garden water butt.

To ensure that policy requirements are met, the following conditions should be attached:

- 10% energy demand of the development to be

secured from renewable or low carbon sources;

- all dwellings should achieve water efficiency standard of 110 litres per person per day;
- measures to minimise risk of overheating to be specified and agreed.

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.

Housing Development

No objection

NHS

No response at the time of writing

IDB

No objection

Determining Issues:

The considerations in the determination of this application are:

1. The principle of the development
2. The appearance of the site, the landscape impact, Green Infrastructure and countryside access
3. The impact on neighbours and future living conditions
4. Access to the site and other highways implications
5. Heritage assets
6. Trees and hedgerows
7. Ecology and biodiversity
8. Land quality
9. Drainage
10. Energy efficiency
11. Planning obligations
12. The planning balance and 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.

The Council can demonstrate an ability to meet its housing need for the five year period. Full weight should be given to development plan policies.

Land use

The site lies adjacent to, but outside of the Stotfold Settlement Envelope and is within the Open Countryside, where Policy DM4 (Development Within and Outside of Settlement Envelopes) seeks to resist development. The development would result in a conflict with Policy DM4.

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. Paragraph 112 of the NPPF states that Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

The NPPF does seek to ensure that the best and most versatile agricultural land is not developed without sufficient justification. That justification has not been sufficiently provided.

The sustainability of the location

The site immediately adjoins existing properties to the north and west and the Riverside Recreation Area is to the south.

Stotfold is defined by Policy CS1 as a Minor Service Centre and provides a range of facilities. The range of shops is not extensive but those that exist can meet the day to day needs of Stotfold residents. The largest food store in Stotfold, the Co-op, is around a 20-minute walk (approximately 1 mile) away from the site. Whilst some might walk that journey, others might cycle or drive.

The location of the site is sustainable given that it lies directly adjacent to the Settlement Envelope..

Summary

There would be a conflict with Policy DM4 because the site is located outside of the Settlement Envelope. The use of agricultural land has not met the test set out in the NPPF. The location of the site would be sufficiently sustainable.

Given the identified policy conflicts, planning permission should only be granted if there are material planning considerations that outweigh those conflicts. Such considerations could be the absence of material, demonstrable harm caused by those conflicts and/or benefits associated with the development that individually or cumulatively outweigh any harm.

3. The appearance of the site and its context, the landscape impact and Green Infrastructure

Appearance of the site and its context

Whilst the application is submitted in Outline with all matters reserved but for access, the applicant has submitted an indicative layout plan to show how the development might be accommodated.

Policy DM3 states that all proposals for new development will be appropriate in scale and design to their setting and contribute positively to creating a sense of place.

The pre-ambles to Policy CS16 states that the countryside outside settlements is a highly valued resource for agriculture, recreation, landscape and wildlife. The Council will protect the countryside for its own sake, safeguarding it from the increasing pressures of development.

When considering the impact of the development on the appearance of the site and its immediate context, its green rural character would be lost to an extent and replaced by an urban one. Amendments to this application, when compared to the last would result in a substantial area (within and outside of the site) that would be planted with new trees. These would lessen the impact of the development on the appearance of the site.

The character of the area and the wider landscape impact

Landscape Character Assessments (LCA) are nationally recognised tools to help protect the essential character of defined types of landscape and enhance

landscapes of lesser quality. Policy DM14 reinforces these policy objectives.

This site falls within the Ivel Valley Landscape Character Area as defined by the LCA which is recognised as being visually sensitive to change.

The urbanisation of the site would clearly fundamentally alter views in and out of it – especially given that there are a number of public rights of way in the area which would make the site visible from a number of public viewpoints.

Views of the development from the south, east and northeast would be in the context of existing housing. The view of the site from a large stretch of Taylor's Road would be blocked by the existing Beauchamp Mill development.

The applicant has submitted a comprehensive Landscape and Visual Impact Statement. It concludes that the impact of the development on the character of the area and the landscape would be largely mitigated by the extensive planting that is proposed along the eastern edge of the site.

The Council's Landscape Officer has raised no objection to the application.

Green Infrastructure and countryside access

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 (and the land to the east within the applicant's control) was based on this document.

It shows that the area would comprise of three character areas.

The western edge would be parkland and the key design principles for this section would be:

- Amenity grass with species rich grassland with bulb planting
- Scattered trees
- A new north to south footpath
- Seating and bins
- Meadow grassland
- Natural play features

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

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, Green Infrastructure, Rights of Way and Ecology officers are in agreement that this facility would be of significant value and would represent a genuine benefit associated with the development.

Full details of the scheme would be secured by condition and its delivery and management would be secured through a s106 obligation.

Leisure

The applicant has identified that the Multi-use Games Area at the adjacent Riverside Recreation Area is in a poor state of repair. It is proposed that to mitigate the impacts of this development on local leisure facilities that a contribution would be made to repair this equipment or to replace at that site or at another site in Stotfold. A quote has been submitted which shows that the cost of providing a new MUGA would be around £196,000.00 (including VAT) and a contribution for that amount would be secured through a s106 obligation.

It cannot be guaranteed that the contribution would necessarily meet the full cost of re-provision given variables in suppliers and specifications but that

contribution would be appropriate and proportionate to the development proposed.

4. The impact on neighbours and future living conditions

Policy DM3 requires that new development respects the amenity of neighbouring properties. The neighbours most likely to be affected by the development are those on Silverbirch Avenue. Additional traffic would also be passing through Beauchamp Mill. Whilst the layout of the development would be reserved for subsequent approval, the indicative layout shows increased distances between the rear of proposed properties on the western edge of the site and properties on Silverbirch Avenue. The level of traffic passing along Aspen Gardens would not result in levels of noise and disturbance that could cause unacceptable levels of harm to living conditions for residents on the estate to the north.

It is clear at this stage that a scheme could be designed of up to 95 dwellings that would not cause unacceptable harm to living conditions at neighbouring properties in accordance with the Council's Design Guide.

Policies CS14 and DM3 seek design that is of a high quality. That includes complying with the current guidance on noise. The Council's Design Guide reinforces the objectives that new residential development is of a high quality that provides an acceptable standard of living accommodation for future occupiers.

Activity associated with the Riverside Recreation Ground could result in noise and disturbance for future residents of the development. A noise report has been submitted that provides potential design solutions. The Council's Pollution Control has recommended a condition to address this issue as the layout of the development is advanced and that condition is recommended.

5. Access to the site and other highways implications

Highways

Policies CS14 and DM3 require that developments incorporate appropriate access and linkages, including provision for pedestrians, cyclists and public transport and that they provide adequate areas for parking and servicing. The Council's Design Guide provides further detailed technical standards that should be applied to new residential development.

The applicant has submitted a comprehensive Transport Assessment that demonstrates that the highways network could accommodate the additional traffic generated by the development. It accommodates other sites in the locality for which planning permission has been sought.

The proposed access to the site would be in the same location as that which exists from Taylor's Road through Beauchamp Mill. The Council's Highways Officer is satisfied that this access is safe and could accommodate the additional traffic associated with the proposed development.

A contribution would be secured toward measures to seek to prevent drivers

from using Taylor's Road as a link to the A1 (or other such highways works deemed to be appropriate)..

Subject to internal road layouts and parking provision that could be controlled at Reserved Matters stage, and planning conditions that would have been imposed in the event of an approval, the highways implications of the development would be acceptable.

Sustainable Transport

The application is supported by a Travel Plan, which would require amendments in order that it could be considered acceptable. A condition would ensure that this was achieved to ensure that sustainable transport measures were maximised.

6. Heritage Assets

Policies CS15 and DM13 seek to protect, conserve and enhance the district's heritage assets, including archaeology.

The applicant has submitted an Archaeological Assessment of the site and a condition would ensure that archaeological heritage assets were properly managed at the site.

7. Trees and hedgerows

The application has been supported by a tree survey which is satisfactory. Measures to protect existing trees and hedgerows, as appropriate, would be secured once a formal layout was proposed.

A large number of additional trees would be planted at the site through the proposed Green Infrastructure enhancements.

8. Ecology and biodiversity

An Ecological Survey has been submitted in support of the application. The NPPF calls for development to deliver a net gain for biodiversity. An acceptable scheme for the net gain for biodiversity and a scheme for biodiversity protection during construction would be secured by condition in line with policies CS18 and DM15 and the Council's Design Guide and the NPPF.

The proposed green infrastructure works would assist in promoting biodiversity enhancements.

9. Land quality

The applicant has submitted a Geo-Environmental Survey. Conditions would ensure that any contamination at the site would not cause a risk to human health.

10. Flood risk and Drainage

Whilst Flood Zones 2 and 3 are near by the site does not fall within them. Land within the Flood Zones to the east is within the control of the applicant and

would be given over as additional public recreation space. The Environment Agency and the Internal Drainage Board have not objected to the application.

Policy DM3 requires that new development complies with current guidance on water. The Central Bedfordshire Sustainable Drainage Guidance SPD (2014) contains current guidance on how water should be managed within development sites.

Conditions would secure details of a sustainable drainage scheme for the site.

11. Energy efficiency

Policy DM1 requires that developments achieve 10% or more of their own energy requirements through on-site or near site renewable or low carbon technologies unless it can be demonstrated that to do so would be impracticable or unviable. Policy DM2 requires that all proposals for new development should contribute towards sustainable building principles.

A condition would require details of energy efficiency measures.

12. Planning obligations

Policy CS2 states that developer contributions will be expected from any development which would individually or cumulatively necessitate additional or improved infrastructure, or exacerbate an existing deficiency.

Policy CS7 states that on all qualifying sites, 35% or more units should be affordable.

35% of the units at the site would be affordable homes (73% of those would be for rent and 27% would be shared ownership).

The following contributions would be secured towards local education provision:

Early Years: £65,675.40
Lower School: £218,918.00
Middle School: £220,284.48
Upper School: £270,127.10

Total: £775,004.98

£196,000.00 would be provided for the repair, replacement or re-provision of a Multi-Use Games Area (MUGA) at the Riverside Recreation Area or another location in Stotfold.

£20,000 would be secured towards the relocation of and supplies at Stotfold Library.

£36,000 would be secured towards enhancements to the rights of way network in the area.

The green infrastructure within the site and an area of around 3.5ha to the east of the site would be upgraded for use as a green infrastructure/recreation/leisure

area in line with a scheme to be agreed and would be offered for transfer to the Town Council or another appropriate body with a commuted sum of £20,000 – or would be subject to a management plan if no transfer offer was accepted.

13. The planning balance and conclusions

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

The development would result in a conflict with Policy DM4 and would result in the loss of Grade II agricultural land.

The demonstrable harm caused by the conflict with DM4 would be limited and would be mitigated to a large degree by proposed planting at the site, that would limit the impact of the development on the character of the area and the wider landscape.

In addition, the development would facilitate the provision of a substantial area of publically accessible green infrastructure at the site and on land to the east of it. These enhancements would bring with them wide ranging public benefits. They would improve connectivity and biodiversity and would offer a varied and usable open space for leisure and recreation.

The benefits associated with this development would outweigh the harm that would be caused by it. The limited demonstrable harm that would be caused and the substantial benefits that would be brought about are material considerations that indicate that a decision should be made other than in accordance with the development plan and planning permission should be granted.

Recommendation:

That Planning Permission is approved subject to the successful completion of a legal agreement reflecting the terms set out above and the following conditions:

- 1 **No development shall commence at the site before a Phasing Plan for the development has been submitted to and approved in writing by the Local Planning Authority. No development shall commence at any Phase of the development before details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") relating to that Phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out as approved.**

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

- 2 An application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

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.

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

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

- 4 **No development shall take place until an Environmental Construction Management Plan detailing access arrangements for construction vehicles, on-site parking, loading and unloading areas, materials storage areas and wheel cleaning arrangements shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved Environmental Construction Management Plan.**

Reason: In the interest of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Policy DM3 of the Core Strategy and Development Management Policies 2009.

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

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 6 The details of landscaping at the site submitted pursuant to Condition 1 shall include land within the application site (within the red line shown on plan T.0298_01 Rev D) and within land within the applicant's control (within the blue line shown on plan T.0298_01 Rev D) and shall be based on the content of the submitted Appendix 3 (Green Infrastructure Strategy) to the Landscape and Visual Appraisal.

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.

- 7 **No development shall commence until a detailed surface water drainage scheme for the site, based on the submitted Flood Risk Assessment and Drainage Strategy (Project Ref: 32219, Report Title:**

Doc Ref: 32219 FRA, December 2015) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. The scheme shall include provision of attenuation for the 1 in 100 year event (+30% for climate change) and restriction in run-off rates as outlined in the FRA. The scheme should also include details of a site specific ground investigation report (in accordance with BRE 365 standards) to determine the infiltration capacity of the underlying geology and ground water level, as well as details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, and ensure future maintenance of the surface water drainage system, in accordance with Policy 49 of Development Strategy for Central Bedfordshire Revise Pre-Submission Version June 2014.

- 8 Notwithstanding the submitted information, no development shall commence at the site before a revised Flood Risk Assessment has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Environment Agency which includes how the development would respond to climate change, including finished floor levels. The development shall be carried out in accordance with the approved revised Flood Risk Assessment.**

Reason: To ensure that the development properly responds to the risk of flooding in accordance with Policy DM3 of the central Bedfordshire Core Strategy and Development Management Policies (2009).

- 9 No dwelling shall be occupied at the site before a Management and Maintenance Plan for the surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme for the site shall be managed and maintained in accordance with the approved Plan.**

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved; in accordance with the DCLG Ministerial Statement HCWS161.

- 10 The details required by Condition 1 of this permission shall include a scheme of measures to mitigate the impacts of climate change and deliver sustainable and resource efficient development including opportunities to meet higher water efficiency standards and building design, layout and orientation, natural features and landscaping to maximise natural ventilation, cooling and solar gain. The scheme shall then be carried out in full in accordance with the approved scheme.**

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF.

- 11 **No development shall commence at the site before a plan identifying areas at the site where dwellings could be affected by noise and lighting from the Riverside Recreation Ground has been submitted to and approved in writing by the Local Planning Authority. No development shall commence at those areas before a scheme for protecting the proposed dwellings in those areas from noise and lighting from the Riverside recreation ground adjacent to the proposed development has been submitted to and approved in writing by the local planning authority. None of those dwellings shall be occupied until the approved scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.**

Reason: to protect the amenity of future occupiers of the proposed dwellings and to safeguard the use of the recreation ground facilities in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009.

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

A Phase 2 intrusive Geoenvironmental Ground Investigation as recommended by the previously submitted Peter Brett Associates Phase 1 Ground Condition Assessment (Ref: 32219/3501) of August 2015, along with any necessary Remediation Method Statement(s) for the mitigation of plausible pollution pathways thereby identified. Works shall be undertaken by competent persons and follow the 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

A validation report that demonstrates the effectiveness of all remediation measures implemented by any approved Remediation Method Statement(s). Works shall be undertaken by qualified professionals and follow the 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: The details are required prior to commencement to protect human health and the environment in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 13 **Any subsequent reserved matters application shall include the following:**
- Estate roads designed and constructed to a standard appropriate for adoption as public highway.
 - Pedestrian and cycle linkages to existing routes as required
 - Vehicle parking and garaging 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 Construction Traffic Management Plan detailing access arrangements for construction vehicles, routing of construction vehicles, on-site parking and loading and unloading areas.
- Materials Storage Areas.
- Wheel cleaning arrangements.
- A Residential Travel Plan.

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 14 **No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.**

- a) Identification of “biodiversity protection zones”.**
- b) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).**
- c) The location and timing of sensitive works to avoid harm to biodiversity features**
- d) The times during construction when specialist ecologists need to be present on site to oversee works.**
- e) Responsible persons and lines of communication.**
- f) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.**
- g) Use of protective fences, exclusion barriers and warning signs.**

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

- 15 **No development shall commence at the site before a scheme for Biodiversity Enhancement to the site have been submitted to and approved in writing by the Local Planning Authority. The Scheme shall be carried out as approved.**

Reason: To ensure compliance with the biodiversity objectives of the National Planning Policy Framework (2012).

- 16 **No development shall commence at the site before a Written Scheme of Archaeological Investigation that includes post-excavation analysis**

and publication has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved scheme.

Reason: To ensure that the development is carried out in accordance with Paragraph 41 of the National Planning Policy Framework (2012).

- 17 Other than where specifically required by a condition attached to this decision the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans and reports referenced T.0298_01 REV D, T.0298_02 REV P, Revised Design and Access Statement dated March 2017, Archaeological Evaluation dated April 2016, Ecological Impact Assessment dated March 2017, Phase 1 Ground Condition Assessment dated August 2015, Landscape and Visual Appraisal dated March 2017, Planning Statement dated March 2017, Statement of Community Involvement dated March 2017, Outline Waste Audit dated March 2017, Flood Risk Assessment and Drainage Strategy dated February 2017, Transport Assessment dated March 2017, Residential Travel Plan dated March 2017, Noise Impact Assessment dated April 2016, Agricultural Land Classification and Soil Resources Report dated July 2016 and Arboricultural Survey, Impact Assessment and Protection Plan dated November 2015.

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

INFORMATIVE NOTES TO APPLICANT

1. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
2. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. Any improvements must be approved by the Local Authority in writing.
3. Any unexpected contamination discovered during works should be brought to the Attention of the Planning Authority.

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

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

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.

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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