

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ

**This meeting
will be filmed.***



please ask for Helen Bell
direct line 0300 300 4040
date 19 July 2016 (including Late Sheet)

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 20 July 2016 10.00 a.m.

Venue at

Council Chamber, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: The Chairman and Members of the DEVELOPMENT MANAGEMENT COMMITTEE:

Cllrs K C Matthews (Chairman), R D Berry (Vice-Chairman), M C Blair, Mrs S Clark,
K M Collins, S Dixon, F Firth, E Ghent, C C Gomm, K Janes, T Nicols, I Shingler and
J N Young

[Named Substitutes:

D Bowater, A D Brown, Mrs C F Chapman MBE, I Dalgarno, R W Johnstone,
Ms C Maudlin, B J Spurr and T Swain]

All other Members of the Council - on request

***MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS
MEETING***

**N.B. The running order of this agenda can change at the Chairman's
discretion. Items may not, therefore, be considered in the order listed.**

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AGENDA

Welcome

1. **Apologies for Absence**

Apologies for absence and notification of substitute members

2. **Chairman's Announcements**

If any

3. **Minutes**

To approve as a correct record, the Minutes of the meeting of the Development Management Committee held on 29 June 2016.

(previously circulated)

4. **Members' Interests**

To receive from Members any declarations of interest including membership of Parish/Town Council consulted upon during the application process and the way in which any Member has cast his/her vote.

REPORT

Item	Subject	Page Nos.
5	Planning Enforcement Cases Where Formal Action Has Been Taken	7 - 14

To consider the report of the Director of Regeneration and Business providing a monthly update of planning enforcement cases where action has been taken covering the North, South and Minerals and Waste.

Planning and Related Applications

To consider the planning applications contained in the following schedules:

**Planning & Related Applications - to consider
the planning applications contained in the
following schedules:**

Item	Subject	Page Nos.
6.	<p>Planning Application No. CB/15/04664/FULL</p> <p>Address: Land at Timber Lane, Woburn</p> <p>Planning application for the erection of up to 10 dwellings, internal access road, car parking, landscaping and ancillary enabling works, together with the formation of a new vehicular access from Timber Lane, Woburn.</p> <p>Applicant: Woburn RP Ltd</p>	15 - 44
7.	<p>Planning Application No. CB/15/03850/FULL</p> <p>Address: Eversholt Beeches, Watling Street, Caddington, Dunstable LU6 3QP</p> <p>Permission is sought for change of use of land to a residential caravan site, for two Gypsy Traveller families. The site to contain two static caravans, two touring caravans and parking for four vehicles with associated hardstanding and water treatment plant.</p> <p>Applicant: Mr J Price</p>	45 - 68
8.	<p>Planning Application No. CB/16/00181/FULL</p> <p>Address: Land to rear of 33 to 57 Shortmead Street, Biggleswade SG18 0AT</p> <p>Construction of 30 No. dwellings and associated road, demolition of commercial premises.</p> <p>Applicant: Mayfair Holdings</p>	69 - 92

9. **Planning Application No. CB/16/00374/RM** 93 - 114
- Address:** Land East of Station Road, Langford
- Reserved matters following outline application CB/14/00186/OUT (110 houses) for the approval of appearance, landscaping, layout and scale.
- Applicant:** BDW Trading Ltd
10. **Planning Application No. CB/15/01657/OUT** 115 - 156
- Address:** Samuel Whitbread Community College, Shefford Road, Clifton, SG17 5QS
- Outline Application: enhancement of sporting facilities including new '4G' floodlit pitch, tennis courts, improved grass pitches and new changing rooms. Construction of up to 64 new homes on land south west of the main school buildings and new access from Hitchin Road.
- Applicant:** Bedfordshire East Schools Trust
11. **Planning Application No. CB/15/04456/FULL** 157 - 172
- Address:** Land at Long Lake Meadow, High Road, Seddington, Sandy, SG19 1NU
- Change of use of land to use as a residential caravan site for the accommodation of up to 5 gypsy families, including the laying of hardstanding.
- Applicant:** Mr L Connors
12. **Site Inspection Appointment(s)**
- Under the provisions of the Members Planning Code of Good Practice, Members are requested to note that the next Development Management Committee will be held on 17 August 2016 and the Site Inspections will be undertaken on 15 August 2016.
13. **Late Sheet** 173 - 182

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Meeting: Development Management Committee
Date: 20th July 2016
Subject: Planning Enforcement cases where formal action has been taken
Report of: Director of Regeneration and Business
Summary: The report provides a monthly update of planning enforcement cases where formal action has been taken.

Advising Officer: Director of Regeneration and Business
Contact Officer: Sue Cawthra Planning Enforcement and Appeals Team Leader (Tel: 0300 300 4369)
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

This is a report for noting ongoing planning enforcement action.

Financial:

1. None

Legal:

2. None.

Risk Management:

3. None

Staffing (including Trades Unions):

4. Not Applicable.

Equalities/Human Rights:

5. None

Public Health

6. None

Community Safety:

7. Not Applicable.

Sustainability:

8. Not Applicable.

Procurement:

9. Not applicable.

RECOMMENDATION(S):

The Committee is asked to:

1. To receive the monthly update of Planning Enforcement cases where formal action has been taken at Appendix A

Background

10. This is the update of planning enforcement cases where Enforcement Notices and other formal notices have been served and there is action outstanding. The list does not include closed cases where members have already been notified that the notices have been complied with or withdrawn.
11. The list at Appendix A briefly describes the breach of planning control, dates of action and further action proposed.
12. Members will be automatically notified by e-mail of planning enforcement cases within their Wards. For further details of particular cases in Appendix A please contact Sue Cawthra on 0300 300 4369. For details of Minerals and Waste cases please contact Roy Romans on 0300 300 6039.

Appendices:

Appendix A – Planning Enforcement Formal Action Spreadsheet

Planning Enforcement formal action (DM Committee 20th July 2016)

APPENDIX A

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	CB/ENC/11/0402	Land adjoining Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	2 Enforcement Notices 1 - Unauthorised encroachment onto field 2 - Unauthorised hard standing, fence and buildings	15-Oct-12	12-Nov-12	10-Dec-12			Not complied	Presentation to PFMT - further work required before a decision on options to tackle all issues.
2	CB/ENC/11/0499	Land at Erin House, 171 Dunstable Road, Caddington, Luton. LU1 4AN	Enforcement Notice - unauthorised erection of a double garage.	03-Sep-13	01-Oct-13	01-Dec-13	Appeal dismissed March 2014 Magistrates Prosecution successful March 2016. Appeal to Crown Court	27-Sep-14	Not complied	Garage remains. Appeal against the prosecution offence to be considered by the Crown Court in September 2016. Application to retain smaller garage submitted.
3	CB/ENC/12/0174	Land at 15 St Andrews Close, Slip End, Luton, LU1 4DE	Enforcement notice - unauthorised change of use of dwelling house to four separate self-contained units	29-Oct-14	29-Oct-14	28-May-15	Appeal dismissed Sept 2015	09-Apr-16		A full internal inspection has been carried out and the property has been returned to a single dwelling in accordance with the requirements of the enforcement Notice. The enforcement case has now been closed.
4	CB/ENC/12/0199	Plots 1 & 2 The Stables, Gypsy Lane, Little Billington, Leighton Buzzard LU7 9BP	Breach of Condition Notice Condition 3 SB/TP/04/1372 named occupants	15-Oct-12	15-Oct-12	12-Nov-12				Presentation to PFMT - further work required before a decision on options to tackle all issues.
5	CB/ENC/12/0508	Land at Site C, The Stables, Stanbridge Road, Great Billington, Leighton Buzzard, LU7 9JH	Enforcement Notice- Unauthorised creation of new access and erection of gates.	17-Nov-14	15-Dec-14	15-Mar-15 & 15-June-15			Not complied	Legal advice being sought as to next steps.
6	CB/ENC/12/0521	Random, Private Road, Barton Le Clay, MK45 4LE	Enforcement Notice 2 - Without planning permission the extension and alteration of the existing dwelling on the land.	24-Aug-15	24-Sep-15	24-Mar-16 & 24-June-16	Appeal dismissed 07/03/16	07-Mar-17		Awaiting compliance with Notice - deadline 7 March 2017.

Planning Enforcement formal action (DM Committee 20th July 2016)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
7	CB/ENC/12/0530	19 Ickwell Road, Northill, Biggleswade, SG18 9AB	Listed Building Enforcement Notice - Unauthorised works to a listed building.	07-Jul-15	07-Aug-15	07-Sep-15	Appeal part allowed, but Enforcement Notice upheld with revision	Jun-16		Appeal decision made on 19th May 2016 & allowed with regards to the retention of the plastic rainwater goods. Enforcement notice upheld with variations regarding the remaining unauthorised works. Site visit June found no compliance yet, warning letter sent, further visit scheduled for 7th July.
8	CB/ENC/12/0530	19 Ickwell Road, Northill, Biggleswade, SG18 9AB	Breach of Condition Notice - Condition 6 attached to Planning permission MB/06/00408/LB - external finishes	07-Jul-15	07-Jul-15	07-Aug-15				Seeking confirmation of full compliance with breach of condition notice. Further visit scheduled for 7th July.
9	CB/ENC/12/0599	Millside Nursery, Harling Road, Eaton Bray, Dunstable, LU6 1QZ	Enforcement Notice - change of use to a mixed use for horticulture and a for a ground works contractors business	01-Sep-14	02-Oct-14	02-Jan-15				Planning permission granted 01/03/16 for a replacement horticultural building (App CB/15/00727/FULL), with condition requiring removal of all skips & containers prior to the building being brought into use.
10	CB/ENC/12/0633	Land at Plot 2, Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	Enforcement Notice - construction of timber building and the laying of hard standing.	17-Jan-13	14-Feb-13	14-Mar-13			Not complied	Presentation to PFMT - further work required before a decision on options to tackle all issues.
11	CB/ENC/13/0083	Land Adjacent to, Magpie Farm, Hill Lane, Upper Caldecote	Breach of Condition Notice -Condition 1 Boundary wall, Condition 2 Septic tank, outflows and soakaways	30-Jan-15	30-Jan-15	01-Mar-15		08-Dec-15		Further visit to be made to ascertain if works to comply with the condition has been completed.
12	CB/ENC/13/0336	The Stables, Dunstable Road, Toddington, Dunstable, LU5 6DX	2 Enforcement Notices - 1. Change of use from agriculture to a mixed use of agriculture, residential and retail sales and 2. building works for commercial purposes	11-Jul-14	15-Aug-14	15-Oct-14	Planning appeal received 07/06	Aug-15		Residential use continues. Residential lawful use application refused in March 2016(CB/15/04424), appeal received Hearing to be held. Legal advice being sought with regard to possible prosecution action.

Planning Enforcement formal action (DM Committee 20th July 2016)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
13	CB/ENC/13/0452	Long Yard, Dunstable Road, Studham, Dunstable, LU6 2QL	<p>3 X Enforcement Notices - -Erection of timber building</p> <p>2 - Material change of use from agriculture to storage of motor vehicles</p> <p>3 - Material change of use of the land from agriculture to a mixed use for agriculture and the storage of motor vehicles, a touring caravan and building and hardore materials.</p> <p>1XEnforcement Notice - Material change of use from agriculture to storage of motor vehicles and building and waste materials.</p>	<p>12-Aug-15</p> <p>12-Aug-15</p> <p>12-Aug-15</p> <p>04-Feb-16</p>	<p>12-Sep-15</p> <p>12-Sep-15</p> <p>12-Sep-15</p> <p>07-Mar-16</p>	<p>12-Nov-15</p> <p>12-Nov-15</p> <p>12-Nov-15</p> <p>07-May 16 07-June-16</p>			<p>Not complied with</p> <p>Complied with</p>	<p>Enforcement Notice 1 has not been complied with.</p> <p>No further action needed</p> <p>Enforcement Notice 3 has been part complied with.</p> <p>Enforcement Notice has not been complied with. Prosecution to be considered.</p>
14	CB/ENC/13/0607	Clements End Farm, Clements End Road, Studham, LU6 2NG	Enforcement Notice - Change of use from vehicle repairs to a mixed use for vehicle repairs and vehicle sales.	05-Jun-15	03-Jul-15	03-Sep-15	Appeal dismissed 15/03/16	15-Sep-16		To comply with appeal decision car sales use to cease by 15/9/16
15	CB/ENC/14/0004	The Coach Yard, Streatley Road, Sundon, LU3 3PQ	Enforcement Notice - Change of use of the land for the siting of a mobile home for residential purposes	15-Dec-15	13-Jan-16	13-Mar-16	Appeal received 07/01/16			Await outcome of the enforcement appeal.
16	CB/ENC/14/0361	The Old Rose, 16 Blunham Road, Moggerhanger, MK44 3RA	Section 215 notice - untidy land and buildings	29-Apr-15	30-May-15	30-Aug-15				Sale of the property has been agreed, awaiting confirmation of exchange of contracts. Purchasers are aware of what works need to be carried out.
17	CB/ENC/14/0485	Clifton House and outbuildings, Church Street, Clifton, Shefford, SG17 5ET	Repairs Notice - Listed Building in state of disrepair	08-Jan-15	08-Jan-15	08-Mar-15		08/04/2015		Still awaiting further instructions from Asset's Team - Planning and Legal are now chasing an update.
18	CB/ENC/15/0046	Running Water Farm, Langford Road, Biggleswade, SG18 9RA	Enforcement Notice - Siting of a mobile home	13-Aug-15	14-Sep-15	14-Dec-15		31/03/2016		Case with Legal for Prosecution - Legal have written to the owner & tenant and asked that the mobile home be removed from the site by 16/06/2016 or prosecution proceedings will commence.

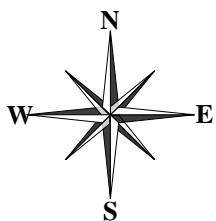
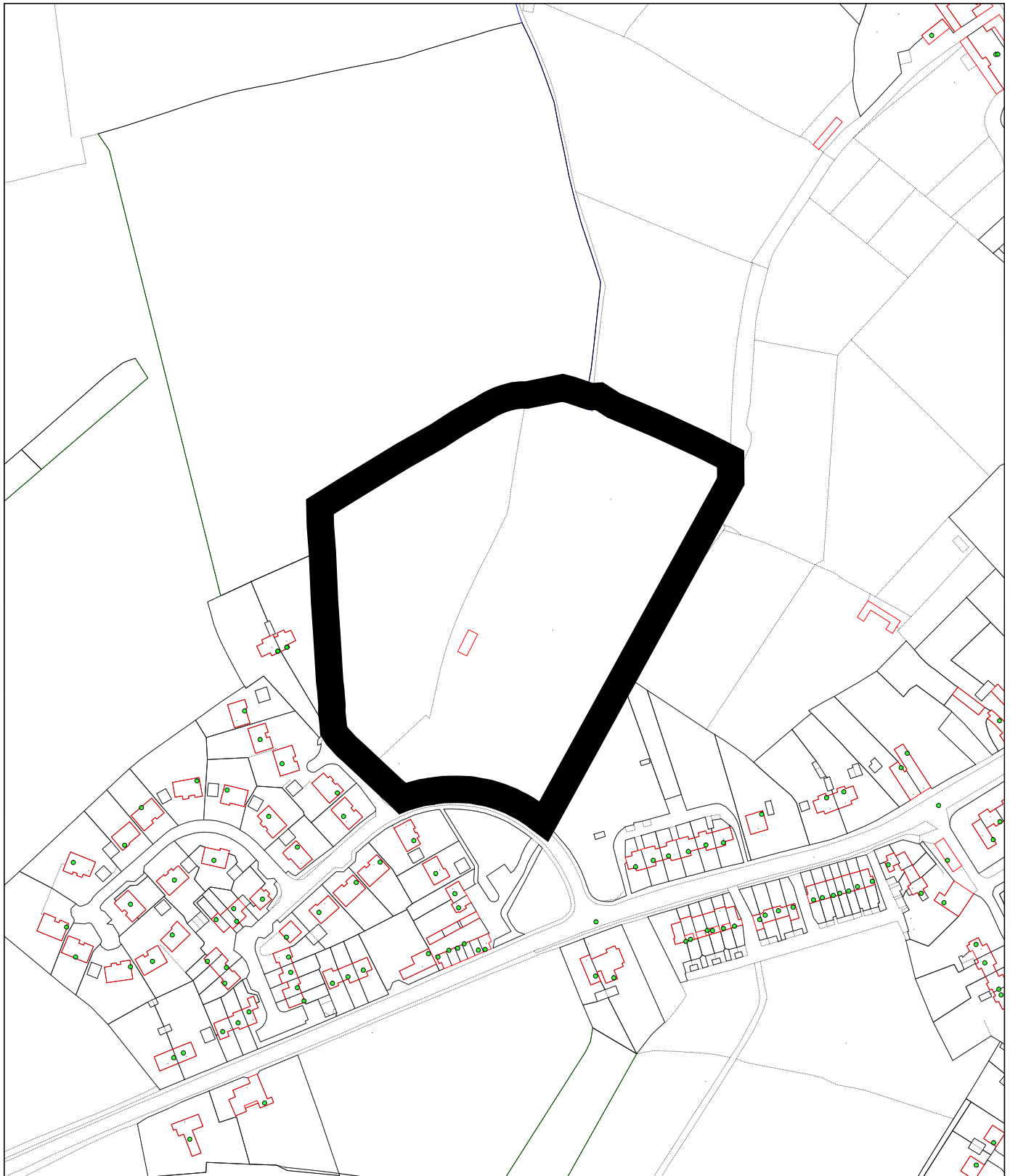
Planning Enforcement formal action (DM Committee 20th July 2016)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
19	CB/ENC/15/0140	Springbank, Bottom Drive, Eaton Bray, LU6 2JS	Enforcement Notice - Unauthorised wall	09-Nov-15	08-Dec-15	08-Feb-16	Appeal received 7/12/15			Awaiting appeal site inspection and decision.
20	CB/ENC/15/0182	8 The Avenue, Blunham, MK44 3NY	Enforcement Notice - Unauthorised fence	22-Mar-16	22-Apr-16	22-May-16			Not complied	Fence still exceeds 1 metre in height therefore further action to be taken.
21	CB/ENC/15/0184	Land at New Road, Clifton	Breach of Condition Notice - Condition 13 attached to CB/13/01208/Full, Ground and tree protection. Breach of Condition Notice - Condition 14 Transport Assessment details Breach of Condition Notice - Condition 15 Works to Harbrook Lane	19-Oct-15 09-Feb-16 09-Feb-16	19-Oct-15 09-Feb-16 09-Feb-16	18-Nov-15 09-May-16 09-May-16			Complied with Complied with	Further site visit confirms no compliance with Breach of Condition Notice in relation to condition 15. Report submitted to legal to consider whether prosecution action should be taken.
22	CB/ENC/15/0258	The Coach and Horses, 95 The Green, Stotfold, SG5 4DG	Enforcement Notice - Unauthorised construction of play equipment	17-May-16	17-Jun-16	17-Jul-16	Appeal received 10/06/16			Appeal received.
23	CB/ENC/15/0260	Gravenhurst Lane/A6, Silsoe	Section 215 notice - untidy land and buildings	06-May-16	08-Jun-16	08-Jul-16				Site inspection to check compliance with Notice anticipated to take place in July 2016.
24	CB/ENC/15/0423	Land at, Astwick Road, Stotfold	Injunction served 22nd September 2015, continuation injunction served 5th October 2015 for unauthorised development for Gypsy and Traveller site. Enforcement Notice served 11/12/15	 11-Dec-15	 11-Jan-15	 11-Jul-16 11-Oct-16	 Joint Planning and enforcement appeal received 27/12/15			Continuation of Injunction granted 5/10/15 to prevent further unlawful development. Planning application refused. Awaiting appeal hearing, site inspection and decision.

Planning Enforcement formal action (DM Committee 20th July 2016)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
25	CB/ENC/15/0542	Land at Honeywicke Cottage, Honeywick Lane, Eaton Bray, Dunstable, LU6 2BJ	Enforcement Notice - Material change of use from agriculture to use for Class B8 storage as a scaffolding contractors yard and the laying of hardstanding.	10-Feb-16	10-Mar-16	10-Sep-16 10-Oct-16	Appeal received 09/03/16			Awaiting the Inspector's decision on the appeal.
26	CB/ENC/15/0585	10 Town Meadow, Shefford, SG17 5EF	Section 215 notice - untidy land	16-Jun-16	16-Jul-16	16-Aug-16				Check compliance 16/08/16
27	CB/ENC/16/0001	Rear of, 2 Wrestlingworth Road, Potton, SG19 2DP	Enforcement Notice - Material change of use of the land from agricultural use to a use for the storage of materials, equipment and machinery associated with the unauthorised demolition buisness.	01-Jun-16	01-Jul-16	01-Aug-16	Appeal received 10/06/16			Appeal received, await outcome of appeal.
28	CB/ENC/16/0025	Bottom Wood, Park Road, Moggerhanger, MK44 3RN	Enforcement Notice - Material change of use of land from agriculture to an outdoor activity centre and siting of a marquee and stuctures.	18-Feb-16	18-Mar-16	18-Apr-16	Appeal received 18/03/16			Enforcement appeal hearing scheduled for 5 July 2016 has been cancelled by the Planning Inspectorate, await new date. Both parties statements submitted to the Planning Inspectorate
29	CB/ENC/16/0077	Land to the South of, High Road, Shillington	Enforcement Notice - Material change of use from agriculture to the parking and storage of vehicles and trailers	24-May-16	24-Jun-16	24-Jul-16				Check compliance 24/07/16
30	CB/ENC/16/0080	Land to the North of, Woodside Caravan Park, Hatch	Injunction served 19/02/16 - Prevention of interference with protected trees, use the land for siting of caravans/mobile homes or undertaking development including the laying of hardcore or creation of hardstanding.	19-Feb-16	19-Feb-16					Injunction being complied with, site being monitored for any possible breaches.
31	CB/ENC/16/0084	Unit 22 Pulloxhill Business Park, Greenfield Road, MK45 5EU	Enforcement Notice 1 (r/o Unit 14)- Material change of use of the land from amenity land to use for the storage, maintenance and cleaning of plant/machinery Enforcement Notice 2 (r/o Unit 22)- Material change of use of the land from amenity land to use for the storage, maintenance and cleaning of plant/machinery	05-Apr-16 05-Apr-16	06-May-16 06-May-16	06-June-16 06-July-16 06-Jun-16				Appeals have been submitted for both Enforcement Notices and therefore the Notices will not come into effect until appeal decided. Statement to be submitted by 19th July 2016

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Date: 04:July:2016

Map Sheet No

Application No.
CB/15/04664/Full

Scale: 1:2500

Land at Timber Lane, Woburn

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Item No. 06

APPLICATION NUMBER	CB/15/04664/FULL
LOCATION	Land adj. to Timber Lane, Woburn
PROPOSAL	Planning application for the erection of up to 10 dwellings, internal access road, car parking, landscaping and ancillary enabling works, together with the formation of a new vehicular access from Timber Lane, Woburn.
PARISH	Woburn
WARD	Aspley & Woburn
WARD COUNCILLORS	Cllr Wells
CASE OFFICER	Lisa Newlands
DATE REGISTERED	10 December 2015
EXPIRY DATE	10 March 2016
APPLICANT	Woburn RP Ltd
AGENT	Savills (UK) Ltd
REASON FOR COMMITTEE TO DETERMINE	Departure from the Development Plan and Called in by Councillor Wells.
RECOMMENDED DECISION	Full Application - Approval subject to the completion of a S106 agreement.

Summary of Recommendation

The proposed development is for a rural exception scheme within the South Bedfordshire Green Belt in Woburn. The principle of the development is considered acceptable and is in conformity with the National Planning Policy Framework. The proposal would involve development within a County Wildlife Site, however, it would secure a long-term future management plan for the remaining area of County Wildlife Site and additional land that can be managed for wildlife habitats adjacent, through this and the additional measures within the development it is considered that the proposal would deliver a net gain in terms of biodiversity and would be in accordance with the NPPF. It is considered that the proposed design and layout of the development would conform to highway requirements and the proposed junction arrangements would be acceptable. The Highways Officer is content that the additional traffic generated from the development can be accommodated within the local highway network. It is therefore considered that the proposed development is acceptable in planning terms. The application is therefore recommended for approval subject to the completion of a S106 agreement.

Site Location:

The application site is located to the north of Timber Lane on a currently open area of land. The site is within the South Bedfordshire Green Belt and includes part of the County Wildlife Site. The land has previously been used as a playing field and in the last few years has been lain fallow. The site is adjacent to the Woburn conservation area.

Woburn has a defined Green Belt infill boundary identified in the proposals maps within the Core Strategy and Development Management Policies for Central Bedfordshire (North). This site is outside of this infill boundary. Woburn as a village contains a mix of commercial and community facilities.

The total site area, including the County Wildlife Site is 2.45 hectares. As a whole the site slopes away from Timber Lane some 8m south to north. The site itself slopes some 5.5m south to north.

The Application:

Planning permission is sought for the erection of up to 10 dwellings. The proposal is to be comprised of 80% affordable and 20% market units and seeks to qualify as a rural exception scheme.

This application is a revised proposal of one that was previously withdrawn. It seeks to overcome some of the concerns raised and has been through a number of revisions since being submitted in 2015.

The site will be accessed from a new junction off Timber Lane and is formed off an L-shaped development with the majority being set back from the road frontage.

The development will comprise 10 semi-detached properties, each with a garage, additional parking space and private garden. The proposed density of development would be approximately 24 dwellings per hectare. The mix of dwellings proposed in 6 x 3 bedroom dwellings and 4 x 2 bedroom dwellings, all suitable for family accommodation.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Section 6 - Delivering a wide choice of quality homes

Section 7 - Requiring Good Design

Section 11 - Conserving and enhancing the natural environment

Core Strategy and Development Management Policies- North 2009

CS1 Development Strategy

CS2 Developer Contributions

CS3 Healthy and Sustainable Communities

CS5 Providing homes

CS7 Affordable Housing

CS13 Climate Change

CS14 High Quality Development

CS16 Landscape and Woodland

CS17 Green Infrastructure

CS18 Biodiversity and Geological Conservation

DM1 Renewable Energy

DM2 Sustainable Construction of New Buildings

DM3 High Quality New Development

DM4 Development within and Beyond Settlement Boundaries

DM10 Housing Mix
DM14 Landscape and Woodland
DM15 Biodiversity
DM16 Green Infrastructure

Development Strategy

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

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application:	Planning	Number:	CB/14/04580/FULL
Validated:	27/11/2014	Type:	Full Application
Status:	Withdrawn	Date:	03/12/2015
Summary:		Decision:	Application Withdrawn
Description:	Erection of up to 10 residential units, internal access roads, car parking, landscaping and ancillary enabling works, together with the formation of a new vehicular access from Timber Lane, Woburn		

Consultees:

Parish/Town Council	<p>Revised scheme - there are mixed views within the Parish Council, however, they agreed that affordable housing was valuable for the village. The Parish Council fully supports affordable housing for those in need and it is only the site location and the impact on the immediate area that remains the issue with the latest proposal. The following issues have been raised during the discussion:</p> <ul style="list-style-type: none"> • concern that if the application is declined the applicant may not choose to use another site and no affordable housing would be built at all, with an impact on local small businesses; • the latest proposal now fronts Timber Lane again and seems to again raise all of the objections the 2014 proposal gave. This was considered confusing and unhelpful; • concern that the new positioning, combined with the reduced number of parking spaces proposed will exacerbate problems caused in this area of the village resulting from unsafe and pavement parking; • concern that the application does not consider alternative sites - the applicant has put forward other sites within the village in the call for sites which may be more suitable for residential development; • a well-used, open recreational space would be lost;
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- impact on road safety due to additional parking and traffic the scheme would create within the narrow entrance to Timber Lane and on the blind bend leading down the Lane;
 - three smaller roads feeding into the top of Timber Lane are not shown on the developer's plans;
 - the number of parking spaces included in the scheme may comply with guidelines but they do not take into account the specific situation in the immediate area
 - others have said that they hoped to live in those houses and as they already live in Woburn their cars would not be adding to the traffic volume;
- the exceptional circumstances needed for permission for a rural exceptions scheme is not met by the out of date survey and the scheme not reflecting the identified need;
- the housing mix does not reflect the mix required;
- The realignment of the bridleway would mean that it would be shielded from view and will become an alley way. Therefore, no longer safe for children and others to use as a safe route to and from the village;
 - Leighton Street route is unsafe due to heavy traffic and narrow pavement;
 - lorry ban would resolve this issue;
- would create a precedent and it would be hard to resist further development around and behind the proposed site;
- latest scheme does not propose the adjacent field as part of the enlarged CWS;
- the applicant hasn't heeded recommendations in the LVIA to explore opportunities to retain views towards the spire of St Mary's;
- still using feedback from the 2014.

The Greensand Trust

Revised Scheme - Maintain objection:

- result in serious harm to/loss of a County Wildlife Site. Lowland meadow - listed as a habitat of principal importance for the purpose of conserving biodiversity. Loss of such habitat should be discouraged in an officially recognised Nature Improvement Area, where the objectives are to protect, enhance and link our nature conservation assets;
- Proposed development is not in line with the council's Core Strategy Policies CS17 and 18. The application does not result in a net gain in GI assets, and would result in a net loss;
- The D&A Statement identifies that the adjacent field could be used to compensate for the loss of part of the existing CWS. The assumption that an area of new CWS can be created as simply and easily as is presented in the application is wrong. There is no

	<p>guarantee that the proposed land would meet the criteria;</p> <ul style="list-style-type: none"> • The ecological survey work was carried out in March 2014 - this is an inappropriate time for surveying grassland habitats - the suggestion that the CWS has declined in quality since designation cannot be substantiated.
The Wildlife Trust	<p>Revised scheme - Maintain objection:</p> <ul style="list-style-type: none"> • it would destroy part of the Caswell Lane Field County Wildlife Site and therefore is not in line with CS17 and CS18 of the Core Strategy; • the extended phase 1 survey was carried out during a period outside the optimum time for botanical surveys - no resurvey has taken place • the D&A identifies an adjacent field which could be used to compensate - a CWS needs to meet a set criteria and it may not meet the criteria; • biodiversity offsetting should result in the compensatory area being substantially larger than that lost and long term management plan secured; • we support the incorporation of existing features and that this version seeks to retain the boundary and central hedgerows;
Ramblers Association	<p>Objection - The right of way would be severely affected. The tree protection will block the right of way and the developer claims there is no requirement for a temporary diversion. The building of a 1.8m wall along the length of the development will create a tunnel effect and is not safe for riders.</p>
CBC Rights of Way Officer	<p>I have looked through the application and I am pleased with the alterations that have been made. By reducing the number of properties and re-positioning them, the 3m wide bridleway is further protected and will not be effected by rear fencing of the properties.</p>
Natural England CBC SUDs Officer CBC Highways Officer	<p>I therefore have no objection. No objection No objection subject to conditions No objection subject to conditions The applications drawings show six of the dwellings to be 3 bedroom and 4 to be 2 bedroom, to be served by a new access road of a design, layout and geometry and visibility provision at its junction with Timber Lane that are all in accordance with the Council's requirements.</p> <p>Each dwelling as proposed is served by an access drive and single garage, and there are 3 visitor parking spaces, all in accordance with the Council's requirements.</p> <p>The proposed development in this location has the potential to generate 60 additional traffic movements per day, of which 6 will be am peak and 7 pm peak. However,</p>

CBC Sustainable
Growth Officer
CBC Housing
Development Officer

it is considered that these can be satisfactorily accommodated on the local road network and the proposal is unlikely to have any adverse highway impact, once completed.

No objection

I support this application as it provides for 80% affordable housing. This rural exception site will provide much needed affordable housing within Woburn. A Housing Needs Survey has been undertaken which has identified an affordable housing need within Woburn. An earlier application was made (CB/15/04850) which as part of the application had a financial viability attached which demonstrated a 100% rural exception scheme to be unviable. As a result of this the NPPF allows for an element of market housing to be incorporated within a rural exception scheme and enable the exception scheme to become viable for delivery of affordable housing. This application proposes 80% affordable housing (8 units) and 20% (2 units) market housing. The Housing Needs Survey identified an affordable housing need of 6 units. Even with a small element of market housing incorporated within the scheme, the exception site will be meeting the identified needs of Woburn. The 8 affordable units will be in the form of intermediate tenure.

The application proposes the intermediate tenure to be in the form of intermediate rent. The definition of affordable housing is outlined in my consultee response below and will require the intermediate rent to be 'below market' rents. I would like to see the intermediate rents stipulated within the S106 as being capped at no more than 80% of the market rents for Woburn.

This rural exception scheme will be providing affordable housing for local people, which will remain as affordable in perpetuity. The affordable units will be allocated to eligible applicants through the Local Lettings Policy.

Definition of affordable housing as set out in the NPPF:

Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households; or for the subsidy to be recycled for; or for provision to be made for replacement investment in alternative affordable housing provision.

Intermediate housing is homes for sale and rent provided at a cost above social rent , but below market levels

subject to the criteria in the affordable housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

CBC Public Protection

No objection subject to contaminated land survey condition.

CBC Landscape Officer

Many thanks for the opportunity to comments on revised proposals with regard to landscape.

The revised layout with development avoiding the brook and tree belt is a positive.

The submitted winter time views are appreciated; I remain concerned about the impact of change on views across the application site to St Mary's Church spire. The view described in winter time in viewpoint 2 and describes a direct view to the church set on rising ground within the setting of the Woburn Conservation Area and landscape setting of the Greensand Ridge.

Illustration D15-3318 describes the visibility splay to the church and spire from viewpoint 2 and proposed development sited directly within this view is disappointing.

The revised Design and Access Statement describes rationale behind layout and arrangement of built form which is appreciated; an original design intention was to maintain views across the application site to the church spire but this design principle has not been incorporated into the revised submitted layout.

Whilst my concerns focus on one selected view I remain concerned that this is a sensitive view in terms of setting and legibility and needs to be protected.

Given the landscape and visual constraints within and beyond the application site I question if the development of the site is appropriate or if this quantum of development can be accommodated appropriately.

CBC Ecology

Following the latest revision of the site layout I am prepared to withdraw my objection on the basis that the proposal could deliver a net gain for biodiversity. This is to be achieved by introducing a favourable management regime for the CWS and adjacent grassland to the west resulting in an area of 1.97Ha being managed for wildlife which would support the objectives of the Greensand Ridge NIA. In addition the Ecological report makes a number of recommendations for works to be included within the built development which support biodiversity objectives;

- bat tubes in the south and west gables of houses;
- three swift boxes fitted in each of the north and east gables of the houses;
- assorted bird boxes should be erected around the site and in the gardens of the properties;
- hedgehog boxes should be included in the four gardens along the north boundary of the development and any solid fencing across the site should have at least one hole 100 x 100mm per fence run to allow movement of small mammals from garden to garden

These are welcomed but are not mentioned elsewhere in the revised documentation. To ensure the development does deliver a net gain for biodiversity I would want a condition to ensure these are provided.

Anglian Water

Comments provided on the original scheme not the revised scheme. However, they raised no objection to the original scheme stating the following:

- There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary
- The foul drainage is in the catchment of Cotton Valley Water Recycling Centre that will have available capacity for these flows;
- The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise of the most suitable point of connection;
- The SUDs strategy for the site is unacceptable to Anglian Water due to lack of information provided regarding the site drainage strategy. We will request agreed strategy is reflected in planing approval
- Anglian Water therefore raise no objection subject to a condition relating to a surface water management strategy being submitted.

CBC Conservation
Officer
CBC Archaeology

No objection.

No objection to this application on archaeological grounds.

Other Representations:

Neighbours

- The following comments have been received in relation to the revised plans received in May 2016.

Support:

Within Woburn comments were received from the following addresses - 9 Bloomsbury Close

Outside of Woburn comments were received from the following addresses - 8 Moorlands Road, Hemel Hempstead;

Summary of comments made:

- much needed houses especially if affordable;
- there is a lack of affordable housing within the village and those working in public amenities are being out priced rapidly;
- whilst a lovely hamlet, the opportunity to live there is very rare - there is not sufficient housing and what is available is not adequate
- Woburn needs young residents to help it grow - if these houses are not built, the village is in danger of becoming a pass through;
- even the shops are dwindling due to people not being able to afford to live near their place of work

Objection:

Within Woburn comments were received from the following addresses - 3, 4, 5, 6, 8, 27, 29, 32, 33, 34, 35 36, 37; 38, 39, 40, 42, 43, 44 and 46 Timber Lane

Outside of Woburn comments were received from the following addresses - 45 Cotefield Drive Leighton Buzzard, 114 Felsted Caldecote, 6 Rogate Road Luton, 9 Shakespeare Road Bedford, 63 Willow Way Luton, 5 Moxhill Gardens Willington, 4 The Maltings, Ampthill, 5 Clay Gardens Woburn Sands; 97 Cutenhoe Road, Luton; 5 Sturdy Lane, Woburn Sands; Manor Farmhouse, Church End, Milton Bryan; 2 Selsey Drive, Stopsley; 8 Pine Walk, Silsoe; 1 Park Hill, Toddington; 7 Christie Way, Kettering

Summary of comments made:

- the loss of amenity
- still an inadequate number of parking spaces;
- introduction of another access on to Timber Lane, on a blind bend close to the junction of the main road;
- the adjacent field is no longer offered as CWS;
- this scheme has a greater impact on the unique visual amenity with views of the historic church and beautiful surrounding area;
- unmet housing need unlikely to outweigh the harm to the Greenbelt and other harm to constitute the very special circumstances justifying inappropriate development within the Green Belt;
- loss of connectivity of Timber Lane with the village centre;
- designed access roads will be congested;

- does not meet the criteria for exception site with 2 market houses;
- increased transport and pedestrian risk
- Greenbelt and County Wildlife site - more suitable alternative sites;
- need is unclear as the data used is now many years old and other development has taken place since it was gathered;
- parking allowed in the design is insufficient;
- site has only one access that is onto Timber Lane, a narrow and blind bend, that is already causing issues on the rare occasion a vehicle is parked there;
- Site Visit with CBC Traffic Management Team Leader - parking on the bend was dangerous and to resolve this the option would be double yellow lines - resulting in cars being moved from Timber Lane on to the main Leighton Street which is already congested;
- visitor parking is insufficient;
- Entry to Timber Lane from Leighton Street is challenging - visibility is limited;
- significant downward slope dangerous in inclement weather;
- creation of new vehicular access from Timber Lane would exacerbate existing dangers;
- garage will soon become storage/ additional living space;
- proposed access would create dangerous break in pedestrian movement;
- local amenities are minimal/ bus service negligible - therefore increased car movements;
- historic use as recreational area
- informal play area for children this side of busy road through Woburn;
- pleasant traffic free area, with open views;
- access to Timber Lane from Leighton Street;
- impact with regard to Woburn village and the congestion of traffic in the high street;
- associated facilities required by additional residents in terms of schooling, doctors etc.
- proposed and existing additional housing provided at Woburn Sands, Wavendon, Kingston and developments along the M1 corridor from Luton - causing heavy traffic on Leighton Street
- unsuitable site;
- 11% response to a housing needs survey is not a viable response;
- houses will still be unaffordable for elderly and starter families;
- risk to pedestrian safety due to the increase of traffic entering/exiting Timber Lane;
- no suitable consideration has been given to the

- compensation for the loss of a priority habitat;
- inappropriate treatment of the bridleway
- the field is a very important multi-functional space, highly valued and loved by the local community;
- the field frames and conserves the view to the spire of the old St Mary's Church;
- site falls within the Greensand Trust Nature Improvement Area where any type of development should be considered carefully so as not to conflict with the county's conservation values;
- deficit of recreation space within the village;
- historic landscape;
- already an adequate supply of rental housing stock in Woburn;
- not considered any alternative brownfield sites within Woburn;
- it is a tranquil and green environment;
- unique vista towards Woburn;
- Developers should be making more use of brownfield sites;
- this field is an integral part of the circular walk of Woburn and its village.
- no exceptional circumstances resulting in overall community benefit.

2. The following comments were made in relation to the proposal at the time of submission in December 2015.

Support:

Within Woburn comments were received from the following addresses - 1, 9, 64 Leighton Street; 38 George Street; 17 Drakeloe Close; 1 Newport Road;

Outside of Woburn comments were received from the following addresses - Sipala, Woburn Lane, Aspley Guise; 108 Maryon Road, Charlton; 4 Parrott Close, Dunstable; 15 Fletton Dell, Woburn Sands

5 representations have been received supporting the application with no contact details.

Summary of comments made:

- in need of more affordable housing for young people to rent to buy;
- The Timber Lane development was the last major development within Woburn and are relatively large, high market value dwellings;
- village needs accommodation for young people who can find work in the village and nearby towns;
- Woburn has an ageing population as people have left

- due to increasing rents;
- The site was previously known as 'The Rec', this status was lost with the creation of the playing fields behind the new village hall. Until recently it remained the site for the annual Woburn guy fawkes night bonfire - this was relocated to be next to the catering facilities of the village hall - its amenity value is now small.
- as a parent whose children are unable to buy or rent in Woburn I strongly support this initiative which may help other local people to have a home in the village;
- in favour of the dwellings for the benefit of growing the village economy and preventing decline;
- allow Woburn to expand
- bring much needed change and economy into Woburn;
- addition will be great for the number of pupils in the school and will help keep the numbers of pupils in the school up;
- In order to maintain the progression for generations to come and to maintain our warm and close local community, affordable housing is essential. The proposed modest development can only be a positive step for our village;
- The current Timber Lane development was only completed around 20-25 years ago and there is no logical reason why further development around that area should be stopped
- Many local people are struggling with high private rents and are having to move out of the village
- There is a housing problem across the UK, 10 houses in Woburn is not going to impact the infrastructure of the village greatly, but it will ease the need for some much need affordable housing;
- development is for the local community so local people would benefit;
- Saddened to see the erosion of the sense of community, local knowledge and social support that the older families bring to the area and believe that for those families to survive in the area along with the unique history and traditions of the village something needs to be done and these houses are a perfect solution;
- the area in question is currently unused, with plenty of other nearby open spaces for recreation available including the football fields and plenty of footpaths and the woods. It is also completely over the road from other dwellings and will not have a significant impact on anyone's quality of life.

Objection:

Within Woburn comments were received from the following addresses - 3, 4, 5 6, 7, 8, 23, 26, 27, 29, 32, 33,

34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, and 46
Timber Lane; 5 Bloomsbury Close.

Outside of Woburn comments were received from the following addresses - 97 Cutenhoe Road, Luton; Manor Farmhouse, Church End, Milton Bryan; 46 Windmill Rd, Flitwick; 7 Christie Way, Kettering; 5 Moxhill Gardens, Willington; 6 Ladys Close, Poynton; 18 Barclay Road, Poynton; 9 Shakespeare Rd, Bedford; 2 Selsey Drive, Luton; 5 Clay Gardens, Woburn Sands; 1 Park Hill, Toddington; 114 Felsted, Caldecotte; 6 Rogate Rd, Luton; 86 Tanfield Lane, Broughton; 45 Cotefield Drive, Leighton Buzzard; 9 Tidbury Close, Woburn Sands; 63 Willow Way, Luton; 4 The Maltings, Ampthill; 8 Pine Walk, Silsoe; 5 Sturdy Lane, Woburn Sands.

Summary of comments made:

- The site is SSSI and deemed as Green Belt land
- No evidence of exceptional need for housing on that land the housing needs survey undertaken is out of date.
- The proposal does not meet the identified need;
- Increased risk to pedestrian safety, particular at junction of Timber Lane to Leighton Street;
- just one phase of development - there will be further phases coming behind the proposed development;
- Doctors surgery is full and long waiting times;
- little village school is full to capacity and the queues at the village post office are unacceptable;
- Woburn and Timber Lane also suffer regularly intermittent power cuts - further development extra strain on the already overused power grid;
- part of Woburn conservation area;
- meadow is a much used local amenity and direct access walk to the village;
- one of the few accessible green spaces in the village;
- Timber Lane is extremely narrow;
- sight lines within Timber Lane are challenging;
- Development at nearby Wavendon and Kingston as well as new developments along the northern M1 corridor will see traffic volumes significantly increase in Woburn over the next 2 years;
- Leighton Street at the junction of Timber Lane is already subject to heavy traffic congestion and any additional traffic from Timber Lane will further exacerbate this problem;
- Village public transport are limited to a bus service which can be reliable;
- The TRICs estimate is understated;
- The scheme does not include sufficient parking as the garages will not be used for parking;

- Increase in on-kerb parking from the development;
- Woburn is historically unique and the visual impact assessment commissioned by the developer acknowledges this but understates the effect of the loss of view to the community;
- The views from Timber Lane are greatly valued by locals and visitors alike;
- Change to the Bridleway across the site
- dangerous driving conditions in winter will make this junction area highly dangerous and increase the risk to highway safety;
- the public engagement stated in the application was for a completely different scheme;
- rented accommodation has consistently been available without take-up and predominantly as a result of the levels of rent sought;
- residents of Timber Lane would have to contend with construction traffic and muddy site plant;
- No assessment of alternative sites;
- Previous application had a petition against the development and over 50 people registered objections to the scheme;
- green space set aside for the residents of Woburn to enjoy and use and it is well used for a range of activities;
- The proposed development has moved to the front of the site and would result in further on street parking;
- conflict of interest between Bedford Estates and Woburn Registered provider;
- Housing on rural exception schemes should be 100% affordable;
- Destruction of a signature skyline;
- the site sits outside the Woburn settlement boundary;
- the area is part of Bedfordshire heritage and we need to preserve it;
- regularly walk this field into the village, which forms part of the fabric of Woburn and its scenic views on approach to the village;

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. Ecological Considerations
4. Highway Considerations
5. Impact on neighbouring residents
6. The Requirement for Planning Obligations
7. Other Considerations
8. Sustainable Development and the Planning Balance

Considerations

1. Principle

- 1.1 The application site is within the South Bedfordshire Green Belt, where there is a general presumption against new development.
- 1.2 The National Planning Policy Framework states in paragraph 54 the following '*In rural areas, exercising the duty to cooperate with neighbouring authorities, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. Local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs*'.
- 1.3 Annex 2 of the same document defines rural exception sites as '*small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding*'.
- 1.4 In terms of exception sites within the Green Belt, Paragraph 89 of the NPPF includes the limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan as an exception to inappropriate development within the Green Belt.
- 1.5 The Core Strategy and Development Management Policies for Central Bedfordshire (North) states in Policy CS8 that the Council will support proposals for 100% affordable housing designed to meet the local housing needs adjacent to the defined settlement envelopes provided that: the local need is demonstrated, the scheme is viable, the scheme will remain in perpetuity for local people who demonstrate a need for affordable accommodation; the design and location of the scheme relates well to the built up area of the settlement; the mix of size and tenure will relate to the needs identified in that area.
- 1.6 The Core Strategy and Development Management Policies for Central Bedfordshire (North) was adopted in 2009, prior to the guidance provided within the NPPF. Paragraph 215 of the NPPF (contained within Annex 1) relates to the weight that should be given to development plan documents after the publication of the NPPF. This emphasises that despite when they were adopted due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the framework, the greater the weight that may be given.
- 1.7 It is therefore considered that Policy CS8 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) should be given some weight as it allows for exception schemes, however, it is not in completely accordance with the NPPF as it does not allow for limited market housing to be provided to make a scheme viable.
- 1.8 In terms of the policy requirements under policy CS8 the application has

demonstrated the following:

- The 2012 Housing needs survey undertaken by the BRCC has shown that there is a need for affordable housing within Woburn. The Housing Development Officer has confirmed that this survey is acceptable and they have people on the Housing Register with a local connection that have registered an interest in living in accommodation in Woburn. This therefore demonstrates a local need;
- the application was supported by a viability assessment that showed that the scheme would be unviable without a small element of market housing - this is not in complete conformity with the requirements of Policy CS8 but does conform with the requirements as set out in the NPPF;
- draft heads of terms have been agreed that will ensure a S106 is in place to ensure that the scheme remains affordable housing for the local community in perpetuity;
- given the revised site layout, it is considered that the proposal has taken on board where possible comments made during the previous application and during this application by consultees and where possible residents. It is considered that the proposed scheme is of a high quality design and would relate well to the built up area of the settlement;
- the Housing Development Officer is content that the mix and tenure proposed relate to the identified needs and continuing needs of the area.

1.9 It is therefore considered that the principle of an exception scheme within the South Bedfordshire Green Belt would be acceptable, subject to detailed considerations in terms of design, layout and other planning considerations.

2. Affect on the character and appearance of the area

2.1 The proposed layout and design of the scheme has been revised from the previous application which was withdrawn following comments from Officers and consultee responses. The revised layout submitted in May 2016 has sought to address the issues and concerns previously raised.

2.2 The revised layout does not cross the tree/ hedgerow belt that splits the site, it seeks to keep all the development on one side to reduce the impact on the hedgerow and any further development of the adjacent land. This in turn has ecological benefits and can offer a net gain in terms of biodiversity. This will be discussed in greater detail in the following section.

2.3 The layout has sought to take on board residents comments in terms of increased parking on Timber Lane, where the previous scheme proposed a frontage onto Timber Lane, the proposed development is served by a single point of access with no dwellings having separate accesses on to Timber Lane or having direct frontages on to Timber Lane.

2.4 The majority of the dwellings have been set back within the application site to allow a green, open space area to the front to separate the dwellings from the frontage of Timber Lane and to allow a buffer zone. The only dwellings forward on the site are those on the eastern boundary adjacent to the footpath/ bridleway which run along the access road and form the L-shaped development.

2.5 The site is currently open grassland, which from comments made by residents has been used by the community in the past for local events in particular the

fireworks display and more recently as general amenity land for walking dogs, informal play and connections into the village. Given its current status as open grassland, any development on the site will lead to a change in the landscape when viewed from Timber Lane. However, it is important to differentiate between loss of views and impact on the landscape. As the loss of a view is unfortunately not a material planning consideration, whereas the impact on the landscape would be a material planning consideration.

- 2.6 The Landscape Officer has raised concerns regarding the impact of the proposal on views towards St Mary's Church Spire, and that especially in Winter time the proposed development will sit directly in this view. This primarily relates to viewpoint 2 - noted as the view when exiting Timber Lane.
- 2.7 The Landscape and Visual Impact Assessment addendum which relates to the revised layout acknowledge this point stating that travelling northeast along Timber Lane the site comprises a major component within the view. It goes on to state that 'while the development has the potential to result in a significant effect, when applying professional judgement, and in view of the considered and sensitive development approach which seeks to provide an appropriate landscape buffer and development set back to Timber Lane, it is considered that the overall effect of the development can be reduced to Moderate overall.
- 2.8 The addendum also states that views from Timber Lane are likely to be wholly retained, although it is possible that the new dwellings would obscure a small portion of the spire.
- 2.9 The Conservation Officer has made comment on the application and raises no objection, it is considered that the proposal would preserve the character of the conservation area and would not have a detrimental impact on the setting of St. Mary's Church.
- 2.9 It is acknowledged that views of the site will change, however, given the proposed layout and high quality design it is not considered that this would result in a significant and demonstrably harmful impact on the character and appearance of the area sufficient to warrant refusal of the application.

3. Ecological considerations

- 3.1 Both National and Local policy require the proposals to contribute to and enhance the natural and local environment. The application site is acknowledged as being part of a County Wildlife Site, known as Caswell Lane Field County Wildlife Site. It is an area of neutral grassland and it also meets the biodiversity action plan criteria for lowland meadow and hedgerows.
- 3.2 The Wildlife Trust have objected to the application on the basis that it is a County Wildlife Site and that by developing on the site the scheme cannot demonstrate a net gain for biodiversity. They also have raised concern regarding the timing of the surveys carried out and that the value of the County Wildlife Site has been underestimated.
- 3.3 The Council's Ecologist has not objected to the application on the basis that at present the value of the County Wildlife Site is poor and it has not been managed appropriately. The proposal would include a suitable management plan for the remaining County Wildlife Site and would also provide additional

land which will be managed appropriately and compensate in some way for the loss of the land due to the development. The proposal was amended to take on board comments from the Council's Ecologist with the scheme now being contained within the first field and not crossing/ breaking through the hedgerow on the site which is rich in biodiversity. A number of enhancements have also been proposed in the form of bat tubes, swift boxes, bird boxes and hedgehog boxes within the development. The lighting on the site has also been carefully considered to minimise any impact on nocturnal species.

- 3.4 The Council's Ecologist states in their response that *'the proposal could deliver a net gain for biodiversity. This is to be achieved by introducing a favourable management regime for the County Wildlife Site and adjacent grassland to the west resulting in an area of 1.97Ha being managed for wildlife which would support the objectives of the Greensand Ridge Nature Improvement Area. In addition the Ecological report makes a number of recommendations for works to be included within the built development which support biodiversity'*.
- 3.5 On balance, it is therefore considered that the proposal would deliver a net gain in terms of biodiversity and would therefore be in accordance with the NPPF. The recommendations set out in the ecological report will be conditioned on any approval and the management plan for the remaining County Wildlife Site and additional land will be secured through the S106.

4. Highway Considerations

- 4.1 The proposed development will be accessed from a new junction with Timber Lane. The Highways Officer has confirmed that they have no objection to the application and that the proposed new access road is of a design, layout, geometry and visibility provision at its junction with Timber Lane that are all in accordance with the Council's requirements.
- 4.2 The proposed development in this location has the potential to generate 60 additional traffic movements per day, the Highways Officer has stated that of which six will be in the AM peak and seven in the PM peak. However, it is considered that these can be satisfactorily accommodated on the local highway network and the proposal is unlikely to have any adverse highway impact.
- 4.3 In terms of parking provision, the proposal is for six 3 bedroom dwellings and four 2 bedroom dwellings; each dwelling as proposed is served by an access drive and single garage. In addition, there are three parking spaces for visitors use. This is all in accordance with the Council's design guide and is considered will provided sufficient parking for the proposed development.
- 4.4 Concern has been raised regarding the junction of Timber Lane with Leighton Street, however, the Highways Officer has confirmed that this is acceptable and that the local road network can accommodate the additional traffic movements without any adverse impact.
- 4.5 Further concern has been raised by residents within Timber Lane regarding parking on the bend in Timber Lane and that the proposed junction would be dangerous as the visibility would be poor when cars are parked on this road. The Highways Officer has confirmed that the junction would have the required visibility splays. However, given the concern regarding the parking on Timber Lane, the applicant has agreed to make a contribution to fund the making of a Traffic

Regulation Order along this stretch of Timber to prevent on-street parking. This would be included within the S106 agreement should permission be granted.

- 4.6 The Council's Rights of Way Officer has been consulted on the application and the alterations made and has removed their objection, they are content with the alterations and that this has allowed further protection of the bridleway.
- 4.7 It is therefore considered that the proposal would not have an adverse impact on the local highway network, the parking provision is in accordance with the Council's requirements and would therefore be acceptable in highway terms. The proposed amendments and retention of the bridleway is welcomed and the design of this is considered acceptable.

5. Impact on neighbouring residents

- 5.1 In terms of neighbouring residents, the proposal is set opposite a number of dwellings within Timber Lane. The proposal has been set back from Timber Lane, to allow a significant separation distance, with only one dwelling being set adjacent to Timber Lane itself. The separation distance between the nearest existing dwelling on Timber Lane to the proposed dwelling adjacent to Timber Lane would be some 35 metres. This is considered to be an acceptable separation distance, this is further enhanced by the level change from Timber Lane within the site. It is therefore considered that there would be no loss of light, privacy or overbearing impact on existing residents. It is acknowledged that there would be a change to their view over this existing open field, however, this is not a material planning consideration that can be taken into account.
- 5.2 Residents have raised concern regarding the loss of open space, and general amenity land. The proposal whilst acknowledging that there will be a loss of part of the County Wildlife Site, continues to allow access to the remaining County Wildlife Site area to the rear of the development and the additional land adjacent. It is therefore, considered that there will still be general amenity land which can be accessed within the area. Furthermore, the proposal allows for open space to the front of the development, that will also be general amenity land.
- 5.3 Given the siting and design of the proposed development, it is considered that the proposal would not have a detrimental impact on the residential amenities of neighbouring residents.

6. The requirement for Planning Obligations

- 6.1 In terms of this application, the requirements in terms of a S106 agreement would relate to securing a management plan for the remaining County Wildlife Site and land adjacent; securing the affordable housing to be retained as such in perpetuity and that this would be let through the Local Lettings Policy; and as stated previously a contribution towards funding a Traffic Regulation Order along Timber Lane in front of the proposed development. Given the scale of development no further contributions have been sought.

7. Other Considerations

7.1 Representations

The majority of issues raised through the representations have been covered in previous sections of the report. It should be noted that whilst there are a number of residents that object to this application, there are also a number of residents

that are in support of this application and in particular affordable housing within Woburn. Some of these representations have come from people outside of Woburn that have family within Woburn who would like to see more affordable housing within the area so they can locate near to family.

- 7.2 Concerns have been raised regarding the demand on infrastructure and that the Doctors Surgery and local schools will not be able to cope with this increase in dwellings. The proposal is for 10 dwellings, neither the NHS nor the Education Officer have raised any concerns regarding the proposal. Given the limited number of dwellings proposed it is considered that the local services would be sufficient to accommodate any additional demand from this development.

8. Conclusion

- 8.1 The principle of an exception site in this form is supported within the National Planning Policy Framework, this also allows for exception sites to be considered as an exemption to inappropriate development within the Green Belt. The principle of the development is therefore considered acceptable.
- 8.2 The proposed development has been amended over time to take account of consultee comments and representations received. It is considered that where appropriate the development has overcome any overriding issues that have raised through the various consultation periods. It is acknowledged that the view across from Timber Lane towards Woburn Village and St Mary's Church will be altered by it is not considered that this would be sufficient to warrant refusal of the application. The Housing Development Officer is in support of the application and welcomes affordable housing provision within the Woburn area.
- 8.3 The Highways Officer has not objected to the application and is satisfied that the proposed development would be acceptable in highway terms and that the surrounding local highway network could accommodate the additional trips that would be generated from the proposed development.
- 8.4 The National Planning Policy Framework sets out in paragraph 14 that at the heart of the NPPF is a presumption in favour of sustainable development. The proposal is in conformity with the NPPF and there are no adverse impacts arising from the development that would outweigh the benefits of additional affordable housing within Woburn.

Recommendation:

That Planning Permission be approved subject to the following conditions and an acceptable S106 agreement:

RECOMMENDED CONDITIONS / REASONS

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

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

- 2 No development shall take place on the construction of the external walls, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Section 7, NPPF)

- 3 Prior to work commencing on the construction of the external walls, details of the proposed windows and external doors shall be submitted to and approved in writing. The windows shall be of timber construction.

Reason: To ensure the use of appropriate materials and an acceptable finish. (Policy DM3, CSDM)

- 4 The development shall not be brought into use until the proposed access has been formally constructed in accordance with Central Bedfordshire Council's specification for vehicular access.

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

- 5 Before the premises are first occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway. (Policy DM3, CSDM)

- 6 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users. (Policy DM3, CSDM)

- 7 The development hereby approved shall be carried out and completed in accordance with the access, siting and layout illustrated on the approved plan number P/SP/211 and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local

Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times. (Policy DM3, CSDM)

- 8 The dwellings hereby approved shall not be occupied until details of the bin storage/collection areas have been submitted to and approved in writing by the Local Planning Authority and the bin storage/collection areas have been implemented in accordance with the approved details. The bin storage/collection areas shall be retained thereafter.

Reason: In the interest of amenity.
(Section 7, NPPF)

- 9 **No development shall take place until details of the method statement of preventing site debris from being deposited on the public highway have been submitted to and approved in writing by the Local Planning Authority. The measures set out in the method statement shall be implemented throughout the construction period and until the completion of the development.**

**Reason: In the interests of highway safety and to prevent the deposit of mud or other extraneous material on the highway during the construction period.
(Section 7, NPPF)**

- 10 A scheme for 2 short stay cycle parking spaces per unit, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport. (Policy DM3, CSDM)

- 11 **Development shall not commence until a scheme detailing access provision to/from the site for construction traffic and the provision for on site parking for construction workers and deliveries for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

Reason: To ensure appropriate highway measures during the construction period. (Policy DM3, CSDM)

- 12 **No development shall take place until a contaminated land desktop study has been submitted to and approved in writing by the Local Planning Authority. In addition, and where deemed necessary by the Local Planning Authority, an intrusive investigation proposal, a subsequent remediation statement and a validation document, shall be submitted to and approved in writing by the Local Planning Authority.**

No development shall take place until the remediation measures thereby approved have been completed in accordance with the approved details.

**Reason: To ensure that the site is suitable for its end use and to protect human health and the water environment.
(Section 11, NPPF)**

13

No development shall commence until the final detailed design of a Surface Water Drainage Scheme including proposed standards of operation, construction, structural integrity and ongoing maintenance shall 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). The scheme shall include details of how the system will be constructed, including any phasing, and how it will be managed and maintained during and after completion of the site. 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. The applicant should address the following concerns when submitting details to discharge the condition:

- 1. Further investigation to establish the operational capacity and functionality of the receiving downstream system, and any necessary remedial work to be undertaken prior to any surface water from the proposed site discharging to this system.**
- 2. Further investigation of ground conditions and feasibility of infiltration, in accordance with BRE 365 standards.**
- 3. Details of ownership and permissions required to connect to the downstream system and for any off site works, with evidence of agreements.**
- 4. Details of the final proposed impermeable area, peak flow rate and storage requirement, with full calculations and methodology. The scheme to be submitted shall include provision of attenuation for the 1 in 100 year event (+allowance for climate change) and demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event (to include for climate change and urban creep) will not exceed the run-off from the undeveloped site following the corresponding rainfall event. Including management of exceedance flow routes both on and off site in the event of system exceedance or failure.**

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.

- 14 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.

1. The FRA suggested SAB adoption, this is not an option. If a management company is to be used the consideration of further sustainable drainage could be considered, removal of gully pots for rain garden interceptors, swales, rills etc. could reduce installation cost.

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.

- 15 **No development shall take place until an ecological design strategy (EDS) addressing ecological mitigation, compensation and enhancement has been submitted to and approved in writing by the local planning authority.**

The EDS 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 maps and 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.**
- i) Details for monitoring and remedial measures.**
- j) Details for disposal of any wastes arising from works.**

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure a net biodiversity gain within the development in accordance with the requirement of the NPPF

- 16 **Both prior to and during development, all tree protection measures and working methodology shall be implemented in strict accordance with Section 10 "Recommendations for the protection of trees during Construction (Arboricultural Method Statement), which forms part of the document "Arboricultural Impact Assessment and Arboricultural Method Statement" (Ref 2516.AIA Rev C. Woburn.Waterland), which shall include the provision of tree protection fencing to be erected in strict accordance with the "Tree Protection Plan" (Ref. 2516.TPP.Rev.C.), as prepared by Andrew Benson (Tree**

Consultant).The tree protection fencing shall then remain securely in position throughout the entire course of development.

Reason: To ensure that a satisfactory standard of tree protection of retained trees is maintained throughout the entire course of development, in order to prevent both above and below ground damage to trees, in the interests of visual amenity.

- 17 The planting and landscaping scheme shown on approved Drawing No. Landscape Design V3 dated 07/04/16 shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season shall mean the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season with others of a similar size and species.

Reason: To ensure an acceptable standard of landscaping.
(Sections 7 & 11, NPPF)

- 18 Notwithstanding the approved plans, all new rainwater goods shall be of black painted [cast iron/aluminium] and shall be retained thereafter.

Reason: To ensure an acceptable finish to the proposed development given its location.
(Section 12, NPPF)

- 19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers P/SP/211 Rev B; X/SP/201; P/LP/01; P/LP/02; P/LP/03; P/LP/04; P/SE/201; P/SP/201 Rev C; Landscape Design V3; 2516.TPP Rev C; 2516.AIP Rev C.

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

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways

Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

3. The applicant is advised that, under the provisions of the Highways Act 1980, no part of the structure, including boundary foundations and surface water hardware shall be erected or installed in, under or overhanging the public highway and no window, door or gate shall be fixed so as to open outwards into the highway.

The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway. (HN iii)

4. The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway.
5. 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 developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
6. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.
7. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect. (HN xi)
8. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with Central Bedfordshire Council's "Cycle Parking Guidance - August 2006".
9. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways 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 Management Group, 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.

10. The British Standard for Topsoil, BS 3882:2007, specifies requirements for top soils that are moved or traded and should be adhered to. The British Standard for Subsoil, BAS 8601 Specification for subsoil and requirements for use should also be adhered to
11. 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 SHE.
- 12.

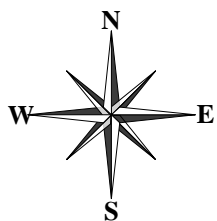
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

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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Central Bedfordshire Council
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Date: 04:July:2016

Grid Ref: 504595; 219220

Application No:
CB/15/03850/FULL

Scale: 1:2000

Eversholt Beeches, Watling Street, Caddington,
Dunstable, LU5 3QP

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Item No. 7

APPLICATION NUMBER	CB/15/03850/FULL
LOCATION	Eversholt Beeches, Watling Street, Caddington, Dunstable, LU6 3QP
PROPOSAL	Permission is sought for change of use of land to a residential caravan site, for two Gypsy Traveller families. The site to contain two static caravans, two touring caravans and parking for four vehicles with associated hardstanding and water treatment plant.
PARISH	Caddington
WARD	Caddington
WARD COUNCILLORS	Cllrs Collins & Stay
CASE OFFICER	Robin Forrester
DATE REGISTERED	12 October 2015
EXPIRY DATE	07 December 2015
APPLICANT	Mr J Price
AGENT	BFSGC
REASON FOR COMMITTEE TO DETERMINE	The application has been called to Committee by the Ward Member Cllr Stay, on the basis that:- <ul style="list-style-type: none">• Existing development is regarded as over-development within the Green Belt. there are already a large number of G & T pitches along this stretch of the A5.• The visual impact is very extensive, and located within the Green Belt, this development would add to the already negative impact on Green Belt and adjacent A.O.N.B.
RECOMMENDED DECISION	Full Application - Recommended for Approval

Summary of Recommendation

The proposed development is an extension to an existing site within the Green Belt, A.O.N.B. and A.G.L.V. and the countryside, contrary to Policy H15 of the Local Plan.

There would be some harm to the landscape of the A.O.N.B although this could be mitigated by significant landscaping.

The development constitutes inappropriate development in the Green Belt, although the shortfall in sites and the applicant's personal circumstances are considered to amount to the very special circumstances needed to warrant the granting of permission for inappropriate development in the Green Belt.

The development would provide 2 permanent pitches to meet an identified need in accordance with the National Planning Policy Framework and Planning Policy for Traveller Sites, at a time when the Council cannot demonstrate a 5 year land supply.

The proposal would not result in any appreciable adverse impact on the residential amenity of nearby properties and improvement works to the existing access would be beneficial in terms of highway safety, and there are no technical waste/drainage or flooding issues.

On balance, the proposal is considered to be acceptable, and in conformity with The National Planning Policy Framework; and Planning Policy for Traveller Sites.

Site Location:

Eversholt Beeches is an established Gypsy and Traveller site, situated on the north-East side of the A5 (T) between Dunstable and Junction 9 of the M1. It is some 2km to the south of Dunstable within Caddington Ward.

The site lies within the Green Belt, the Chilterns Area of Outstanding Natural Beauty and an Area of Great Landscape Value.

The application site lies immediately to the north of the Eversholt Beeches site, and consists of the central area within a grass paddock area, very long and narrow in form, which runs from the mature hedge alongside the A5 in an easterly direction, with a slight slope upwards as it moves away from the A5.

The paddock is dominated by a substantial electricity pylon and lines which bisects the site, and the application site itself consists of a rectangular area within the paddock, and a short access to the Eversholt Beeches site.

The Application:

The proposal is to create an extension to the Eversholt Beeches site, to house the applicants family (Jim Price and his sister Ashley Price), as the existing site is over-crowded, and is currently occupied by 4 generations of the Price family, consisting of Mrs Lee (Senior), Oram and Lucy Price, Jim and his 3 brothers and 2 sisters, and Jim has 4 children.

The extension to the site would consist of the siting of 2 static caravans, and 2 touring vans and an area for parking 4 cars within a hard-standing area. An associated waste-water treatment plant is proposed for the applicants land to the south of the caravan site, and a waste storage area is indicated.

Access to the new site would be from the existing Eversholt Beeches site, and the agricultural gated access on to the A5 would not be utilised.

The plans indicate that boundary screening would be provided particularly to the A5 (west) and northern boundaries, which currently have well-established hedges, which would be supplemented.

The applicant states that whilst it is a Traveller tradition to look after all family members, the relationship between Jim Price and his Grand-mother have broken down as a result of the over-crowding, and that the new area would restore harmony to the family, and would be beneficial for the health and educational needs of the applicant's children. (Confidential Reports have been prepared).

The applicant states that the accommodation is necessary to allow their Romany

Gypsy traditional way of life to continue and for the well-being of the applicant's children, as required by the Human Rights Act, Article 8.

The applicant states that fire regulations would not allow expansion at the present site and that the Price family are an established Romany Gypsy family, and the applicant regularly travels for trading purposes, to visit family and to attend markets, shows and other cultural events.

The applicant states that this would be a sustainable site, well screened (extra planting is proposed) and with good access to bus services giving ready connection to Dunstable's range of facilities including schools, doctors and shops.

The applicant states that if a permanent consent is not considered appropriate, then a temporary consent should be given, and that the lack of sites and the children's health and educational needs amount to the very special circumstances needed to justify the granting of permission within the Green Belt.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

The presumption in favour of sustainable development is a 'golden thread' running through the N.P.P.F.

Paragraph 17 establishes core principles, one of which is protecting the Green Belt, and recognising the intrinsic character and beauty of the countryside, and paragraph 55 indicates that isolated development in the countryside requires special justification. Paragraph 115 states that "Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty".

Section 9 of the Framework re-affirms the Government's commitment to the Green Belt, and that inappropriate development requires very special circumstances to warrant the granting of permission.

D.C.L.G - Planning Policy for Traveller Sites - August 2015

This document establishes the government's policy in relation to the provision of Gypsy and Traveller sites, establishing a requirement for a 5-year supply of sites.

Paragraph 14 indicates that when assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community.

In relation to Gypsy sites within the Green Belt, it states:-

Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances, and the Green Belt boundaries should be altered only in exceptional circumstances. If a local planning authority wishes to make an exceptional, limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a Traveller site, it should do so only through the planmaking process and not in response to a planning application. If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a Traveller site only.

South Bedfordshire Local Plan Review Policies

Policies:

SD1 (Sustainable Keynote Policy),

BE8 (Design and Environmental Considerations)

NE3 (Development in Area's of Great Landscape Value)

H15 (Siting of Mobile Homes in the Green Belt).

[The above policies remain consistent with the N.P.P.F, and as a result, can be afforded significant weight].

Draft Gypsy and Traveller Local Plan

The Central Bedfordshire-wide Gypsy and Traveller Local Plan (GLTP) was prepared to deliver the assessed pitch and plot requirement for the period 2014 to 2031 and was subject to pre-submission public consultation following approval at full Council in February 2014. The Plan was submitted to the Secretary of State in June 2014, however the subsequent Examination was not held and the Plan withdrawn in September 2014. It therefore carries no weight.

Development Strategy

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

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

No relevant history on application site, history on adjacent site is as follows:-

Case Reference	CB/10/01497/VOC
Location	Eversholt Beeches, Watling Street, Caddington, Dunstable, LU6 3QP
Proposal	Variation of condition 4 of planning permission SB/TP/09/0078 to allow a maximum of five caravans, as existing, but including no more than three mobile homes, in lieu of the single mobile home currently permitted.
Decision	Variation of Condition - Granted
Decision Date	24/06/2010

Case Reference	SB/09/00078
Location	Eversholt Beeches, Watling Street, Caddington, Dunstable, LU6 3QP
Proposal	Retention of Gypsy site to provide a maximum of five pitches.
Decision	Full Application - Granted
Decision Date	13/03/2009

Case Reference	SB/99/00290
Location	EVERSHOLT BEECHES, WATLING STREET, CADDINGTON.
Proposal	CHANGE OF USE TO RESIDENTIAL GYPSY CARAVAN SITE

Decision	Full Application - Refused
Decision Date	24/08/1999

Consultees:

Caddington
Parish Council

Objection on the grounds that this development is within the Green Belt, is a new site and that the Council has been understanding of the needs of the Traveller community, supporting extra pitches to work within the G&P Traveller Plan.

Kensworth P.C

OBJECT on grounds of over development, impact on the Green Belt and AONB, contributing to ribbon development extending along the Eastern side of the A5, visual impact from Public Footpaths, destruction of ancient grassland, flora and fauna, new close board fencing already erected which does not allow ancient hedgerow to flourish, site already overcrowded and will contribute to existing site management problems, close proximity to existing sites at Jockey Farm and Greenvale Nurseries (which also has an application submitted for additional plots CB/15/04411), and highways safety concerns with additional traffic turning on and off the A5, especially following serious accident on 29th February 2016.

Highways England

Awaited.

CBC Highway Authority

The site is shown to be served via Eversholt Beeches by an existing access off the A5 Trunk Road - Refer to Highways England as the relevant highway authority for the Trunk Road.

The application form indicates that no new vehicular access will be created. However the existing access is only 3.6m in width and therefore is only capable of accommodating one way traffic.

No additional information has been submitted in relation to the number of units or pitches the access is already serving and therefore it is not possible to determine whether or not the access is capable of accommodating the additional traffic the proposal may generate.

Nevertheless, it is very likely that the access needs to be widened to 5.5m for a length of 10.0m into site, measured from the highway boundary and be provided with kerb radii of 6.0m. This will allow two vehicles to pass at the point of access and also allow a vehicle entering the site to stand clear of the main carriageway in the event that another vehicle is exiting. However, the land required for the widening of the access is not shown to be under the applicant's control.

It is worth noting that despite being stated in the application form that a new access is not to be created, a crossover has been created in front of the site directly off the A5, a drive of hardcore has been constructed and a gate installed at the access. All these indicate the intention to access the site through this created access which may be unauthorised.

These are matters that should be addressed by Highways England as the relevant Highway Authority.

However insofar as this Council is concerned as local highway authority I would recommend that the planning permission be refused for the following reasons:-

Insufficient information has been submitted to properly and accurately assess the proposal and any effect that it may have on highway safety.

Pollution Team

No objections - this site is directly adjacent to an existing residential caravan site and in essence comprises an extension to it further away from the existing commercial uses to the south.

The site, outlined in red in the application documents, is sited some distance from the road and from the pylon, mobile phone mast and ancillary equipment.

Environment Agency

No objection - advises informatives.

Waste Services

The properties will be allocated 1 x 240 litre recycling bin, 1 x 55 litre glass box, and 1 x 240 litre residual bin (and 1 x 240 litre garden waste bin if required)
Bins need to be presented at the curtilage of the property, by the highway on collection day. The collection vehicle will not access the property driveway.

Trees and Landscape

I can confirm that the site is surrounded by hedgerow, offering a good foundation baseline on which to add further screen planting around the proposed new caravan pitches.

Advise that a standard landscape planting condition should be imposed in order to secure additional, native, hedgerow planting, as set out in the Design and Access Statement, in order to maximise the effectiveness of the surrounding hedgerow screening belt.

Local Plans Team

Background

This application seeks permanent planning permission for 2 additional Gypsy and Traveller pitches to the existing 5 authorised pitches, and is one of a cluster of Traveller

sites interspersed with commercial use south of Dunstable. The application is for a greenfield site located in the Green Belt beyond the settlement boundaries of both Dunstable (2.0m) and both Caddington and Kensworth (1.7m) in open but far from remote countryside adjacent to the CBC boundary with Dacorum to the south.

The Eversholt Beeches site comprises an extended family occupying an authorised 5 pitches in a combination of static and touring caravans, with some additional temporary structures. At the frontage of the site is a bricks and mortar bungalow originating from early in the last century which is apparently occupied by the applicant Mr. Price's grandmother, who is referred to in the application's D&A statement. The applicant and his neighbours have suggested that these are due to be buried underground by the power company. The land the subject of this application immediately to the north has been fenced off and has an existing separate farm-style access to the A5, with a somewhat weak boundary hedge to the open countryside beyond.

There is no proposed provision for travelling showpeople at this site and therefore this response excludes all reference to the needs of this part of the travelling community.

National "Planning Policy for Traveller Sites" (PPTS, August 2015)

This statutory guidance sets out the Government's policy for planning and managing the development of accommodation for Gypsies & Travellers. It provides specific guidance on determining planning applications for Traveller sites which seeks to facilitate the traditional, nomadic life of Travellers whilst respecting the interests of the settled community.

The PPTS requires that LPAs carry out a full assessment of the accommodation needs of Gypsies and Travellers in their area together with neighbouring authorities; determine the local need for sites and set pitch targets (as defined). In particular LPAs should "identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years worth of sites against their locally set targets" (para.10a). PPTS further states (para.27) that "if a local authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission".

Of particular relevance to this application is para. 14 which requires LPAs to ensure that the scale of sites located in the countryside do not “dominate the nearest settled community” and para. 25 which advises that LPAs “should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. More specifically the August 2015 PPTS strengthens the presumption against Traveller sites in the Green Belt in Policy E, para. 16, which states that Traveller sites would need to demonstrate “very special circumstances” to outweigh harm. Para 17 indicates that defined Green Belt boundaries should only be altered through the Plan making process and not in response to a planning application.

Local Planning for Gypsy and Travellers

The Central Bedfordshire-wide Gypsy and Traveller Local Plan (GLTP) was prepared to deliver the assessed pitch and plot requirement for the period 2014 to 2031 and was subject to pre-submission public consultation following approval at full Council in February 2014. The Plan was submitted to the Secretary of State in June 2014, however the subsequent Examination was not held and the Plan withdrawn in September 2014. Whilst the withdrawn GLTP document therefore carries no weight in law when determining current planning applications, the policies contained within the document remain useful practical guidelines for the assessment of the suitability and acceptability of proposed Gypsy & Traveller sites in Central Bedfordshire.

The withdrawn Plan assessed the current and future need for Traveller sites (see below); identified criteria for assessing planning applications and sought to allocate 66 Gypsy & Traveller pitches (Policy GT1) considered deliverable in the first 5 years of the Plan period (ie 2014-19) and therefore capable of meeting current need. These pitches were to be accommodated on 6 separate sites which included the expansion of the nearby Greenvale site by 8 pitches to the current authorised 14 under Policy GT12 Site 92, notwithstanding the AONB and Green Belt designations (see below).

The withdrawal of this Plan however, means that there are currently no “allocated” Gypsy and Traveller sites to satisfy unmet current need. The Council has commenced work on a new Central Bedfordshire Local Plan which will include provision for Gypsies and Travellers. A Call for Sites has recently closed which sought proposed sites to accommodate the Travelling community. This New Plan which will include a review of Green Belt boundaries in allocating sites to meet re-assessed needs, is currently

scheduled for submission in December 2017 with examination the following summer. It will therefore be more than two years before any allocated sites are confirmed.

The additional pitches nonetheless required before this time will therefore need to be achieved through either a more intensive use of, or extensions to, existing authorised sites or on new unallocated “windfall” sites, each of which make an important contribution to the delivery of the 5 year supply of Gypsy and Traveller pitches required by the PPTS. There is no substantive need for a site to be formally allocated to be found suitable for Gypsy and Traveller use. It is open to site owners and / or promoters, including members of the Travelling community and the Council themselves, to bring forward sites as they become available and for the LPA to consider each proposal against established need following full and proper consultation.

Gypsy & Traveller Accommodation Need

In preparing the 2014 GTLP the Council commissioned a Gypsy, Traveller and Showpersons Accommodation Assessment from specialist consultants (GTAA, ORS January 2014) using a baseline survey date of November 2013. This Assessment considered the number of unauthorised pitches, temporary consents, concealed households and overcrowded sites, together with the number of Travellers on waiting lists for Council sites, in order to identify the current unmet need (or backlog of provision) within the authority area at that time. Future need was then estimated for 5, 10 and 15 year periods taking into account migration patterns and rates of new household formation, set against allocated and vacant sites and unimplemented permissions. This GTAA identified a backlog of 35 pitches. Assuming a 2.5% growth rate, it estimated a total requirement of 63 pitches for 2014-2019 and a total of 165 pitches for 2014-31.

The Submission Version of the Gypsy and Traveller Local Plan (June 2014) was accompanied by a trajectory which sought to demonstrate that the additional sites to be allocated would deliver a 5 year pitch supply if the GTAA results utilised a Council preferred 2.0% growth rate. This acknowledged the backlog of 35 pitches but estimated a reduced need to 2019 of 54 and to 2031 of 131 pitches. The Plan’s proposed allocation of 66 new pitches therefore met the 5 year supply and relied on continuing windfalls to meet the additional requirement beyond 2019 to 2031.

Following the withdrawal of the GTLP, the GTAA was further updated by ORS in December 2014 with the

commencement of the preparation of the Council's new Local Plan. This assessment moved the baseline forward to January 2014 and took into account the difficulties that the Inspector, together with some consultees, identified with the figures in the submitted GTLP. The update re-affirmed the current backlog of 35 pitches and identified an unmet need in December 2014 of 56 pitches to 2019 and an overall net need 2014-31 of 136 pitches, utilising the lower 2.0% growth rate.

Recent planning permissions and appeal decisions over the last year have granted consent for a number of additional pitches, including making permanent some temporary pitches. Current site provision in Central Bedfordshire is continually being reviewed through monitoring and site visits including the bi-annual caravan count. The Council has therefore commissioned a further GTAA from ORS, which will have a baseline updated to 2016 and a new 5 year supply period to 2021. It will necessarily reflect the provisions of the revised PPTS, including the new "planning" definition of Gypsies and Travellers which requires consideration of the extent to which their "nomadic habit of life" is continuing (Annex 1 para.2). This work is underway and was due to report, for consideration by Members, in May 2016.

In the meanwhile, the Council accepts that whilst the immediate backlog may well now have been resolved, there remains an unmet need going forward resulting in the lack of a 5 year supply of suitable accommodation to 2019. This will be extended to 2020/21 under the New Plan. In recent appeals including APP/P02740/W/15/3004755 (Twin Acres, Arlesey) Inspectors have noted that if there is such a significant unmet immediate need for Gypsy and Traveller pitches due to the absence of an up to date 5 years supply of deliverable sites (a "policy failure"), this is a significant material consideration. The LPA can therefore expect to lose further appeals until this need is demonstrably met. This application for two permanent additional Gypsy and Traveller pitches, to meet a growing family need and resolve personal issues between members of the family, would make a windfall contribution towards meeting the outstanding shortfall in supply.

The Eversholt Beeches Site

Eversholt Beeches is one of a cluster of 3 physically separate but apparently related Gypsy and Traveller sites in this locality. The extension of Greenvale to the south was one of the six proposed allocations in the GTLP 2014 having been selected through a long and detailed 3 stage process in 2013/2014, which included extensive consultation. It was considered that exceptional

circumstances justified development in the AONB and the extension would have a limited impact on the landscape and on biodiversity. This site was considered to be at a reasonably accessible distance from Dunstable which provides a full range of services; vehicular access was satisfactory and it was capable of being effectively screened within the open countryside. As an existing site seeking to expand, it was deliverable in the required timescale to meet accepted need. These factors all apply in principle to the Eversholt Beeches site, however the proposed extension to the north would constitute a further incursion into the Green Belt, under stricter PPTS policy guidance.

Another particular issue is whether this site can be considered sustainable within the terms of the NPPF and PPTS. The CBC Planning policy approach in the now withdrawn GTLP – Part 5 Consideration of New Sites stressed that a sustainability approach required access to a variety of community services including health; schools; local shops and employment opportunity:

Para. 5.3 acknowledged that whilst proximity to existing settlements is the Council's first preference, it is often the expressed preference of the Gypsy and Traveller community to live in the countryside and indeed that of the nearest settled community that there should be more separation between the two forms of housing.

Policy GT5 proposed a criteria-based approach to assessing planning applications, which included ensuring "satisfactory and safe vehicular access to and from the public highway".

Para. 5.9 confirmed this as "essential" and adds "Access to local services by foot, cycle or public transport should ideally be available, to reduce the reliance on private vehicles."

This issue has been addressed by inspectors on appeal on a number of occasions both locally and nationally. Increasingly the view is emerging that sustainability does not necessarily equate solely to being in walking distance of facilities, particularly if to do so would raise safety issues, and that a wider interpretation should be employed. Examples of this approach locally include Twin Acres, Arlesey (Appeal Ref: APP/P0240/W/15/3004755), where the Inspector concluded:

"However, there is no requirement in national policy to provide pedestrian links to gypsy and traveller sites. Government policy envisages such sites in rural areas, where providing footpath links will often be impractical or

inappropriate. Paragraph 29 of the Framework acknowledges that “different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas”.

This view is not new however and was reached earlier in the Woodside appeal, Hatch, SG19 1PT. The decision letter came in the same month as the revised PPTS, August 2015, APP/P0240/A/11/2156395/NWF.

Conclusion

The Council previously approved the adjoining site for this use, the proposals have been designed in a sympathetic manner to reduce impact on the surroundings and to incorporate safe vehicular ingress and egress. The site is within a reasonable distance of a major settlement providing all required facilities, bus access is available and the use would meet an established, genuine and urgent need for a genuine growing Traveller family grouping. The location ensures that the development will not dominate any adjoining settlement.

Previous Pre-App. advice has suggested that the use of the existing site could be improved to accommodate more caravans, perhaps by utilising the adjoining land for grazing and less intrusive uses. The future of the overhead cables is a relevant consideration in this. It may be appropriate to pursue this approach until the results of the Green Belt review are known which could consider this area and an appropriate policy response to it. It is understood that there are local community concerns regarding the number of caravans in this area and similarly concerns have been expressed regarding the speed of traffic and potential road obstruction beyond the boundary of the 50 mph limit some distance to the north. It is also the case that the land under the applicant's control could potentially accommodate more than the two pitches currently applied for.

Other Representations:

One letter of objection
has been received
which states:-
Bury Farm Cottage,
Church End

My key concern is that extending this residential site will have considerable impact on traffic and child safety on the A5 trunk road. Slow moving vehicles exiting this development are already a hazard and are likely to increase if the site is further developed. There are also vehicles frequently parked on the verges and children walking from the site on the verges to the petrol station on

the A5. It is clear this is not a site that is suitable for residential development. Separately, given that the development is in the Green Belt and an Area of Outstanding Natural Beauty, further ribbon development along the A5 further should not be allowed.

24 Standard Letters of
Support state:-

Jockey Meadow Ind
Units, Watling St,
Dunstable

Support the Jim Price application as there is a shortage of Gypsy Traveller sites in Central Bedfordshire, and this type of private provision is a good way forward and much needed. Request that CBC look favourably on this application.

Jockey Meadow Farm,
Watling St, Dunstable

Ditto

147 Tennyson Road

Ditto

Jockey Meadow Farm,
Watling St, Dunstable
21 Parklands,
Dunstable

Ditto

Ditto

48 Ashcroft, Dunstable
184 Spoodell,
Dunstable

Ditto

Ditto

Unit 20 Tavistock
Place, Dunstable

Ditto

35 Jardine Way,
Dunstable

Ditto

The Spinney, Coventry

Ditto

The Spinney, Coventry

Ditto

16 Suncote Avenue,
Dunstable

Ditto

16 Suncote Avenue,
Dunstable

Ditto

6 Finsbury Place,
Dunstable

Ditto

Rador Road, Luton

Ditto

Jockey Farm, Watling
St, Dunstable

Ditto

Jockey Meadow Farm,
Watling St, Dunstable

Ditto

Jockey Meadow farm,
Watling St, Dunstable

Ditto

Jockey Meadow Farm,
Watling St, Dunstable

Ditto

Jockey Meadow Farm,
Watling St, Dunstable

Ditto

24 Leyburn Road, Luton

Ditto

Jockey Meadow Farm,
Watling St, Dunstable

Ditto

Jockey Meadow Farm, Ditto
Watling St, Dunstable
Jockey Meadow Farm, Ditto
Watling St, Dunstable
Jockey Meadow Farm, Ditto
Watling St, Dunstable

Determining Issues:

The main considerations of the application are;

1. Principle of Development in the Green Belt
2. Affect on the Character and Appearance of the Countryside
3. Neighbouring Amenity
4. Highway Considerations
5. Drainage and Waste
6. The planning balance
7. Other Considerations

Considerations

1. Principle of Development in the Green Belt

- 1.1 The provision of Gypsy sites is governed by similar restrictions as conventional housing - there is a requirement for the Local planning Authority to identify a 5-year supply of site to meet an objectively assessed need - and such sites should be in sustainable locations, with good access to facilities - especially educational and medical needs - with a general requirement to avoid isolated sites within the countryside.
- 1.2 Policy H15 of the Local Plan, indicates that applications for the siting of mobile homes or residential caravans in the Green Belt will be treated in the same way as applications for permanent dwellings and judged against the provisions of Green Belt policy.
- 1.3 The site falls within the statutory Green Belt, and the development constitutes 'inappropriate development' which is by definition, harmful. The N.P.P;F indicates that inappropriate development should be refused, and requires very special circumstances to be demonstrated - that outweighs the harm arising from the inappropriateness, the harm to the open-ness of the Green Belt and all other harm - to warrant the granting of planning permission for inappropriate development.
- 1.4 The National Planning Policy for Gypsy and Traveller sites indicates that:-
"Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances, and the Green Belt boundaries should be altered only in exceptional circumstances. (This application does not seek to amend the Green Belt boundary).
- 1.5 The above National Guidance suggests that the shortage of sites and the applicant's personal circumstances would not individually amount to the 'very special circumstances' necessary to justify the granting of permission.
- 1.6 The comments from the Council's Local Plans Team however indicates that the shortfall in the provision of Gypsy and Traveller sites is such, that it could, cumulatively, amount to the very special circumstances as demonstrated by

recent appeal decisions.

- 1.7 In addition, the applicant has advanced personal circumstances - the educational and health issues of his children - to justify needing to remain at the current site, and a confidential educational and medical report has been provided.
- 1.8 The applicant indicates that his human rights (and those of his children) would be harmed if the site is not developed, and that the above, in total, constitutes the 'very special circumstances' needed to warrant the granting of permission.
- 1.9 It is apparent from the Local Plan team response, that despite the National Planning Policy for Gypsy and Traveller sites indicating that the lack of 5-year supply of sites, and the personal circumstances would rarely amount to the 'very special circumstances' needed to justify inappropriate development within the Green Belt, in this instance the short-fall in the availability of Gypsy sites is such, that the combination of the shortfall, and the applicant's personal circumstances would in this instance, amount to the 'very special circumstances' needed to warrant the granting of inappropriate development within the Green Belt.
- 1.10 It is apparent that the development constitutes inappropriate development, and that the 'very special circumstances' must outweigh the harm caused by virtue of the inappropriate development, the harm to the openness of the Green Belt, and any other harm.
- 1.11 The development would cause harm from being inappropriate, and it would also be an intrusion in to the open land to the north of the current site, and would therefore harm the openness of the Green Belt, by introducing development on to a site that is currently open and a greenfield site, with the only development being the electricity pylon.
- 1.12 The applicant suggests that the cable could be placed underground and the removal of the pylon would result in the land being more open in the future and therefore the intrusion of the caravan site in to the countryside would be more apparent.
- 1.13 The land is presently partially screened by virtue of boundary hedging, and whilst the site could be landscaped further, and partially screen the site, this would not lessen the harm to openness.
- 1.14 Other harm - to the character of the A.O.N.B and A.G.L.V.- is discussed in the following section.

2. Affect on the Character and Appearance of the Countryside

- 2.1 The character of the land is of open countryside, and rolling downs and falls within the Chiltern Hills Area of Outstanding Natural Beauty, (which the N.P.P.F indicates should be afforded the highest level of protection) and the Local Plan designated Area of Great Landscape Value.
- 2.2 The site would be visible from vantage points in the surrounding area, including public footpaths, although less so from the A5 due to boundary treatment.
- 2.3 Whilst the site could be screened further by the introduction of additional planting, it would still be an encroachment in to the countryside of the A.O.N.B, and within such areas, the cumulative impact of the development considered with other developments, is an important consideration within the A.O.N.B.
- 2.4 The area already has electricity pylons and several commercial and Gypsy and Travellers sites that are developed and intrude into the countryside of the A.O.N.B. and A.G.L.V. in this locality on the eastern side of the A5, and although the proposed development would intrude further, and is a greenfield site, the additional harm to the locality is lessened by this context.

- 2.5 It is considered that there would be moderate harm caused to the landscape in the short-term, that could be mitigated for by means of additional planting, and in the medium-to-long term, the impact would be lessened as the landscaping matured, to the extent that it would only be distant views that would be affected, although due to the elevated view-points, it could not be said that the development would cause no harm.
- 2.6 It is considered that a high standard of landscaping to the boundaries of the site would be necessary in order to minimise the impact on the A.O.N.B. and A.G.L.V. but this could be conditioned accordingly.

3. Neighbouring Amenity

- 3.1 There are no immediate neighbours in close proximity to the site, and the development falls centrally within the larger paddock area to the north of the existing Eversholt Beeches site.
- 3.2 The use of the site would not therefore have any appreciable impact on the amenities enjoyed by the occupants of any nearby residential properties.
- 3.3 The access to the site extension is taken from the existing access to Eversholt Beeches, and the modest increase in traffic that is likely to be generated would not impact on the level of amenities enjoyed by neighbouring property.

4. Highway Considerations

- 4.1 The proposed access to the site is via the existing access to Eversholt Beeches, which is seen as preferable to introducing another new access on to the Trunk Road.
- 4.2 The Highway Authority has recommended refusal of the proposal as submitted as the existing access does not allow for 2-way traffic to pass in the mouth of the access, which could result in vehicles turning in to the site having to stop on the A5 (T), should another vehicle be emerging from the site.
- 4.3 It is considered that it would be a relatively simple matter to widen the existing access - which would allow vehicles to pass within the entrance (thereby avoiding the need for vehicles needing to wait on the trunk road, and a revised plan to meet the requirements of the Highway Authority is awaited.
- 4.4 The comments of Highways England (the former Highways Agency) are awaited and will be reported to Committee, although in view of the modest additional development utilising an existing access - that could be improved to achieve an overall highway improvement - no objection is anticipated.
- 4.5 It is considered that providing the existing access is improved before the development is occupied, then no highway safety issues would arise.

5 Drainage and Waste

- 5.1 In the absence of any public sewers in the area, under the sequential test for non-mains drainage, a package treatment plant as proposed, is the most sustainable method of foul drainage, and no objection has been raised by the Environment Agency, and the discharge from the unit would be dealt with under their 'permit' regime.
- 5.2 It is considered that the proposed method of foul sewage disposal is acceptable and the siting of the unit itself is appropriate.
- 5.3 The caravans themselves would discharge the run-off to soakaway, and the size of the site would ensure that there would be no likelihood of the run-off flooding adjacent or surrounding land.
- 5.4 The site would have an assigned area for the positioning of wheelie-bins, which would be placed at the access drive junction with the public highway for collection on the assigned day.

5.5 There is no objection to the proposal on technical drainage/waste grounds.

6. The Planning Balance

- 6.1 The site falls with the A.O.N.B and A.G.L.V. and would have a moderate impact on the landscape in the short-term, which would become a minor impact over time when any additional landscape matures.
- 6.2 The development will be well screened from localised views along the A5 by existing planting, although longer views from elevated positions and public footpaths would be affected.
- 6.3 The N.P.P.F indicates that the protection of such sensitive areas should be afforded the highest level of protection, and therefore a substantial planting scheme would be required in mitigation.
- 6.4 The site constitutes inappropriate development within the Green Belt and would be contrary to saved policy H15 of the adopted South Bedfordshire Local Plan Review 2004, which requires residential caravan sites to be dealt with in the same manner as conventional dwellings.
- 6.5 The N.P.P.F indicates that inappropriate Development is by definition harmful to the open-ness of the Green Belt and that very special circumstances - that outweigh the harm from inappropriateness, the openness of the Green Belt and any other harm - needs to be demonstrated in order to warrant the granting of permission for inappropriate development.
- 6.6 The national planning policy for Gypsies and Travellers indicates that the lack of a 5-year supply of Gypsy and Traveller sites, and any personal circumstances advanced by the applicant would in themselves rarely amount to the very special circumstances needed to off-set the harm.
- 6.7 In this instance, on balance, it is considered that the lack of a deliverable 5 year supply of pitches and shortage of sites, compounded by the applicants personal circumstances (the special educational and medical needs of his children) do in this instance amount to the very special circumstances needed to warrant the granting of permission for inappropriate development.
- 6.8 The development would result in improvements to the existing access that would have a modest highway safety improvement.
- 6.9 The overall planning balance in view of the above points is that planning permission should be granted for the development as proposed.

7. Other Considerations

- 7.1 Human Rights issues: in this instance, the applicant indicates that the refusal of permission would be contrary to the human rights of his children in relation to their educational and medical/health needs, and the lack of a 5-year supply and lack of available sites would contravene his human rights to home and property.
- 7.2 **Equality Act 2010:** the applicant is a member of the Gypsy and Traveller community, and as such, issues of equality were considered in the formulation of the above report, although no breach of the Act was considered to have occurred.

Recommendation:

That Planning Permission be GRANTED subject to receipt of an amended access plan (and any conditions arising from receipt of such a plan), and to the following Conditions:

RECOMMENDED CONDITIONS

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

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

- 2 No caravan shall be occupied until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping and to provide screening for the site in view of its location within the A.O.N.B. and AGLV. (Policies BE8 & NE3, SBLPR and Sections 7 & 11, NPPF)

- 3 The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for Traveller Sites, August 2015, or any subsequent guidance which amends or supersedes the above.

Reason: Reason: To limit the use of the site to gypsies and travellers as the proposal is justified on addressing a need for such accommodation in accordance with the Planning Policy for Traveller Sites 2015. (Section 9, NPPF)

- 4 No caravan located on the site shall be occupied for residential purposes by any person other than the following or their dependants: Mr Jim Price, and Ashley Price, and the caravans and associated structures, shall be removed from the site within 2 months of the named occupants or their dependants ceasing to occupy the site.

Reason: In recognition of the location of the site in the Green Belt and the "very special circumstances" case accepted in accordance with the National Planning Policy Framework and Planning Policy for Traveller Sites. (Section 9, NPPF)

- 5 No more than four caravans shall be located on the site and occupied for residential purposes, and no more than 2 caravans shall be static caravans, and the said caravans shall be sited within the pitches indicated on the submitted plan reference BP-LS-10. Notwithstanding the details of the said plan no approval is hereby given to any details that remain the subject of other conditions attached to the original grant of planning consent.

Reason: In recognition of the location of the site in the Green Belt, an Area of Outstanding Natural Beauty and AGLV and having regard to the provisions of the National Planning Policy Framework and Planning Policy for Traveller Sites.

(Policy NE3, SBLPR and Sections 9 & 11, NPPF)

- 6 No commercial activities shall take place on the land, including the storage of materials.

Reason: In order to ensure appropriate development in the open countryside and the A.O.N.B and AGLV, and In order to protect the openness of the Green Belt.

(Policy NE3, SBLPR and Sections 9 & 11 NPPF)

- 7 The development hereby permitted shall not be occupied or brought into use until the details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details.

Reason: To protect the visual amenity of the site and the open countryside of the A.O.N.B & AGLV and its surrounding area.

(Sections 7 & 11, NPPF)

- 8 Details of a refuse collection point located at the site frontage and outside of the public highway and any visibility splays shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any pitch. The scheme shall be fully implemented prior to occupation and shall be retained thereafter.

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

(Section 4, NPPF)

- 9 The residential caravans hereby approved shall not be brought on to site until details of a development scheme have been submitted to and approved in writing by the Local Planning Authority, and the approved development scheme shall implemented in full prior to occupation of any caravan, and thereafter retained in the agreed form.

(i) The proposed means of foul and surface water drainage of all parts of the site;

(ii) Walls, fencing, gates or other means of enclosure on the boundary of and within all parts of the site, together with any additional such walls, fencing, or other enclosures on all parts of the site;

(iii) The waste storage facilities to serve the various parts of the site; and

(iv) The treatment of the hard-surfaced areas of the site.

Reason: To provide a satisfactory appearance in recognition of the location

of the site in the Green Belt and an Area of Outstanding Natural Beauty and AGLV.
(Policies BE8 & NE3, SBLPR and Sections 7, 9 & 11 NPPF)

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

CBC/001	1/1250 Scale - Location Plan
BP-LS-10	1/500 Scale - Block plan/proposed site layout

Reason: To identify the approved plans, to define the terms of the permission and for the avoidance of doubt.

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. **Informative from Environment Agency**
In addition to planning permission the applicant may also require an Environmental Permit from the Environment Agency.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

PPG4: Sewage treatment and disposal where there is no foul sewer

Septic tanks and treatment plants: permits and general binding rules

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

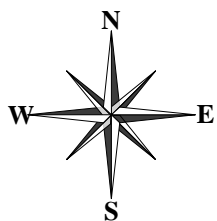
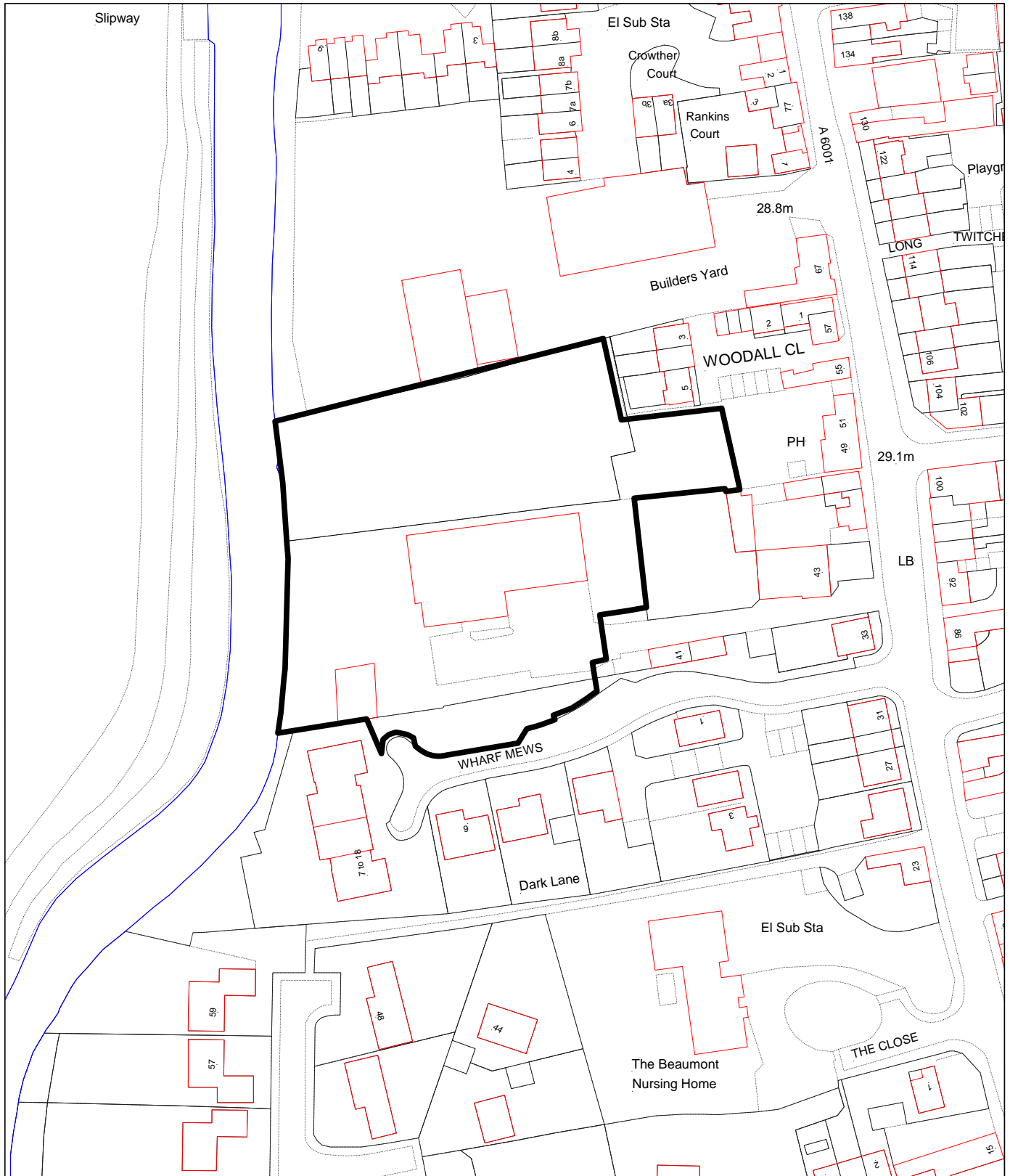
The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and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

DECISION

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Date: 05:July:2016

Map Sheet No

Application No.
CB/16/00181/FULL

Scale: 1:1250

Land rear of 33 - 57 Shortmead Street, Biggleswade, SG18 0AT

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Item No. 8

APPLICATION NUMBER	CB/16/00181/FULL
LOCATION	Land to the rear of 33 to 57 Shortmead Street, Biggleswade, SG18 0AT
PROPOSAL	Construction of 30 No. dwellings and associated road, demolition of commercial premises.
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllrs Jones & Mrs Lawrence
CASE OFFICER	Nikolas Smith
DATE REGISTERED	28 January 2016
EXPIRY DATE	28 April 2016
APPLICANT	Mayfair Holdings
AGENT	RDC
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	This is a major application and the Town Council has objected
	Approval

Reason for recommendation:

The development would represent efficient use of a very sustainable, previously-developed site that would make a contribution towards the market and affordable housing needs of Central Bedfordshire. The appearance of the development, its impact on neighbours and associated highways implications would be acceptable and the development would be in accordance with the policies contained within the Central Bedfordshire Core Strategy and Development Management Policies (2009) and Design in Central Bedfordshire (2014).

Site Location:

The site has an area of around 0.68ha and is made up of three parcels of land which includes an engineering works.

Houses fronting Shortmead Street run north to south along the eastern boundary of the site. Shortmead Street contains a number of listed buildings, some of which are in close proximity to the site (No's 47, 49-51 and 55 are on the west side of Shortmead Street and are listed). Whilst the site is not within the Conservation Area, it begins immediately to the east of it and development at the site would be in its setting. The whole site falls within an Archaeological Priority Area. The River Ivel runs along the western boundary of the site. The bank between the river and the site is designated as a Local Wildlife Site. There is a footpath on the other side of the river from which the site is clearly visible.

Despite the proximity to the river, the site falls within Flood Zone 1.

To the north is a site last occupied by Travis Perkins. Planning permission has

recently been granted for houses and flats for older people there. That approved building has a large footprint and is between two and a half and three storeys in height. The legal agreement that accompanied that planning permission includes a contribution towards a new crossing on Shortmead Street.

To the north east are properties on Woodall Close, a small cluster of buildings extending westwards from Shortmead Street.

To the south of the site are properties on Wharf Mews. These are two storeys in height (some have accommodation in the roof space), but for a larger building at the west of the site which is between two and a half and three storeys in height.

The applicant has shown that within their ownership (but outside of the application site) is the existing site access that runs between No's 33 and 43 Shortmead Street and a large barn which sits to the rear of No 33.

The Application:

Planning permission is sought for the erection of 30 dwellings at the site after the demolition of the existing commercial buildings there.

The mix of the dwellings proposed are set out in the table below:

	1 bed flat	2 bed flat	3 bed house
Market			20
Affordable	8	2	
Total	8	2	20

The dwellings would be arranged at the site as follows:

There would be four two-storey (with accommodation in the roof space) semi-detached houses and a detached house at the southern side of the site, fronting but set back from Wharf Mews.

At the north of the site there would be a part single-storey, part two to two and half storey building containing 8 x 1 bedroom and 2 x 2 bedroom affordable flats.

Between these two flatted buildings at the centre of the site there would be a pair of two and a half storey semi-detached houses.

At the western end of the site, to the north of the existing flatted building on Wharf Mews and with a rear outlook over the River Ivel, there would be 10 x semi-detached houses. These would be between two and a half and three storeys in height.

At the east of the site, to the west of the listed Coach and Horses Public House, there would be 3 x 2 bed terraced houses.

Access would be taken from Wharf Mews and an existing wall at the western end of the road would be removed. There would be works to the highway to increase its width in places.

The proposed development has been revised twice. 42 units were originally sought and that was reduced to 37. In response to concerns raised by neighbours, officers successfully negotiated a further reduction in the number of units proposed to 30.

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). The following policies are applicable to this planning application:

CS2	Developer Contributions
CS3	Healthy and Sustainable Communities
CS4	Accessibility and Transport
CS5	Providing Homes
CS7	Affordable Housing
CS13	Climate Change
CS14	High Quality Development
CS15	Heritage
CS16	Landscape and Woodland
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

Site Allocations (North) Development Plan Document (2011)

Central Bedfordshire Design Guide (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:

Planning permission was granted on 14th April 2016 (CB/15/04768/FULL) for the erection of 48 retirement homes on land to the north of this site. Whilst development has not commenced at the time of writing, that scheme is a material consideration in the determination of this one.

Planning permission was originally granted for the existing houses and flats at Wharf Mews in 2001 (MB/00/01286/FULL). Subsequent decisions varied that consent.

Consultation responses:

Neighbours and Biggleswade Town Council were written to and press and site notices were published. Neighbours and the Town Council were consulted twice more amended plans were received. 25 responses were received. The responses are summarised below:

Town Council

Objection on the grounds of:

- Overdevelopment
- Inadequate parking
- Inconsiderate access
- Pedestrian safety
- Overbearing nature of the development
- No amenity space
- Access should be taken from the existing access off Shortmead Street

Neighbours

Neighbours of the site were consulted on 2nd February. They were consulted again when amended plans were submitted on 20th April.

25 letters of objection were received.

In addition, residents at No's 2, 4, 5, 6, 7, 9, 11, 14, 15, 16, 17 and 18 Wharf Mews and No's 25 and 27 Shortmead Street collectively instructed Robinson and Hall (planning consultants) and MTC Engineering (highways consultants) to prepare a letters of objection on their behalf.

A summary of the responses is set out below:

- There would be an increased potential for rear end shunt accidents at the Wharf Mews/Shortmead

Street junction

- When assessed against the Council's Design Guide, Wharf Mews is not suitable to serve the number of dwellings that would be using it
- There would be a potential capacity impact on the Shortmead Street/Wharf Mews junction
- Increasing traffic flows through a junction that does not meet design standards gives rise to serious highways concerns
- Further justification is required for the loss of the employment use at the site
- The scheme would be an overdevelopment of the site at too high a density
- The development, and particularly the apartment building fronting Wharf Mews, would cause harm to the street scene
- The development would be out of character
- There would be a loss of privacy through overlooking and potential shadowing
- The apartment building would be too tall and would be overbearing
- There would be inadequate landscaping on the Wharf Mews side
- The development would result in the loss of an attractive wall and a grassed area used as amenity space by residents of Wharf Mews
- Inadequate consultation has taken place by the developer
- The development would be dominated by car parking but not enough is provided to meet the requirements of the design guide
- No public amenity space would be provided within the site
- The trip generation figures used in the applicant's modelling could be inaccurate
- Additional trip generation created by the development will harm amenity and safety
- The hammerhead access is currently used by residents to park
- Wharf Mews would not be safe for pedestrians
- The apartment building is in the wrong location
- Wharf Mews should not be used as the access to the site
- The development would represent town cramming
- Construction needs to be carefully considered
- The development would increase the carbon footprint
- There would be noise and light pollution
- Not enough amenity space would be provided

- A crossing should be provided
- Existing residents should receive financial compensation
- Infrastructure is not in place locally to meet the demands of the development

Residents of Wharf Mews have requested additional time to comment on the latest revisions to the plans. If responses are received, they will be reported in the Late Sheet.

Consultee responses:

Environment Agency No objection

Internal Drainage Board No objection

Pollution Team The site in question has a number of environmental conflicts, including its former use, the neighbouring industrial/commercial use to the East and the issues associated with the Public House.

Starting with the current use, the issues which may arise are contamination but these can be dealt with through appropriate conditions which will also deal with any potential contamination from neighbouring land uses. Noise from the adjacent commercial use (Travis Perkins) is not considered a long term issues as I understand that this site has approval for redevelopment for residential purposes. Therefore the only issues which remain are those of noise from the Public House in terms of that from the car park and also from the beer garden. However, in my opinion this would not warrant an objection as there exists a number of residential premises which could be equally affected at this time. However, I would suggest a condition requiring a noise mitigation scheme to be approved prior to occupation.

Highways The proposal is for an additional 30 dwellings taking access from an adopted highway at Wharf Mews, which is of a sufficient standard to accommodate the proposed development. The applicant has indicated that the required visibility splay can be achieved at the junction with Wharf Mews and Shortmead Street and the accident data shows no reported accidents at the junction. The development falls below the guidance requiring a TA.

The applicant has submitted a tracking diagram which shows that a refuse vehicle can access, turn and leave the site in forward gear. There is no tracking diagram for the junction with Shortmead Street as this exists and is in use by the refuse vehicle. However the applicant has been

mindful of the narrow width of Wharf Mews prior to the site access and has included details of the widening of the carriageway and realignment of the footway.

Conservation Officer Early comments relating to design and scale have been addressed through amendments

Housing Strategy No objection.

Trees and Landscape Supplied with the application is a Tree Survey, Arboricultural Impact Assessment and Method Statement, this information identifies all trees on site and a number of offsite trees that could be affected by the development. The information includes Root Protection Areas (RPA) and retention categories of trees.

The survey identifies 7 B category trees and 2 A category trees. BS5837 2012 Trees in relation to Design, Demolition and Construction. Recommendations would look for retention of A and B category trees within development sites and aim to adjust plans around these features to retain where practical mature trees into the new development.

T11 is a mature Sycamore located close to the river edge and categorised within the tree schedule as an A2 category tree and worthy of retention in any development. The tree is readily visible from both Wharf Mews and land west of the river.

Looking at the site layout it would seem that this tree has a root protection area that would not be within the footprint of this tree and could be retained. It would appear that work to replace the retaining wall would be carried out as part of the development but I would suggest that it would be feasible to design this in such a manner to retain the tree.

Tree Protection Plan SE7256/02 Rev A indicates T18 a B category Yew and T3 a Corsican Pine are to be retained although they are both off site, however it does also indicate removal of two trees off site shown as T2 a B category Yew and T4 a C category Willow. Root protection area of both trees encroach into the development site and are also within the Biggleswade Conservation Area, although this is not accurately shown on Tree Survey and Tree Constraints Plan, and as such have legal protection. RPA of both trees encroach into footprint of Plot 25.

I would like to see the retention of T11 Sycamore with the proposed retaining wall constructed in such a manner and design to ensure that it can be retained in good condition,

adding to the mature landscaping of the riverside. As such I would expect the Tree Protection Plan and Arboricultural Impact Assessment/Method Statement to be adapted to show this retention.

T2 Yew is a B category tree worthy of retention and within the Conservation Area. I would like to see Plots 23/24 and 25 moved away from the RPA of this tree and Tree Protection Plan, Arboricultural Impact Assessment/Method Statement to be adapted showing these changes.

Archaeology

Biggleswade was one of three townships recorded in the area during the Saxon and medieval period, the others being Holme and Stratton. It was granted the right to hold a weekly market in the 13th century and there is evidence for early town planning including the alteration of the parish road network and the creation of the market place. Recent archaeological investigations at Hitchin Street have demonstrated the presence of medieval archaeological deposits to the south of the market place (Albion Archaeology forthcoming). Shortmead Street has been identified as one of the principal roads of the historic town linking the market place to the south with a river crossing at its northern end. However previous investigations along Shortmead Street, including one site immediately to the south of the proposed development site (HAT 2000 (EBD 415)) and another about 75m to the north (HAT 2002 (EBD 341)) have failed to establish the survival of archaeological remains relating to the Saxon and medieval town in this area, although the investigation to the south did identify remains of late post-medieval or modern date.

The application is accompanied by a *Historic Environment Desk-Based Assessment* (ECUS, January 2016) which includes a description of the archaeological background, context and potential of the proposed development. The *Assessment* concludes that the site has low potential for Roman period, medium potential for the medieval period and high potential for the post-medieval period. It is suggested that later development or redevelopment of the site in the post-medieval and modern periods will have had a major impact on the survival of archaeological remains. This is confirmed by the results of the archaeological investigation of land immediately to the south where remains of late post-medieval and modern

activity were found and there was evidence of extensive ground disturbance.

The *Assessment* says that groundworks required by construction of the development would have an impact on any archaeological deposits which could be mitigated by a programme of archaeological investigation. It is true that any groundworks would have a negative and irreversible impact on any archaeological deposits that survive at the site. However, on the evidence from adjacent sites it is unlikely that the site will contain substantial or extensive archaeological deposits and that the impact of the development would not cause a major loss of significance to any heritage assets with archaeological interest. Consequently, I have no objection to this application on archaeological grounds and no archaeological and no archaeological investigation will be required as a result of this development.

SuDS Team

We consider that planning permission could be granted to the proposed development and the final design, sizing and maintenance of the surface water system agreed at the detailed design stage, if the following recommendations and planning conditions are secured.

The proposed site has previously been developed and currently comprises a workshop, a brick barn and open space. The proposed development will comprise 42 dwellings with associated highway infrastructure. The site is considered to be a major development. In accordance with Written Ministerial Statement HCWS161 we expect local planning policies and decisions on planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development (as set out in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010) - to ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate. 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).

We understand from the FRA (Revision A: January 2016, R-FRA-T8070PM-01-A) that surface water from the proposed residential development will utilise infiltration techniques across the site for all aspects except the adopted highway. Surface water from private drives will drain to permeable paving and surface water from dwellings will drain to a trench soakaway within the garden of the property. The adopted road will drain via the existing highway drain to the River Ivel. Surface water from the adopted highway will be attenuated to 2.5 l/s (lowest possible) with attenuation provided in oversized pipes. The drainage system will be designed to minimise maintenance requirements, however, a full maintenance scheme will be established for those elements not being offered for adoption.

There are some issues with the submitted FRA that need to be addressed with the final detailed design:

- An average infiltration rate of 8.0×10^{-6} m/s has been determined. The Soakage Test report (Appendix M, 21st January 2016, Ref: PN187) indicates results were relatively poor on site. Further testing must therefore be undertaken to assess the feasibility of infiltration, geotechnical and geological factors, and any implications for the final detailed design of the surface water drainage scheme. Where infiltration is not feasible, revisions to the agreed strategy must be demonstrated with the final detailed design.
- Infiltration in areas of made ground may affect ground stability or increase the possibility of remobilising pollutants, the site investigation should therefore also consider whether the potential for or consequences of ground instability and/or pollutant leaching as a result of infiltration are significant and what mitigation is proposed.
- Confirmation of permission to connect and discharge surface water to the existing highway drain must be secured, and details provided with the full detailed design.
- Land drainage Consent under the land drainage act 1991 must be secured to discharge surface water to the River Ivel, and details of this provided with

the full detailed design.

Determining Issues:

The considerations in the determination of this application are:

1. The principle of the development
2. Design and heritage assets
3. Traffic and highways
4. The quality of the accommodation
5. The impact on neighbours
6. Biodiversity and trees
7. Flood risk, drainage and flood risk
8. Affordable housing and s106
9. Conclusions

Considerations:

1. Principle of the development

The site is located within the Biggleswade Settlement Envelope, where residential development like that proposed is encouraged. The site is a very sustainable one given its proximity to the services provided by the town centre, to the south.

Whilst the site does currently contain an employment use, the site is not defined as a Key Employment Area and so is not specifically protected by the Council's policies. Policy DM4 makes clear that both employment and residential uses are appropriate within settlement envelopes.

This is a predominately previously-developed site in a very sustainable location. The development of such sites can make a valuable contribution towards meeting the Council's housing need and it is important that sites like this one are developed efficiently so that they are providing the maximum number of dwellings that can be achieved whilst giving proper regard to the character of the area, the relationship with neighbours and other material planning considerations.

The density of development at the site would be approximately 44 dwellings per hectare. That would be much lower than that recently consented at the land to the north of the site (approximately 83 dwellings per hectare) and would be appropriate given the very sustainable location and proximity to the town centre.

The principle of the development would be acceptable.

2. Design and heritage assets

The existing building at the site does not make a positive contribution to the character of the area or the setting of the Conservation Area and its demolition would be acceptable.

The proposed houses fronting Wharf Mews would be of a comparable scale to those that they would face. They would be set back from the highway, with front gardens and would be of a high design quality and would sit comfortably in the street scene.

The other proposed buildings at the site would be designed to the same high quality and would be of varying heights and scales. The semi-detached buildings at the west of the site would relate well to the flats on Wharf Mews and the consented scheme to the north and would create a positive view when seen together from the footpath on the other side of the river.

The massing of the building containing affordable apartments at the north of the site would be broken up by changes in roof height and staggered elevations. It would be seen in the context of the development to the north and would be of a lesser scale than it.

The terrace of three houses at the east of the site would be of an appropriate scale and design, when taking in to account the proximity of the listed building further to the east.

Whilst a development like this would result in an inevitable change to the character of the area, that change would not be harmful. The development would result in the loss of an undistinctive commercial building and its replacement with high quality and varied residential development that would sit comfortably alongside existing buildings on Wharf Mews.

Section 66(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires special regard to be had to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of a Conservation Area.

The fact that the scale and design of the development would be appropriate would help to ensure that there would be no harmful impact on the setting of either the nearby listed buildings or Conservation Area. The County Archaeologist is satisfied that no harm would be caused by the development to other heritage assets.

A condition would require details of existing and proposed levels at the site to ensure that the appearance of the development would be acceptable.

3. Traffic and highways

Access to the site would be from Wharf Mews. Very many of the consultation responses received have queried why this should be the case and have highlighted perceived deficiencies with this as an access to the site. Many

residents would prefer that access was taken from the existing point from Shortmead Street in to the engineering site.

The applicant has satisfactorily demonstrated to the Council that the use of the existing access that serves the engineering business between No's 33 and 43 Shortmead Street would not be safe because it would be too narrow.

There is no requirement to submit a Transport Statement that includes junction modelling with a planning application for a development of this scale. The level of information submitted is acceptable to the Council's Highways Officers. It is their view that there are no capacity problems at the Shortmead Street junction and that it can accommodate trips generated by a development of 30 dwellings. The Council's Design Guidance suggests that a road like Wharf Mews might look to accommodate 50 dwellings. In this case, it would be 52. The Council's Highways Officers are satisfied that the difference between the figures would not be material and that the junction and the highway would continue to be safe. The Design Guide is guidance and each case must be assessed on its individual circumstances.

There are parking restrictions around the junction between Shortmead Street and Wharf Mews and given that additional drivers would be using that junction, their limited extent could result in instances of the proximity of parked cars to that junction impeding the safe and free flow of traffic entering and leaving the road. A s106 obligation would require a scheme for enhancing those restrictions. The Traffic Regulation Order that would be required to implement those measures would be assessed by the Traffic Management Committee.

If approved, the measures could reduce the amount of on-street parking available on Wharf Mews, it should not be to an extent that would cause serious disruption to existing residents. It appears as though all of the houses are served by garages, some of which are double and all of which have space to park in front of them. The flats at the west of the site are served by 15 spaces and there is a lay-by about midway along the road for parking that is around 25m long. It may be the case that those parking near to the junction do not live on Wharf Mews or that residents are parking there because it is more convenient than parking in allocated spaces, which in some cases are to the rear of houses.

Some residents are concerned that by introducing an access in to the development site, the ability to park cars within the turning head would be removed. Whilst that would be the case, the turning head was not intended to be parked in.

Concern has been raised that Wharf Mews does not meet current highways guidance and so its use should not be intensified. The Council's Highways Officers are content that the road is of a sufficient standard to accommodate the amount of traffic that would use it. In any event, the applicant is proposing to increase the width of the road so that it would be a minimum of 5.5m wide throughout.

Wharf Mews would provide an acceptable pedestrian environment for new

residents with a footpath leading the full way down to Shortmead Street. A tactile paving crossing point would be introduced to facilitate access on to the footpath.

The internal road layout would be acceptable. The applicant has demonstrated that large vehicles, like bin lorries could safely manoeuvre within it.

The scheme would provide a policy compliant number of car parking spaces (where more than one space would be provided in front of a garage, the garage has not contributed towards the parking figure). Cycle parking would be controlled by way of a planning condition. Parking courts would be overlooked to an acceptable extent.

Paragraph 32 of the NPPF is clear that planning applications should only be refused on transport grounds where the impacts would be severe. That would not be the case here.

4. The quality of accommodation

All of the houses and flats would be of a good size and layout and would receive acceptable levels of light and outlook. The majority of the houses would be served by rear gardens in excess of the Council's standards. Two of the terrace of three houses at the east of the site and those fronting Wharf Mews would have smaller gardens. Those living in the apartment building at the north of the site would have use of two modest areas to the north and south of the building. When looking at the development as a whole, the standard of internal space would be high and the quantum and standard of outdoor space would be acceptable.

Some residents have suggested that a play area should be provided but there is no policy requirement for such provision on a scheme of this size.

5. The impact on neighbours

No's 5 and 6 Wharf Mews would be a minimum of 21m away from the nearest point of the proposed houses at the front of the site. The distance between the buildings would prevent the houses from appearing overbearing or casting a shadow that would be very problematic. There would be windows facing properties on Wharf Mews but the relationship, with a building on the other side of the road, would be a very common one and would not cause serious harm to privacy.

There would be no side facing windows in the proposed houses at the west of the site and those houses would be set back from the rear wall of the flats at No's 7 – 18 Wharf Mews. That, taken together the orientation of the buildings would prevent problematic overlooking in to the communal amenity space serving that building.

The relationship between the apartment building and the consented scheme to the north would be acceptable. The flatted building would be sufficiently far away and positioned in such a way as to prevent it from appearing overbearing when viewed from existing houses to the east and the distance between the upper

floor windows and those properties would prevent serious overlooking problems.

The terrace of three houses at the east of the site would be sufficiently distanced from No 5 Woodall Close to prevent harm to living conditions there. Plot 25 would be near to the boundary with the rear garden of No 43 Shortmead Street and that would likely lessen the enjoyment of the garden at that property. It is, however, a large garden and it would otherwise remain open (garages proposed to the west of that garden would be modest with flat roofs). Views back from first floor windows at Plot 25 and No 43 would be very limited by the orientation and siting of the respective houses.

Additional traffic would use Wharf Mews and more vehicles would reach the end of the road and pass in front of the flats to the west. That additional activity, whilst a distinct change for some residents, would not be uncommon in an urban environment like this one.

A number of residents have raised concern that an existing grassed area at the top of the road would be lost as a result of the development. It would be replaced by another soft landscaped area.

Whilst demolition and construction is generally disruptive, and to an extent an unavoidable consequence of development, here that disruption could be compounded by the site circumstances. A condition would require a detailed demolition and construction management plan to ensure that disruption was reduced as far as possible.

A condition would control existing and proposed levels at the site so as to protect living conditions of neighbours.

The impact on neighbours as a result of the development would be acceptable.

6. Biodiversity and trees

The bank between the river and the rear of the site is designated as a Local Wildlife Site. As such, a condition is recommended that would require a scheme of biodiversity enhancements to be submitted and approved.

The Council's Tree Officer has sought further work to confirm that trees at and around the site would be properly protected and a planning condition would require that.

A condition would also require that a revised landscape scheme was submitted to ensure that opportunities were maximised.

7. Flood risk, drainage and land quality

The Environment Agency and the Internal Drainage Board have raised no objections to the application. A detailed sustainable urban drainage scheme would be required by a planning condition.

8. Affordable housing and s106

10 units of affordable housing would be provided at the site (33%).

Measures to reduce car parking around the Shortmead Street/Wharf Mews junction would be funded by the developer.

The following education contribution would be secured through the s106 agreement:

Early years: £14,517.22

Lower: £48,392.40

Middle: £48,694.46

Upper: £59,712.31

Total: £171,316.89

9. Conclusions

This is a largely previously developed site in a very sustainable location in close proximity to Biggleswade town centre and all of the facilities that it provides. Decision makers are encouraged by national guidance to make efficient use of sites. This development would make a contribution towards meeting the Council's housing and affordable housing need.

The design and scale of the development, whilst representing a change to the current situation, would be of a high quality and the development would not result in the type of severe transport impacts that would justify refusal of the application. There would be no significantly detrimental impact on living conditions and planning conditions would address matters including ecology, tree protection and drainage.

Recommendation:

That Planning Permission is granted subject to the following conditions and the satisfactory completion of a s106 agreement reflecting the heads of terms set out in this report.

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

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

- 2 **No development shall commence at the site before the following has been submitted to and approved in writing by the Local Planning Authority:**

A Phase 1 Desk Study report prepared by a suitably qualified person adhering to BS 10175 and CLR 11 documenting the ground and

material conditions of the site with regard to potential contamination.

Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009). The nature of this condition requires that it is addressed prior to commencement.

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

Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175 and CLR 11, incorporating all appropriate sampling, prepared by a suitably qualified person.

Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 Remediation Scheme (RS) prepared by a suitably qualified person, with measures to be taken to mitigate any risks to human health, groundwater and the wider environment, along with a Phase 4 validation report prepared by a suitably qualified person to confirm the effectiveness of the RS.

Any such remediation/validation should include responses to any unexpected contamination discovered during works.

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

- 4 Prior to the occupation of any dwelling at the site, details of surface materials for vehicular areas shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details in advance of the occupation of any dwelling at the site.

Reason: So as to safeguard highway safety and minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 5 The access to the site and the car parking shown on the approved plans shall be completed in advance of the first occupation of any dwelling at the site and shall be permanently retained and maintained thereafter.

Reason: To ensure that adequate and appropriate access and parking arrangements are provided at all times in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 6 **No development shall commence at the site before a Demolition and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be**

carried out in strict accordance with the approved Statement.

Reason: In the interest of highway safety and living conditions at neighbouring properties in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The nature of the details required by the condition require that it is addressed prior to commencement.

- 7 Notwithstanding the information submitted with the planning application, no development shall commence at the site before a revised Arboricultural Impact Assessment and Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include procedures and methods for site clearance, construction and the proposed retaining wall including removal of existing hard surfacing and proposed foundation design within root protection areas and associated level changes and details and distances of tree protection fencing and ground protection in line with BS5837 2012 Trees in relation to Design, Demolition and Construction. The development shall be carried out in accordance with the approved Statement.

Reason: To ensure that retained trees at the site are suitably protected in accordance with Policy DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The nature of the details required by the condition require that it is addressed prior to commencement.

- 8 Notwithstanding the submitted details, no development shall commence at the site before a detailed Landscaping Scheme for the site including hard and soft landscaping, boundary treatment, species, sizes and densities of planting, a timetable for implementation and an ongoing Programme of Maintenance has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved Scheme.

Reason: To ensure that the appearance of the site and living conditions for future occupiers are acceptable in accordance with Policies DM3 and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The nature of the details required by the condition require that it is addressed prior to commencement.

- 9 Notwithstanding the details shown on the submitted drawings, no development shall commence at the site before a Schedule of Materials to be used in the construction of the buildings has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Schedule.

Reason: To ensure that the appearance of the development and its impact on heritage assets is acceptable in accordance with Policies

DM3 and DM13 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The nature of the details required by the condition require that it is addressed prior to commencement.

- 10 Notwithstanding the submitted details, no dwelling shall be occupied at the site before a Scheme for Biodiversity Enhancement at the site has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall be carried out as approved in advance of the occupation of any dwelling at the site and shall be retained and maintained permanently thereafter.

Reason: To ensure that ecology at the site is protected and enhanced in accordance with Policies DM3 and DM15 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 11 **No development shall commence at the site before details of how 10% of energy demand created by the development will be secured from renewable sources and how water efficiency measures will be successfully introduced at the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To ensure that suitable sustainability measures are introduced at the site in accordance with Policies DM1 and DM2 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The nature of the details required by the condition require that it is addressed prior to commencement.

- 12 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed FRA (Revision A: January 2016, R-FRA-T8070PM-01-A) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of full scale site investigation, including infiltration testing and groundwater assessment carried out in accordance with BRE 365, as well as details of how the scheme shall be maintained and managed after completion. Where revisions to the agreed strategy are proposed these shall be fully justified and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved final details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF. The nature of this condition requires attention prior to commencement.

- 13 No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a management and maintenance plan for the surface water drainage, and that the surface water drainage scheme has been approved on-site as having been correctly and fully installed as per the 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.
- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, garages at the site shall only be used for the parking of motor cars and for no other purpose unless planning permission has first been sought and obtained from the Local Planning Authority.
- Reason: To ensure that sufficient car parking is provided at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, there shall be no extensions or alterations to the dwellings at the site or erection of outbuildings without planning permission first having been sought and obtained from the Local Planning Authority.
- Reason: To ensure that sufficient amenity spaces is provided at the site and the appearance of the development is acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).
- 16 **No development shall commence at the site before details of existing and proposed levels at the site and its surroundings, including cross sections through the site with neighbouring buildings which have been agreed with the Local Planning Authority have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**
- Reason: To ensure that the appearance of the development and its relationship with neighbouring buildings is acceptable, in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The nature of this condition requires that it is addressed pre-commencement.**
- 17 **No development shall commence at the site before a scheme for the provision of cycle parking at the site has been submitted to and approved in writing by the Local Planning Authority. The cycle parking shown on the scheme that is intended for use by occupiers of a dwelling shall be provided prior to the occupation of that dwelling.**
- Reason: To ensure that sustainable methods of transport are provided**

at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the Central Bedfordshire Council Design Guide (2014). The nature of this condition requires that it is addressed prior to commencement.

- 19 **No development shall commence at the site before details of proposed boundary treatment at the site, including those of the proposed retaining wall at the west of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that the appearance of the site would be acceptable and in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). This condition requires addressing pre commencement because it is critical to the acceptability of the development.

- 19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Site Location Plan, Site Location Plan, RDC0134/110E, RDC0134/203B, RDC0134/202B, RDC0134/217A, RDC0134/216C, RDC0134/214A, RDC0134/203A, RDC0134/202A, RDC0134/204B, RDC0134/205A, RDC0134/217, RDC0134/216C, RDC0134/207B, RDC0134/208C, RDC0134/209C, RDC0134/219, RDC0134/111, RDC0134/219, RDC0134/218, RDC0134/206, RDC1034/210C, RDC1034/211C, RDC1034/217, RDC1034/222, RDC1034/223 Topographical Survey, Ecological Appraisal dated January 2015, Flood Risk Assessment rev A dated January 2016, Historic Environment Desk-Based Assessment dated January 2016, Design and Access Statement, Transport Statement dated January 2016, Planning Statement, Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement dated January 2016

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

INFORMATIVE NOTES TO APPLICANT

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

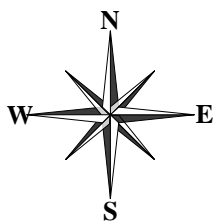
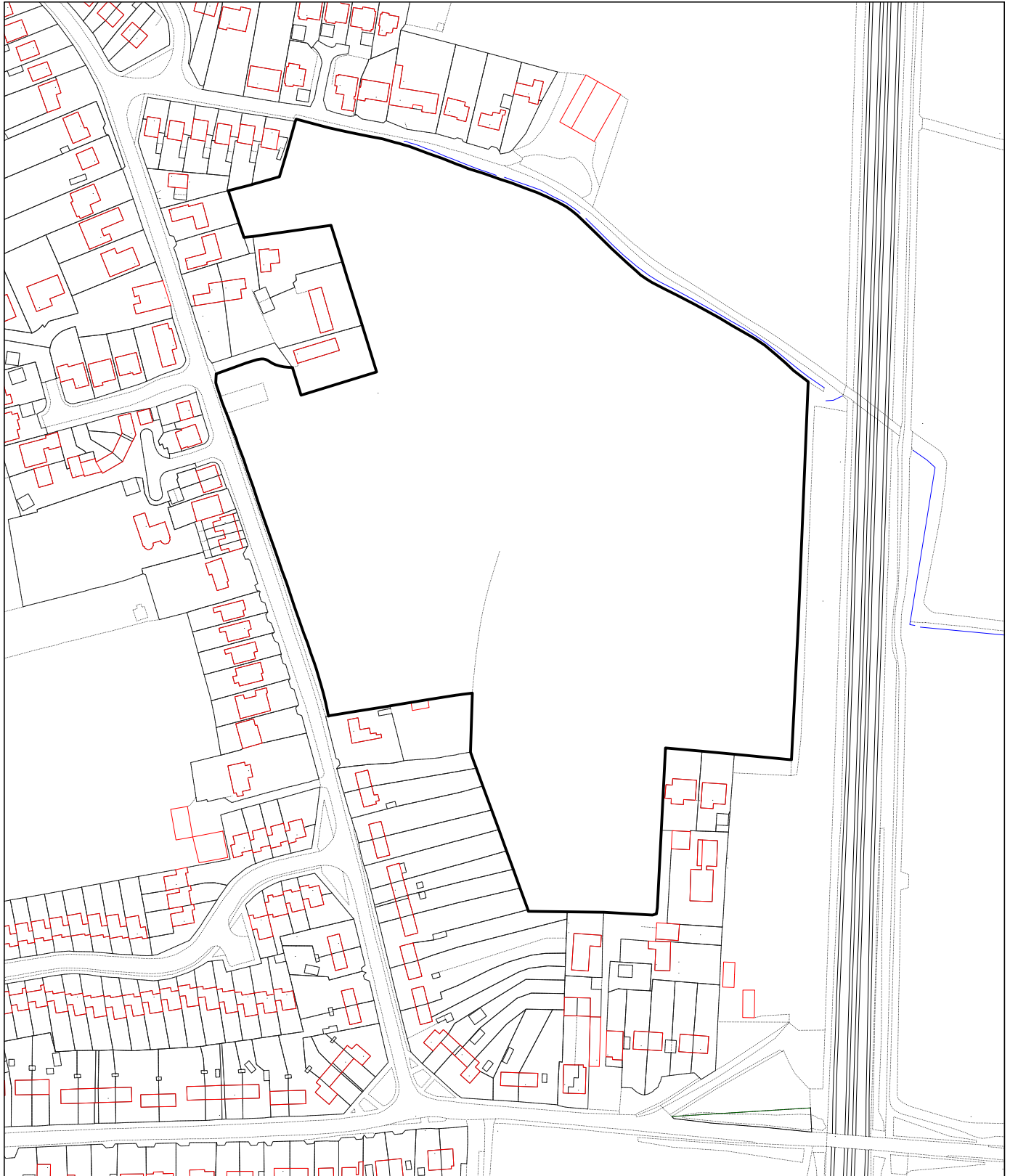
2. Any unexpected contamination discovered during works should immediately be brought to the attention of the Planning Authority.
3. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.
4. 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 5, Article 35

The Council acted pro-actively through positive engagement with the applicant 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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Date: 05:July:2016

Map Sheet No

Application No.
CB/16/00374/RM

Scale: 1:2500

Land East of Station Road, Langford

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Item No. 9

APPLICATION NUMBER	CB/16/00374/RM
LOCATION	Land East Of, Station Road, Langford
PROPOSAL	Reserved matters following outline application CB/14/00186/OUT (110 houses) for the approval of appearance, landscaping, layout and scale.
PARISH	Langford
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Nikolas Smith
DATE REGISTERED	29 January 2016
EXPIRY DATE	29 April 2016
APPLICANT	BDW Trading Ltd
AGENT	
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	This is a major application and the Parish Council has objected.
	Approval

Reason for recommendation: The appearance of the development, its relationship with existing neighbours, its highways impacts and the quality of the accommodation provided would be acceptable and in accordance with the aims of objectives of the Development Plan, including Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the Central Bedfordshire Design Guide (2014). The development would be of an overall high quality and the principle of developing this site for housing has been established.

Site Location:

The application site is approximately 6 hectares in size and located to the east of Station Road between this and railway on its eastern boundary. The southern boundary comprises residential development along Station Road and Cambridge Road and to the north residential properties along Station Road and Jubilee Lane surround the site.

The site comprises two agricultural fields with hedgerow boundaries apart from the southern and south western boundaries which include a variety of treatments of fencing and ornamental hedging.

Jubilee Lane forms a Bridleway along the north boundary of the site which extends to the east beyond the railway. There is an area of hard standing which separates the site from the railway line to the east. Beyond the railway is open countryside consisting of fields and hedgerows. The nearby wind farm at Land to North of Edworth Road, Langford is clearly visible from the site.

The Application:

Outline planning permission was granted at this site for up to 110 dwellings (CB/14/00186/OUT) in June 2015. All matters were reserved except for access. That consent was subject to a number of planning conditions.

This application seeks the approval of the following Reserved Matters:

- Landscape
- Scale
- Appearance
- Layout

The submitted scheme shows 110 dwellings, with the following unit mix:

1 bed Flat	2 bed house	3 bed house	4 bed house	5 bed house
8	13	22	40	27

There would be two main access points from Station Road.

All properties would be served by car parking and amenity space. There would be two large play areas (one at the centre of the site and one near to the north west corner).

RELEVANT POLICIES:

National Policy

National Planning Policy Framework (2012):

Achieving sustainable development

4. Promoting sustainable transport

6. Delivering a wide choice of high quality homes

7. Requiring good design

10. Meeting the challenge of climate change, flooding and coastal change

11. Conserving and enhancing the natural environment

12. Conserving and enhancing the historic environment

Central Bedfordshire Council's Core Strategy and Development Management Policies 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

Supplementary Planning Guidance / Other Documents

Central Bedfordshire Design Guide (2014)

Central Bedfordshire Sustainable Drainage Guidance SPD (2014)

Mid Bedfordshire Landscape Character Assessment (2007)

- 4C Upper Ivel Clay Valley
- 5G Dunton Clay Vale

Langford Green Infrastructure Plan (2011)

Relevant Planning History

Outline planning permission was granted for up to 110 houses at the site at appeal in June 2015 (CB/14/00186/OUT).

Representations: (Parish & Neighbours)

Press and Site Notices posted

Langford Council	Parish	Langford Parish Council most strongly objects to this proposal, the development is totally unsustainable from a key services perspective and will generate serious issues in the future unless addressed.
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This was recognised by Central Bedfordshire Council who refused the initial outline application on the basis it was outside the village settlement envelope and formed no part of the forward strategic housing plan.

Regrettably this refusal was overturned on appeal purely on the grounds that the local authority had failed to demonstrate progress and evidence of their 5-year land supply therefore rendering this forward plan as flawed. Although the community services impacts were presented to the Appeal by this Parish Council little or no cognisance was taken of them which was appalling in our view.

We do understand the need for additional housing and the pressure exerted on local authorities to satisfy that need but this must go hand in hand with the supporting services for example.

This Parish Council worked hard with the local authority to agree a development plan for the village which was a balance of amenity and development thus providing improved services and a good input to the village dynamics. As of today three schemes have been given planning consent providing a mix of social and market led housing using the sites within the plan plus one additional brown field area. In total these will result in the addition of 80 homes of which 39 will be housing association tenanted. The village services are enhanced through the provision of a new cemetery, development of our riverside green space and sports and leisure facilities.

Furthermore we totally dispute the allocation of the proposed Section 106 funds for the application now requested and have raised this directly with both Executive Councillors and Planning Managers with whom we are meeting on 14th April. A substantial fund has been arbitrarily allocated on a statistical basis without any local input whatsoever. At no time was this Parish Council invited to contribute even though we made the council aware of the issues at both the outline and appeal stages. The services that will impact the village directly have been ignored and funding is being totally wasted outside the community. Our residents do not accept this and neither does this Council who represent them.

Consultation

The Parish Council displayed the proposals at a public meeting on the 15th March which was attended by over 100 residents (over 2 hours) who unanimously were opposed to the scheme. Many will be expressing those views directly to the council but to ensure completeness we have incorporated

them within our detailed response which follows.

Impact on the Village

It is the belief of the Parish Council and those residents we represent that a development of this size is totally inappropriate to our village without the accompanying service support. The developments which have already been absorbed over the last 5 years (Garfield 58 homes, Whiteman's Close 12 homes, High Street 5 homes and Honeybee Close 4 homes) and those that are planned now Church street 47 homes, Goods Yard 22 homes and Wrestlers 10 homes have each been on sites that are complimentary to the village and provide additional amenities. It is recognised however that completion of these plans in themselves will over-stretch our infrastructure requiring investment from the local authority over time and to extrapolate that risk with a further 110 homes is, we maintain, unacceptable and is not a situation we should be exposed to. It should be noted here that a further application for another 46 houses in the same vicinity by the same developer is under consideration by the Council.

Specific issues

Children

The three tier education system that exists in Central Bedfordshire is dependent upon children growing and being carefully managed through the education pyramid of Lower, Middle and Senior schools, the current and forecast position we have in the village means the addition of a further 110 families would significantly create an imbalance that cause some extremely difficult issues for both the people and children that live here and those charged with their education. It should be noted that Langford Village Academy provides special services to the surrounding area which will have to be seriously reconsidered should this scheme go ahead, For example a full classroom is used by Ivel Valley Special needs school and the catering provision provides meals to other schools other than Langford.

We urgently require the councils assurance this imbalance will be addressed.

Pre School

Our pre-school provision is at its limits and cannot cope at all

with an influx such as this development will bring. It is currently housed within our Chapel schoolroom which prevents expansion within the Ofsted regulations and already has to turn parents away. Given the government's latest stance on child care it is absolutely ridiculous not to plan to extend these key services alongside significant developments such as that under consideration. It should be noted that in other villages where sizeable developments are taking place the appropriate service provision is being made e.g. Stotfold and Arlesey

We urgently require the council's assurance this serious issue will be addressed within the current plan.

Adjacent residents and Parking

The site has to both enter and exit onto Station Road (a 7.5ton limited carriageway) where there are already many residents who rely on on-road parking. The highways requirements over entrances here will inevitably cause parking to be severely overstretched the length of Station Road which given the other roads joining it (Bentley close, Mager Way, The Leys, Jubilee Lane and Flexmore Way) will create an extremely difficult highway to navigate safely. Mager Way is especially affected due to the existing visual restrictions that exist.

Should approval be given specific parking arrangements must be allowed for those residents who currently rely on street parking.

It should also be noted the proposals as yet to be determined for the site adjoining Flemore Way will exacerbate this issue significantly with a further 47 homes being proposed and which entry will be via Station Road.

The design of the new site is very limited on parking provision and will quickly become congested, insufficient parking bays are planned which do not help and the area will be a magnet for overflow parking from Station Road. This will inevitably cause disruption and anxiety for residents of the new site who will just revert back to blaming the council for the poor design and seek further unplanned restrictions.

Station Road

It should be noted here that Station Road and its pavements are amongst the poorest in the village. Over a very small stretch it will now have multi (7) entrances with no real control.

The road is currently classified by residents as being dangerous due to heavy usage (main route out of the village to North and South A1) the significant extra traffic will add to this risk and must be addressed through appropriate traffic calming and the provision of specific parking bays. This risk is not recognised in the current plan at all.

It should also be noted the proposals as yet to be determined for the site adjoining Flemore Way will exacerbate this issue significantly with a further 47 homes being proposed with entry directly onto station Road.

Sewage Systems

The village system is at its maximum and only operates by transfer of waste by tanker now. Every development receives the assurance from the water company in our case Anglia Water which we question; we know they have to provide a service and achieve their profit numbers but at some point the fragilities of the system have to be acknowledged and investment committed to.

There is no such commitment being brought forward under this proposal therefore we would urgently request the council to review this position to get the assurances required by our existing residents.

Flooding

We note the surveys that have been done but the fact remains this part of the village is susceptible to flooding, the local authority's records of the 2013 /2014/2015/2016 winter clearly demonstrate the risk. Construction of the size proposed will inevitably create additional pressure on the drainage systems already failing and assurances must be provided to residents before any undertaking commences that this situation will be addressed in full.

Electricity Sub Station

No mention has been made of this within the proposal, we know there is an already insufficient supply and the proposed extension could cause significant disruption for both existing and potentially new residents if not addressed. We require a categorical assurance for distribution to residents should approval be given that their power supply is fully protected.

Site Safety

With so many houses so close to the East Coast Main line and the attraction to children we consider this to be a real safety risk but are unable to identify a full risk assessment within the published documentation. If this has not been actioned, it should be done as soon as possible and the results reviewed.

It is not clear how the proposed balancing ponds are made safe from interference, they will be a magnet for children and we require further assurances on this issue should approvals be given.

Children's Play

It is only younger children who appear to be catered for onsite but the open areas as currently planned cannot be regulated to avoid a nuisance area being created. Langford does not suffer from this currently and would not wish to in future.

Transport

The transport plan submitted is totally out of kilter with reality, the site does not connect into any cycle way and the pavements which do connect into the site are too narrow and in poor shape to cope with cycle users. The transport plan fails to highlight these issues.

Public transport serving the site is limited to a single bus per hour with a timetable that does not help those travelling to get rail connections etc. Therefore, most of the proposed new residents will be commuting and using cars thus adding to the excess traffic this area will experience. Once again this key sustainability issue has not been highlighted at all.

Specific Residents

Residents who are close to the site will respond directly but the following specific concerns have been expressed to us:

49 Station Road believes their light will be impacted due to the close proximity of the new houses adjacent to their property.

The site will be overbearing to those properties adjoining the site and the design needs to be revisited. It should be noted this was an issue with the same developer over their proposals

for a site adjoining Flexmore Way.

From a design perspective the site does not blend with this area of the village at all and this impact must be considered.

Construction

Should this site be approved there will be a very significant impact on the village especially for those residents who currently live in the vicinity.

The proposed site both exits and enter from Station Road which is a load restricted highway (7.5ton).

The main A1 feeder road to the North and South cannot be accessed due to the restrictions on Edworth Road and the railway bridge.

The North South route from Biggleswade will have to traverse the whole village dealing with 20mph limits, narrow access and difficult bends - many with cottages close to the highway.

For a three year construction programme whatever transport/construction plan is proposed (there is not one currently) will need a full consultation as we are not prepared to put up with the inherent risks as well as the noise, dust and rubbish that will inevitably occur across the whole village.

Conclusion

We make no apology for the length of this response, it is necessary to get across the concerns of this Parish Council and its residents.

There is no doubt that this proposal is unsustainable, flawed in concept and brings nothing with it that will help the village to absorb circa 300 new residents and their families into our community. If the concerns expressed throughout this document are not dealt with at the outset they will cause serious issues for all concerned in the future, this is wrong and should not be allowed to happen.

Neighbours

The following list is a summary of the issues raised within the 8 representations received relating to this application:

- Local infrastructure cannot accommodate this development
- There would be overlooking and a loss of privacy
- There should be no access from Jubilee Lane

- There would be too much play space which could attract anti-social behaviour
- There would be an increase in noise levels
- There would be light pollution
- Station Road is too narrow and there would be an increase in the risk of accidents
- The existing drainage system is inadequate and would be made worse under additional pressure
- There would be a loss of arable land
- The site is too near to the railway line
- There would be a loss of trees
- Plot 8 would be too near to the boundary with No 49 Station Road
- The distance between proposed houses and No 47 Station Road would be inadequate
- Too many houses are proposed

Consultations/Publicity responses

Highways

Earlier concerns addressed by amended plans.

Pollution Control

The outline application appeal decision APP/P0240/A/14/2228154, CB/14/00186/OUT required prior to the commencement of development a Construction method statement (cond 9), a Phase II investigation of potential contamination and remediation/validation as required (cond 10) and a scheme for protecting the dwellings from noise from the East Coast main railway (cond 12). No further information on any of these conditions has been provided with the reserved matters application.

With respect to railway noise the layout plan does indicate some form of barrier along the eastern boundary with the railway but I am unable to read the label for the barrier and it is not supported with information that shows that the noise levels stated within condition 12 can be achieved with the proposed reserved matters layout and property orientation. I am concerned that if the current application is approved, without this supporting information, changes to the layout which require further planning permission to implement may be required to meet the standards in condition 12. Therefore I would advise that the applicant is requested to provide a noise assessment for the proposed layout, a detailed acoustic design statement and mitigation proposals prior to determining this application.

I consider that the construction method statement and the land contamination assessment is not likely to identify the requirement to change the layout or orientation of the dwellings and therefore this is not essential at reserved

matters stage but the applicant should submit these as early as possible to avoid potential delays in commencing construction.

SuDS Management Team We have no comments to make on this Reserved Matters application and await details to be submitted to discharge the surface water condition (No.11) on the outline application CB/14/00186/OUT.

Ecology From the information submitted it would seem that my earlier comments in relation to retaining hedges and hedgerow trees have been incorporated into the scheme which is welcomed. No additional information has been submitted in relation to ecology or indeed tree planting or species mixes for grassland or the management of such features. Referring back to the pre-app 15/4395 I advised that the NPPF calls for development to deliver a net gain for biodiversity and the inclusion of integrated bird bricks, SuDS and flower/ nectar rich wildlife areas/amenity grassland would achieve biodiversity gains so evidence of their inclusion would be welcomed.

Landscape Officer There are no detailed planting plans on which to comment, which I would have expected at this RM stage. However, I would like to raise a serious concern arising from a review of the landscape elements shown on the Planning Layout. This appears to illustrate trees and hedgerow being removed from along the Jubilee Lane boundary. This will need to be clarified, as all documents previously have referred to the screening and ecological value of this tree belt. Ecology, Trees and landscape and my own comments have highlighted the importance of this feature, so it would be totally unacceptable for trees and hedgerow to be removed from this boundary. From the Planning Layout drawing, I am concerned that there is no indication of additional trees proposed to augment the feature.

Sustainable Growth The Design and Access Statement states the development was designed to take advantage of passive solar orientation and include solar PV to ensure energy efficiency; and make use of water efficient fittings. This approach is welcomed; however there is no information whether the development will achieve sustainability standards required by the policies DM1 and DM2 as advised in the pre-application advice CB/15/04395. I would like more information on that matter, in particular in regards to whether the proposed solutions will result in the development achieving the following standards:

- a. 110 litres per person per day water efficiency standard;

- b. 10% energy demand of the development to be delivered from renewable or low carbon sources.

Green Infrastructure

Previous comments made on the outline application related to retaining the existing hedgerow, including SuDS features within green corridors, the need for a positive interface between residential units and green corridors, and ecological and access links to areas to the north-east of the development site.

These considerations have generally been integrated in this reserved matters submission, which is welcome. It is beneficial that the attenuation areas are included within the green corridors, and the properties relate positively to these green corridors.

However, the SuDS features appear to be limited to attenuation ponds. Surface water conveyance and treatment (e.g. through permeable paving) should also be integrated with the landscape proposals, as well as with the urban form.

Although some positive information is provided, there is insufficient demonstration that SuDS have been designed in tandem with this reserved matters submission covering landscaping, and from the information provided, I am not satisfied that the design of the landscaping proposals indicates that the SuDS have been designed to complement these proposals and deliver multifunctional benefits, in accordance with Central Bedfordshire Council's adopted Sustainable Drainage SPD.

Public Art

Central Bedfordshire Council actively encourages the inclusion of Public Art in new developments and looks to developers / promoters of sites to take responsibility for funding and managing the implementation of Public Art either directly or through specialist advisers and in consultation with Town and Parish Councils and Central Bedfordshire Council.

Key requirements are:

- c. Public Art be integrated in the development design process and ideally be addressed in Masterplans and Design Codes.
- d. Where possible artists should be appointed as part of the design team.
- e. Public Art should be site specific; responding to place and people including environment and materials.
- f. Public Art should be unique, of high quality and relevant to local communities.

Public Artists can include:

Artists and artisans, artist architects, landscape artists - with

experience in working in collaboration with developers, design teams and local communities.

The application site east of Station Road offers exciting potential to include Public Art to reinforce local distinctiveness, sense of place and community, therefore I request a Public Art Plan is prepared by the applicant and submitted for approval by the LPA.

The Public Art Plan should detail:

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

The Central Bedfordshire Design Guide, Section 4 Public Realm is available on the CBC website and offers comprehensive advice on the integration of Public Art within development. I would also be very happy to liaise with the applicant / developer to provide advice and support if required.

Housing

I support this application as it provides for 39 affordable homes which complies with the affordable housing policy requirement of 35%. The supporting documentation however does not indicate the tenure split of the affordable units. The Strategic Housing Market Assessment (SHMA) indicates a tenure split as being 73% rent and 27% intermediate tenure from sites meeting the affordable threshold. This would make a requirement of 28 units of affordable rent and 11 units of intermediate tenure (shared ownership) from this proposed development. The supporting documentation indicates all affordable units will be built to the Lifetime Homes Standard and will also incorporate a small element of 4 bed units. Internal waiting list information indicates a small requirement for 4 bed units for affordable rent in and around the Langford area. I would like to see at least one of the 4 bed unit designated as affordable rent.

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

agreement with the Council. I would also expect all units to meet all HCA Design and Quality Standards.

Rights of Way

I object to the application as the connection to the bridleway (Langford Bw No.8) to the north of the application site circumvents important National Planning Policy Frameworks: Para's 73 and 75.

Para 73 is clear that access to recreation is vital while para 75 goes further and makes the connection of development applications to the rights of way network as an important aspect of any development.

The CBC Core Strategy and Development Management Policies 2009, with reference to cycling and walking and GI plan similarly ensures convenient access for walking and cycling (i.e. bridleway to north) to local facilities and employment. The route such a link to the development would have would allow a resident to cycle to Biggleswade for work by way of a countryside bridleway network thus increasing health and well being.

Reference to access and linkages by way of the DM3 policy for High Quality Development also reinforces the need for applicants to join easily to the nearest possible right of way network.

At this time the applicant fails on many points by not linking the development to the bridleway to the north of the application site by more than at one point.

As this is the most direct entry point to the rights of way network and will become heavily used, I require the applicant to pay for the surfacing of the 2 metre wide bridleway surface with a blinded gravel/MOT type 1 or planning's aggregate material. The expected cost for the 184 metre x 2 metre length is £9936.00. I will require the monies at the earliest possible time after initial occupancy is achieved.

I am also concerned that the applicant has only indicated ONE site connection to Langford Bridleway No.8 from within the housing area. This seems far too limiting and I ask you to press the applicant to create a similar connection to BwNo.8 at the north eastern corner of the site.

Network Rail

In relation to the above application I can confirm that Network Rail has no observations to make. However, we would remind the developer of the S106 agreement in relation to funding for improvements at the adjacent railway level crossing.

Open Space

The RM scheme proposes two central LEAP/LAP play areas,

each of approx 500sqm. This meets the requirement for play space. The location of the play area near the attenuation pond will require careful consideration to ensure safety of children playing near a water element.

Waste Services

Original comments in response to the outline application (14/00186) of needing vehicle tracking, roads to be adopted, BCP identified, turning point and preventing vehicle tracking have not been addressed.

Is the road to be adopted?

A BCP will be needed for the following properties:

1, 2, 7, 8, 19 – 23, 24-26, 32 - 36, 48 – 50, 57 – 61, 70 – 77, 79082, 88, 103, 104.

Archaeology

The permitted development site contains the remains of an Iron Age settlement (HER 19872) a heritage asset with archaeological interest as defined by the *National Planning Policy Framework (NPPF)*. This archaeological site was identified in an archaeological field evaluation undertaken as part of the outline planning application CB/14/00186/OUT. The development will have a negative and irreversible impact on the archaeological remains and the significance of the heritage asset with archaeological interest. As a consequence a condition (Number 7) was attached to the outline planning consent requiring the implementation of an approved programme of archaeological investigation in advance of development.

The details submitted with this reserved matters application will not materially alter the impact of the development on archaeological remains provided that the archaeological investigation required by Condition 7 is carried out satisfactorily. On that basis I have no objection to this application on archaeological grounds.

Determining Issues

The main considerations of the application are:

1. Principle of Development
2. Character and appearance
3. The impact on neighbours
4. Traffic and parking
5. The quality of accommodation provided
6. Other matters

Considerations

- **Principle of Development**

The principle of developing this site with the number of units proposed was established as acceptable when a Planning Inspector allowed an appeal in June 2015.

- **Character and appearance**

The development would consist of range of house types (although many of them would be larger, 4 and 5 bedroom houses) arranged in clusters throughout the site. They would be a mix of two-storey and two-storey with accommodation in the roof space.

The Station Road frontage would relate well to houses on the opposite side of the road and to the south. A number of existing trees would be retained along that boundary so as to seek to soften the impact of the development in the street scene.

There would be large areas of green space within the site and the layout would be logical and broadly in accordance with the Council's Design Guide for a development of this scale.

The design of the dwellings has been improved during the application process so that they would now be of a high quality, appropriate to their context.

The applicant has set out proposed materials but a condition would require that samples were provided so as to ensure that they were of a sufficiently high standard.

The submitted landscaping scheme appears to show the removal of trees at the north of the site. It is not clear why they should be removed and they have amenity value. As such, a condition would require an amended scheme with an increased number of trees on that boundary.

Overall, the development would be of a good quality and would have an acceptable relationship with the established character of the area.

- **The impact on neighbours**

A development of this scale will clearly impact on those living around it but the scheme has been designed so as to seek to minimise those impacts. Where new dwellings are proposed with habitable room windows facing existing habitable room windows, there would be a minimum distance of 21m, in accordance with the Design Guide.

Plots 80 and 81 would be located so that their side elevations were near to the rear boundaries of gardens on Station Road but those gardens are very long (around 45m) and so that impact would not seriously undermine the enjoyment

of those gardens. Further to the west, the side elevation of Plot 8 would be near to the rear boundary of the garden serving No 49 Station Road. That garden is very deep (around 35m) and so whilst that unit would result in a loss of some outlook, it would be harmful or overbearing to extent that could render the application unacceptable.

Rear facing windows at Plot 68 would have some views in to rear gardens of properties on Meadow View but it would not be an uncommon relationship in what would be quite a built up environment.

Some neighbours on the north side of Jubilee Lane are concerned that overlooking could be problematic but it would be a front to front relationship with at least 35m away across Jubilee Lane between the dwellings.

Concern has been raised that the level of open space provided could result in young people congregating and causing anti-social behaviour but the benefits of providing outdoor space for residents outweighs any risks associated with it.

A development of this scale in this location will impact on those who live around it. There would be an increase in overlooking at some points and the outlook for some will change quite significantly. The scale of these impacts, though, would be proportionate and acceptable. Planning conditions are recommended to ensure that first floor side facing windows at some Plots would not be problematic.

- **Traffic and parking**

The two main access points to the site were approved at Outline application stage.

The internal highways layout has been the subject of amendment during the planning application stage to ensure that it would meet current standards and the Design Guide.

Parking would be provided in accordance with Design Guide standards (where tandem parking is shown, it is not counted towards the total parking provision figure). Garages would also meet the Council's internal space standards. Cycle parking would be the subject of a planning condition.

- **The quality of accommodation provided**

All of the proposed houses would be of a sufficient size and layout. Gardens would, in most cases meet or exceed the Council's Design Guide standards. There would be a large amount of open space at the site and overall, the environment for those who would live at the development would be high.

Some measures have been shown on the submitted plans to seek to mitigate the noise impacts of the adjacent railway. This is the subject of a planning condition attached to the Outline Consent and will be dealt in due course. The applicant has been advised that should measures be required pursuant to Condition 12 that conflict with this layout, they will need to regularise that.

- **Other matters**

Drainage

Drainage is the subject of a planning condition attached to the Outline planning permission.

Rights of Way

The Council's Rights of Way Officer is concerned that there should be greater connectivity between the site and the existing bridleway to the north. That would be the subject of a condition.

Affordable Housing

The scheme demonstrates that 35% of the dwellings would be affordable and that these would be sufficiently dispersed throughout the site.

Human Rights

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

The Equalities Act 2010

The development has been assessed in the context of the Equalities Act 2010

Recommendation

That this application for the approval of Reserved Matters is granted subject to the following conditions:

- 1 **Notwithstanding the submitted details, no development shall commence at the site before samples of materials to be used in the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that the appearance of the development is acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 2 **Notwithstanding the submitted details, no development shall commence at the site before a revised landscaping scheme has been submitted to and approved in writing by the Local Planning Authority showing additional trees on the northern boundary of the site and a pedestrian link between the site and the Bridleway to the north of the site. The development shall be carried out as approved.**

Reason: To ensure that the appearance and layout of the site would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 3 **No development shall commence at the site before details of existing and proposed levels at the site including cross-sections between the site and existing neighbours of it have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.**

Reason: To ensure that the appearance of the development and its impact on neighbours would be acceptable in accordance with Policy DM3 of the central Bedfordshire Core Strategy and Development Management Policies (2009).

- 4 **Notwithstanding the submitted details, no development shall commence at the site before revised details of surface materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To ensure that the appearance of the development would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 5 Notwithstanding the submitted details, there shall be no first floor north facing windows at Plot 8 or first floor west facing windows at Plots 80 or 81.

Reason: To protect living conditions at neighbouring properties in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no development within Schedule 2 Classes A-E of the Order shall take place at any dwelling at the site without planning permission first having been sought and obtained from the Local Planning Authority.

Reason: To ensure that the appearance of the development would be acceptable, that living conditions would be protected and that appropriate amenity space would be provided in accordance with Policy DM3 of the Central Bedfordshire Council Core Strategy and Development Management Policies (2009).

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, garages at the site shall only be used for the storage or private motor cars and shall not be used for any other purpose.

Reason: To ensure that sufficient car parking is provided at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 8 No dwelling shall be occupied at the site before a scheme of cycle parking for the site together with a timetable for its implementation have been

submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved timetable.

Reason: To ensure that sufficient cycle parking is provided at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the central Bedfordshire Design Guide (2014).

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers SF11.E.02, H421-5 REV H, H433-5 REV J, H455-5 REV H, H469-X5 REV J, H485-5 REV C, H533-5 REV H, H536-Y5, H586-H-5 REV C, H597-5 REV J, H588-5 REV C, H597-5 REV J, H536-Z5 REV L, H533-5 REV H, H455-5 REV J, H433-5 REV N, H421-5 REV L, H417-B5 REV A, SH39-X5 REV A, SH27-X5 REV A, T-307-E-5 REV L, XSG1F, XDG2S, XTG2S, H588-5 REV B, H469-X5 REV S, H485-5 REV C, H586-H-5 920130, SF11.E.01, H7188-101 D, H7188-06 D, DESIGN AND ACCESS STATEMENT JUNE 2016, H7188-05 A, ELL-137-DWH-B-650 F, ELL-137-DWH-B-651 F, ELL-137-DWH-B-652 F, ELL-137-DWH-B-653 F, ELL-137-DWH-B-654 F, ELL-137-DWH-B-670 A, GL0558 01B, GL0558 02B, GL0558 03A, H7188-102, LDG1S, NOISE MITIGATION REPORT DECEMBER 2015, GEOTECHNICAL AND GEOENVIRONMENTAL SITE ASSESSMENT SEPTEMBER 2015

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

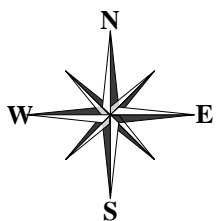
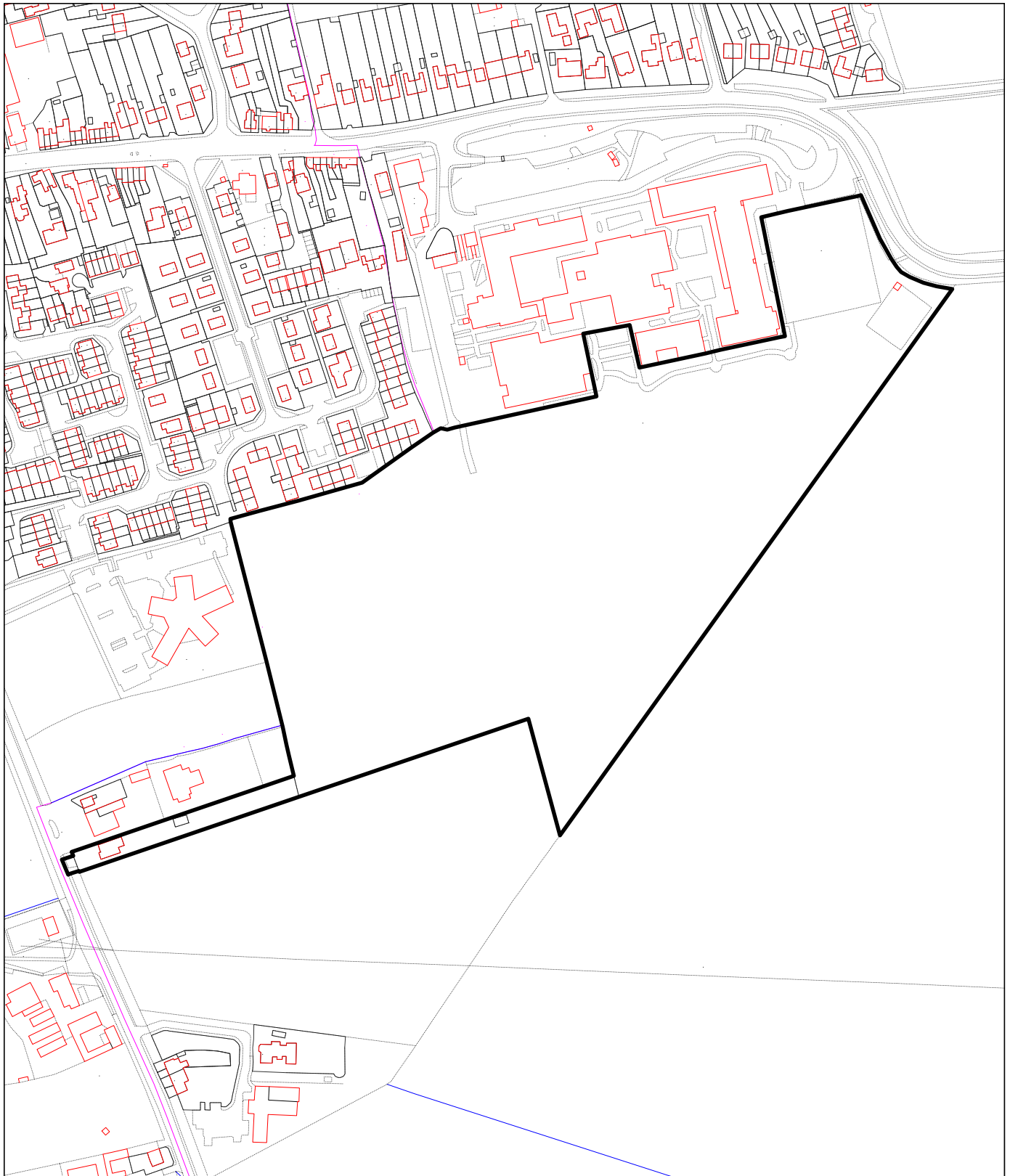
INFORMATIVE NOTES TO APPLICANT

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

The Council acted pro-actively through positive engagement with the applicant 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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Date: 05:July:2016

Map Sheet No

Application No
CB/15/01657/OUT

Scale: 1:3500

Samuel Whitbread Academy
Shefford Road, Clifton, Shefford, SG17 5QS

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Item No. 10

APPLICATION NUMBER	CB/15/01657/OUT
LOCATION	Samuel Whitbread Community College, Shefford Road, Clifton, Shefford, SG17 5QS
PROPOSAL	Outline Application: enhancement of sporting facilities including new '4G' floodlit pitch, tennis courts, improved grass pitches and new changing rooms. Construction of up to 64 new homes on land south west of the main school buildings and new access from Hitchin Road.
PARISH	Clifton
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Alex Harrison
DATE REGISTERED	19 May 2015
EXPIRY DATE	18 August 2015
APPLICANT	Bedfordshire East Schools Trust
AGENT	Phillips Planning Services Limited
REASON FOR COMMITTEE TO DETERMINE	Parish Council objection to an application for major development
RECOMMENDED DECISION	Outline Application - approval recommended.

Reason for Recommendation:

The proposal for residential development is within the settlement envelope and results in the loss of school playing field and designated Important Open Space. However the applicant has demonstrated that the scheme is compliant with policy DM5 of the Core Strategy and Development Management Policies Document 2009 and has addressed replacement sporting provision concerns raised by Sport England. The proposal would have an impact on the character and appearance of the area however this impact is not considered to be of such significance that it is demonstrably harmful when considered against the benefits of the scheme. The proposed sports and leisure development is considered to provide an enhanced facility at Samuel Whitbread Academy that would enhance leisure facilities in the area as it would be available for community use which is not apparent at present. The proposal would provide affordable housing and the whole scheme would make a contribution towards the Council's 5 year housing supply as a deliverable site within the period. The proposal is also considered to be acceptable in terms of highway safety, providing that the new access is not used by school buses, and neighbouring amenity and therefore accords with Policy DM3, DM4 and DM5 of the Core Strategy and Development Management Policies Document (2009) and the Council's adopted Design Guidance (2014). These benefits are considered to add weight in favour of the development and therefore the proposal is considered to be acceptable.

Site Location:

The application site is the Samuel Whitbread Academy and the residential curtilage of 99 Hitchin Road, Clifton.

The school site is within the settlement envelope for Shefford although it is within Clifton Parish and Arlesey Ward. 99 Hitchin Road is outside of any settlement envelope and its curtilage is therefore considered to be located in open countryside. The majority of the school site is designated as Important Open Space.

99 Clifton Road is a modern detached chalet bungalow serving as a single dwelling with existing access onto Hitchin Road.

The Application:

Outline planning permission is sought for the construction of up to 64 dwellings on the school site on land that is currently playing field and the reconfiguration of the remaining playing field to provide a floodlit 4G artificial playing pitch, tennis courts and new changing rooms. The proposed pitches and changing facilities would be available for community use as well as the school.

All matters are reserved aside from access which is proposed to be constructed following the demolition of 99 Hitchin Road and a priority junction created at the point the site joins that road.

The application is submitted including a number of indicative layouts but it is noted that access is the only matter for consideration over the whole of this scheme. Therefore layout of the pitches, while agreed with Sport England in principle, are not for formal determination with this application.

The application has been amended since its initial submission. The original proposal included taking the school bus traffic on the proposed access road, away from the existing Clifton Road entrance. However following concerns from Highway Officers this element was withdrawn from the application and the proposed access now serves the residential development and community use access only.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy

CS5 Providing Homes

DM1 Renewable Energy

DM2 Sustainable Construction of New Buildings

DM10 Housing Mix

DM4 Development Within & Beyond the Settlement Envelopes

DM5 Important Open Space within Settlement Envelopes

CS14 High Quality Development

DM3 High Quality Development

CS7 Affordable Housing
CS2 Developer Contributions

Development Strategy

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

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application Number	CB/10/00625/FULL
Description	Full: Erection of new nursery building and office complex with associated car parking
Decision	Approve
Decision Date	04/05/2010

Beyond this reference the site has a detailed planning history following initial construction of the school in 1974. Notable since initial construction are a number of applications for temporary classrooms, with a large expansion to the school granted in 2002, for the erection of a two storey detached classroom block with sports hall, the erection of a first floor extension and a two storey extension to the main school building.

Consultees:

Clifton Parish Council	The Parish welcome the potential removal of many of the school buses that pass four times each school day through Clifton village and the subsequent safety benefits to the 'Travel to School Routes' of our parish pupils journeying to Clifton All Saints, Henlow Middle and indeed SWCC, that new access road onto Hitchin Lane could bring. It is however key that the bus companies be instructed to travel via the by-pass whenever possible.
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We also realise that Parishioners would benefit from access to the new sporting facilities.

However as the safety of schoolchildren is our first priority, we object to this application on the basis of the lack of a safe turn around area for school buses once on the SWCC site.

The on site bus route as shown would necessitate school

buses undertaking three-point turns at the drop off point. This is clearly unsafe. Whilst the agent has advised us that this issue is under discussion with CBC Highways department, we can only make our decisions on the plans as presented.

Perhaps the applicant might wish to re-submit a plan with;

- All bus access and egress via Hitchin Road
- A safe turning circle on the school site.

Following access amendments:

Strongly object to the proposal on two grounds:

- The safety of children travelling to SWCC and on foot to other local schools. Despite previous assurances from the agent that the key issue of ensuring all buses to and from SWCC use the new Hitchin lane road it seems this is not the case. There are over 100 double decker bus movements every school day around this site. Once again we are concerned that issues of self interest and minor economies are taking precedence over the safety of children

Much work has been undertaken by Clifton Parish Council, CBC and SWCC to improve the road safety outside SWCC in the last year but the failure now of SWCC, the developer and CBC to define a safe and comprehensive onsite transport plan on a site with c2000 children, prior to submission of this application is of conservable concern. The application should be rejected on this alone. We know from experience that conditions count for little or nothing.

- The proposal seeks to significantly reduce the area of playing fields in this area at a time when new housing demand and building in both Shefford and Clifton are at unprecedented levels. SWCC and surrounding schools are also generally over subscribed. Set this against a backdrop of National Government concerns regarding growing obesity and the lack of exercise that children currently undertake, and again, this proposal does not make sense and is simply not sustainable.

Following access amendments:

Clifton Parish Council does not object to the changes to the proposed road junctions with Hitchin Road.

However there are concerns about the vagueness of the

proposed routes for buses within the campus. There needs to be space for two buses to pass easily and this is not adequately demonstrated. This is important because any problems would inevitably lead to bus companies demanding to revert to the old access off Shefford Road.

Following further access amendments

The various schemes at this site were rooted on the premise that they would remove the twice a day School bus cavalcade through Clifton at a time when the village is becoming increasingly congested due to new development

The revised Planning Statement marked "updated April 2016" now states clearly under Introduction 1.2

"Bus Traffic would continue to utilise the existing site access" The various other documents are a muddle some saying that the new entrance off Hitchin Road is for buses other plans say not for buses.

Just what exactly is the situation? There seems to be an indication that CBC officers agreed such a change. If this is the case then it seems likely that Clifton Parish Council will wish to reconsider its views on this matter. Please may we have urgent clarification?

[Requested clarification was provided to the Council on 10 May 2016 and no further comments have been received.]

Shefford Town Council

Object on the following grounds:

- Unacceptable access to Hitchin Road
- Unsustainable, overcrowding of Plot
- Insufficient school places
- The Infrastructure will not support 64 houses.

Highways

Initial comments

There is no fundamental concern with the capacity of the proposed junction but there are issues with the general layout and information submitted;

- Fails to demonstrate access for 11.9m coaches at the proposed junction without conflict with other vehicles or encroachment in opposing carriageways (TN drawing 522-22)
- Fails to demonstrate access for 11.5m refuse vehicle at the proposed junction without conflict with other vehicles or encroachment in opposing carriageways (TN drawing 522-22)

- Why does the through lane on the southern most taper reduce to 2.0m (drawing 522-21 revision H)
- Tracking diagrams for vehicles accessing just the sports facilities have not been shown. Also parking and turning areas (for cars and team coaches) independent of the school area, as it is suggested in the technical notes that the school access will have a barrier outside of school times. Please note the parking arrangements differ on various plans (TN drawing 522-30)
- Need to clarify parking provision to demonstrate that peak demands can be met
- 3.0m wide footway/cycle linkage to Hitchin Road must extend up to SWA site (drawing no. 522-25)
- Please confirm acceptance of the need for Sec 106 contribution toward parking restrictions within the residential development (TN 3.28)

Following initial amendments

As you will be aware we still have concerns in respect of the access arrangements as submitted. We are exploring the suitability of removing the ghost island arrangement and reverting to a simple priority junction. To this end the applicant's highway consultants are preparing a revised plan and obtaining a new Road Safety Audit.

Following final amendments

A revised planning statement has been submitted that summarises the application as follows:

- The enhancement of the schools sporting facilities to include the provision of a new floodlit all weather (4G) sports pitch, the provision of new tennis courts, the provision of enhanced and properly drained and levelled grass pitches and the provision of a new sports pavilion with changing facilities.
- The provision of a new access road from Hitchin Road and the development of a portion of the school grounds (approximately 2.4 hectares) to provide up to 64 new homes. Bus traffic would continue to utilise the existing site access on Shefford road

Following detailed discussion with Highways officers a revised TA has been submitted (April 2016) that cites that

- The proposed access off Hitchin road will not be used for school bus access as originally proposed

- this will be conditioned as part of this outline application. Note that the proposed layout plan on page 21 of the TA is out of date as it indicates that the entrance off Hitchin road will be for schools buses and that the existing access off Shefford Road will have restricted access. This is now out of date.
- The design for the originally proposed site access has been amended to provide a standard priority junction.
- Access between the residential development and the school will be controlled by the school such that through traffic will not be permitted, including for school transport, – this will be secured as part of the reserved matters application upon receipt of the required Traffic Management Plan.

Hitchin Rd at the point of access is currently 40 mph, a 40 mph buffer zone having been recently installed at this location. The proposal would move the extent of the 30 limit to encompass the new access, relocating the existing gateway feature in the process.

The proposed junction would conform to Manual for Street guidance with acceptable levels of forward visibility and can be implemented within the existing highway boundary.

The access can be delivered in conjunction with the consented roundabout scheme to Shefford FC and an initial proposal to provide a right turning lane has now been discounted in favour of a priority junction only due to the fact that the proposal is no longer required to serve the school itself and more importantly school buses. The junction did not meet the required standard for one which would be used by a large number of large vehicles on a daily basis.

The proposed access is 5.5 metres wide with a 2 metre footway connecting to the existing on Hitchin Rd but which then crosses over the access to join a 3 metre shared footway/cycleway which continues into the Academy site. This is in line with discussions with the developer and considered acceptable by this authority.

A footpath will also link through the academy site to the Shefford Road, the proposal therefore enabling pedestrian and cycle access from the Hitchin road area of Shefford and beyond without necessitating a longer route

round onto Shefford road. This also facilitates access to the more frequent public transport routes which operate along the Shefford Road.

In order to further facilitate access for pedestrians the residential development needs to link to Southfields which would also improve permeability and further facilitate access to the health centre, Shefford Road and Hitchin Road. The land at the end of Southfields is in the ownership of Central Bedfordshire Council and therefore access for pedestrians and cyclists is entirely practicable. A S106 contribution will be required.

The proposed junction has been modelled using industry standard software and an assessment of the number of trips generated by both the residential development and the proposed sports facility made the methodology for which the team does not make any objection. The application demonstrates that the proposed junction will operate well within its capacity.

Transport Strategy

Thank you for inviting the CBC Highways Integrated Delivery team to comment on the above application. Having worked with the school, parish council and local residents on highways issues for a considerable time we have various comments to make about the outline planning application which has been submitted.

Shefford Road access for staff only

The proposal in the Transport Assessment outlines that once the redevelopment is complete that the Shefford Road access will be downgraded for use by staff only. This is inappropriate as this access is a clear desire line for a huge number of pupils accessing the site by foot and bicycle and also when dropped off by private car. This entrance to the school site has recently had a significant amount of highways improvements to make this area safe for high levels of vulnerable road users such as pedestrians and cyclists travelling to and from the school using this access.

The plans that have been submitted currently do not accommodate suitable facilities for the number of pedestrians or cyclists that would have to travel along Hitchin Road in order to access the school.

School buses serving the site

There are currently 19 buses (most of which are 88 seat double deckers), and taxis which use this site entrance and operate to and from the site at the start and end of the regular school day as well as a number of late bus

services that use this access. The Shefford Road access to the school site has been purpose built for buses that arrive and depart at the same time of day and that cater for the number of passengers that they carry. The system for organising this has long been established and it is unsuitable to re-organise a working system for the number and type of buses that use this entrance to the school.

Again, the plans submitted do not accommodate suitable facilities for school bus use to the rear of the school site as proposed or at the new junction on Hitchin Road.

Based on this, it is viewed that it is inappropriate to limit access from Shefford Road to staff access only.

Pedestrian access and safety

The application lacks any detail as to how pedestrian safety and the impact of displaced pedestrian trips have been considered. It is difficult to assess what this might be without this detail included in the application. Owing to the fact that Samuel Whitbread Academy is the biggest pedestrian trip attractor in Clifton and second largest in Shefford information about how this group of road users will be catered for needs to be provided.

The framework travel plan (despite no mention in the Transport Assessment) sets out that there will be a high quality shared footway/cycleway alongside the new access road from Hitchin Road which is welcomed.

There is no mention in any of the documents submitted the likely number of pedestrians that will be transferred to access the school on Hitchin Road. If it is all of the pedestrians that currently use the Shefford Road entrance there will insufficient capacity of the footway to accommodate the demand on the Hitchin Road footway and improvements must be made to accommodate this increased demand.

The travel plan outlines that there is to be a footpath between the new residential site and Shefford Road but the Transport Assessment details that this would not be available to pupils or the general public as it is proposed that the Shefford Road access is to be for staff only. This would be particularly difficult to discourage pedestrian traffic from Shefford Road accessing the site.

Access for all pedestrians and cycling users from Shefford Road serves a useful purpose and should remain in place and actively promoted through travel plan

measures.

Cyclist access and safety

There is a lack of detail as to how cyclists accessing the residential development and the school site (as proposed) will be catered for. There are significant concerns for vulnerable road users who would access the school from Hitchin Road. The safety requirements for these users need to be outlined in more detail and provided for.

CBC Transport Policy

Policies that relate to travel and transport to, from and between school sites were adopted as part of Central Bedfordshire's Local Transport Plan and included below are the policies which should be taken into consideration when developing the site.

Education

In response to the planning application at Samuel Whitbread Academy, an assessment of the current and proposed school site has indicated that the area will still be large enough to meet BB103 guidelines if this proposal goes ahead.

The development will have the educational benefit of enabling the development of new sports facilities at Samuel Whitbread, however, there is high demand for school places in the area as a result of a growing local population and financial contributions will be required for early year, lower, middle and upper school places.

The academy should seek Section 77 approval for the disposal of playing fields from the Secretary of State before proceeding with any development on site.

Leisure Officer

With regard to the holding objection submitted by Sport England with regard to the application; in particular the loss and suitable replacement of grass pitches, the local need for, the design/layout of the proposed facilities and the community use agreements to permit access for the community.

Further detailed information is required to address the issues raised by Sport England in order to evaluate the application.

Sport England

Initially requested further information, issuing a holding objection.

Following amendments

Sport England raises no objection to this application as a

statutory consultee, subject to a range of matters being addressed through a section 106 agreement and planning conditions if planning permission is forthcoming as set out in this response. If these matters are not addressed through a planning permission, our position would be an objection and the provisions of the Town and Country Planning (Consultation) (England) Direction 2009 would apply

Public Protection

Initial response

I understand from the Planning Statement that the existing sports pitches are only used for the school itself during school hours and are not floodlit. In addition many of the school sports activities are undertaken off site due to the inadequacy of the existing facilities.

In contrast the proposed sports facilities will be for both school and community use and also used in partnership with Northampton Saints Rugby Club. The proposed 4G pitch will also be floodlit and this will also illuminate adjacent sports pitches for use all year round. The applicant has indicated an intention to open the new facilities for public use from either 6am or 7am - depending on demand- to 10pm every day of the week.

The proposal also includes a new access road to the school and sports facilities which appears to be adjacent to an existing house and garage premises located to the west of the medical centre off Hitchin Road and also runs along the boundary of the proposed new dwellings.

In the summer months a cricket pitch and athletics track is proposed along the boundary with the new residential and in the winter football and rugby pitches will be provided in this location.

Lighting

I have considered the Abacus 4G Rugby Pitch lighting assessment and based on the information submitted I consider that lighting levels from the sports lighting at new and existing houses will be meet the ILP guidance notes for the reduction of obtrusive light standards except for the luminaire intensity after curfew. The horizontal light spillage chart shows no impact on residential.

The maximum vertical illumination is stated in the report as 0.11 lux which is lower that the E2 Environmental Zone (Rural) limits pre curfew of 5 lux and post curfew of 1 lux.

The maximum source intensity at residential is given as

3251 cd. This is less than the E2 pre curfew limit of 7500 cd but greater than the luminaire intensity post curfew of 500 cd. The curfew time is not stated but is the time after which stricter lighting controls should apply. In other guidance documents designed to safeguard residents amenity such as the World Health Organisations guidelines for noise and the now repealed PPG24 a restricted time of 2300 hrs to 0700 hrs was given as a time when the majority of people would wish to rest and sleep. Therefore the proposed development would not meet the ILP guidance standards between 0600 hrs and 0700 hrs each day.(It is assumed from the information provided that floodlights may be used in the mornings during wintertime.)

The applicant has not provided details of other lighting and therefore I assume that the car park extension, pavilion and other sporting facilities will not have external lighting.

In conclusion I consider that satisfactory lighting levels could be achieved by either modifying the lighting scheme to reduce the maximum source intensity at residential properties to less than 500 cd or limiting the hours of operation of the lighting to ensure that it is not used outside 0700 hrs to 2300 hrs. The applicant should verify with the lighting engineer if the post curfew level can be achieved at residential properties without compromising the levels required on the pitches.

Noise

The applicant has submitted a noise assessment dated 24th October 2014 by Sound Acoustics Ltd. I have considered the noise assessment and would like to make the following comments;

Sports Noise

The noise assessment states in its summary that the noise levels from the proposed sporting facilities will not be any higher than the existing houses will be exposed to. However the report is based upon measurements of noise levels at football pitches measured at two sites in the Ipswich area (Gainsborough Sports Centre and Holbrook Academy). I understand that multiple football matches were taking place at the time of measurement and the players ranged from under 10s to adults. The report author does not say what surface the pitches had or how many spectators attended both of which would potentially influence the noise levels as would the "importance" of the match or tournament.(E.g friendly or cup final etc) They have assumed this level applies to

noise levels at source from the football (2)/rugby and 4G pitches. Noise from the summer layout of tennis courts/cricket pitch/athletics track/4G rugby pitch and football pitch does not appear to have been assessed separately.

The report gives the highest maximum noise levels outside 141 and 143 Southfield as around 65 to 70 dB. Allowing for a 10dB reduction through an open window. This level of 55- 60 dB would significantly exceed the World Health Organisations (WHO) Guidelines for community noise level of 45 dBA Max at night (Revised down by WHO in 2009 to 42dBA Max based on sleep disturbance research) This is a significant concern for both existing and proposed dwellings because it means that residents sleep in the late evenings and early mornings may be adversely affected by the proposed sports facilities. Although the report author says this is not considered to be any worse than levels from the existing sporting facilities as stated above the existing facilities are not used as frequently or for the same times and duration as those proposed. For example high maximum noise levels at 2130 hrs after children have gone to bed or at 0600 hrs in the morning or 0700 on a Sunday morning will have a much more significant impact than the noise same levels during normal school hours Monday to Friday.

The report author had not measured noise levels from the existing sporting facilities in use at the school for comparative purposes. No background noise levels have been measured at the existing houses or at the location of the proposed houses. I would anticipate existing background noise levels to be low during the early mornings, evenings and weekends when the school is closed.

No noise mitigation measures are proposed for the existing houses. For the new houses acoustic screening is only advised if they are closer than 30m from the nearest pitch. A net fence rather than chain or timber is recommended for stray balls. This would not act as a noise barrier but would reduce potential impact noise from balls hitting the fence.

In conclusion I am concerned that increased sports noise would be detrimental to residential amenity of new and proposed dwellings, particularly in view of the intensive and extended use proposed and the applicant currently has no proposals to mitigate impact. Potential mitigation measures would include, amongst others, reducing

hours of use, particularly early mornings; careful design of the layout of the new houses to minimise habitable rooms, particularly first floor bedrooms overlooking the sports facilities; acoustic barriers close to sports pitches or at residential boundaries.

Parking activity noise

The noise assessment has used noise data from a retail park car park rather than measuring noise from the existing parking facility and calculating the increase from the extension and increased use.

The Maximum noise level at southfields has been calculated as 59dBA (external) Allowing 10 dB reduction for an open window this would give an internal noise level of 49 dBA. This level exceeds the WHO guideline noise level (as amended) of 42dBA max by a significant margin. Based on the submitted information the car park would be used from 0600 to 2200 hrs and potentially a margin beyond that to allow people to arrive before facilities open and leave after the facilities shut. The applicant has not proposed any noise mitigation measures to minimise the impact of parking noise on existing properties.

Traffic noise

The noise assessment merely considers the impact of increased traffic on the surrounding road network. However the proposed development introduces a new access road into the school site and this appears to run pass one or possibly two (if garage has residential part) existing dwellings located off Hitchin Road and adjacent to many of the proposed dwellings. The noise impact from this new access road has not been assessed.

Changing Pavilion

Noise from the use of the changing pavilion has not been considered but given its location and the lack of any large function room or catering facilities, meaning that large social events and music events are unlikely, I do not anticipate that any noise impact from this facility will be of significance.

In conclusion I am concerned that the noise impact from the proposed development has not been comprehensively assessed and that having considered the monitoring data provided maximum noise levels from the sports facilities and car parking will not meet the councils noise standards. Therefore based on the submitted information I would like to object to the proposed development.

Following amendments

I have considered the additional information from Sound Acoustics in Appendix 1 of the PPS Addendum dated September 2015 and would like to comment as follows;

Sports Noise

There is likely to be more sports noise from the use of an all weather pitch than a grass pitch because of the increased impact noises on the pitch surface and the ability to use the pitch for extended hours and in most types of weather. I understand the report relies on data from the use of 4 football matches on grass pitches. I understand from section 6.11 of the Planning Statement that Northampton Saints Rugby Club intend to use the facilities for training and summer coaching courses along with other community uses. The statement proposes that the facilities will be open from 6 or 7 am dependant on demand to 10pm every day with appropriate use during the school day. Therefore a robust assessment of the cumulative effect of all the pitches and facilities operating is required.

Noise impact at 141 and 143 Southfield and proposed residential

The WHO 2009 value for maximum noise levels at night is 42 dBA based on sleep disturbance research and this level has recently been accepted by a planning inspector at an appeal within the CBC district.

I agree that the WHO value for maximum noise levels at night is normally applied to the hours 2300 to 0700, however WHO additionally advise that;

The time base for LAeq for "daytime" and "night-time" is 16 h and 8 h, respectively. No separate time base is given for evenings alone, but typically, guideline value should be 5 –10 dB lower than for a 12 h daytime period. Other time bases are recommended for schools, preschools and playgrounds, depending on activity.

I accept that the WHO allow 15 dB for an open window, however other research and standards allow other values for open windows.

The level difference through an open window partially open for ventilation can vary significantly depending on the window type and the frequency content of the external noise. Therefore because the potentially affected houses at Southfield are existing CBC have assumed a value of 10 dB for an open window to ensure that residents are adequately protected from noise. In new properties the actual values can be used in calculations

where the data is available.

Existing ambient and background noise levels

A comparison of the predicted noise levels from the proposed development to the existing background and ambient noise levels is a useful tool to assess the potential impact of the development. In my experience of investigating noise complaints over many years, where source noise levels are well below background noise levels complaints are unlikely. Conversely if the background level is low, the noise source might be below the WHO guideline values but still be significantly intrusive to residents, especially where the character of the noise attracts attention.

Parking Noise

As noted above the Planning Statement indicates that the facilities will be open from 0600 hrs to 2200 hrs every day and therefore the car park will be in use for this period and presumably a margin either side to allow customers to arrive for opening and leave after closing.

I have not been advised that the proposed hours have been revised. Therefore noise from car parking will exceed the 42 dBA Lmax level in existing properties at Soutfields and no mitigation has been proposed.

Traffic Noise

I accept that there is some screening of the dwelling at Howes motors from the proposed entrance road and that noise attenuation measures could be incorporated into the new dwellings fronting the road.

In conclusion the additional information has failed to demonstrate that the proposed development will achieve acceptable noise levels at existing houses and therefore I wish to maintain my objection to the proposed development.

Sustainable Drainage

We consider that outline planning permission could be granted to the proposed development and the final design, sizing and maintenance of the surface water system agreed at the detailed design stage following an appropriate Surface Water Drainage Strategy and finalised Maintenance and Management Plan being submitted, I would therefore recommend conditions are applied as recommended below.

Reason for position

It is noted that the FRA submitted takes the form a desk top study which provides an overview of the site and

recommended SuDS. At the detailed design stage it is expected that a comprehensive Surface Water Drainage Strategy outlining design, operation, construction and maintenance considerations for the proposed surface water management system be submitted.

The revised surface water drainage strategy should rectify discrepancies in the FRA as submitted at Outline. A 30% allowance for climate change should be applied, as the site proposes residential development, and the assumptions made in Appendix F should be revised accordingly. Comparison of the existing and proposed rates must be made, based on the ratio of impermeable to permeable area, with appropriate calculations and finalised method for the management of proposed flows to the pre-development rate given.

Appendix E shows the possibility of the drainage system connecting the existing ditch, if discharge is to an ordinary watercourse, evidence will need to be provided to ensure that the system can accept the proposed flows to an acceptable downstream point without increasing risk to others. Section 4.0 of the FRA acknowledges the need for more detailed site assessment and the applicant should demonstrate at the detailed stage the results of a site specific ground investigation, demonstrating the current drainage regime of the site suitability for infiltration based on soil types and geology, which should account for:

- The presence of constraints that must be considered prior to planning infiltration SuDS.
- The drainage potential of the ground.
- Potential for ground instability when water is infiltrated.
- Potential for deterioration in groundwater quality as a result of infiltration.

Evidence of infiltration tests (i.e. BRE 365), particularly at the location of any intended infiltration device, and groundwater level monitoring is also required.

It is also advised that full use of the SuDS management train is made and the proposed sustainable principles will maximise the benefits of the proposed land use. It should be made clear therefore, where relevant, how the drainage system will integrate into the landscape or required publicly accessible open space, providing habitat and social enhancement.

Landscape Officer

I have strong concerns regarding the development of the site regarding coalescence of villages, reduction in effect of landscape spatial buffer especially the eastern portion / sports pitches areas and therefore I object to the proposals as described in this application.

The school site forms the eastern development edge of Shefford separated from Clifton's western development edge by @ 100ms along Shefford Road, the landscape - 'green gap' - between resists coalescence of the two settlements at this point.

The Mid Beds Landscape Character Assessment specifically comments on the potential for Shefford and Clifton to form a continual settlement and recommends the need to retain individual villages, avoiding merging (Mid Beds LCA 4C Upper Ivel Clay Valley).

Whilst playing fields / sports pitches are often located on the edge of settlements, acting in part as green buffers between development and wider landscape, such facilities can present an urban fringe image via posts, fencing, car parks and signage, etc.

Lighting of sports pitches can accentuate further the visual impact and influence of urban development at dusk / night time and during winter months.

My Pre App advice included '*If the application were to be progressed landscape mitigation would be required along the eastern / southeastern site boundaries as a treed shelter belts of a scale to accommodate native trees which would mature to form an effective screen. The Clifton local Parish Green Infrastructure Plan describes community aspirations for GI including creating a woodland corridor between the school site / Knoll's Farm and to the north, it may be opportune to consider landscape mitigation of the pitches with this aspiration.*'

The proposed inclusion of a lit rugby practice area along the south eastern site boundary is not acceptable; lighting can have a seriously urbanising effect especially against darker skies at rural edges and can result in detrimental visual impact especially at night time and in winter months.

The outline application shows no landscape mitigation along the south eastern boundary edge - and shows little opportunity for a wooded edge given the proposed layout of pitches and practice areas. This is not acceptable in terms of landscape character, visual impact and effect of coalescence of villages

The proposed residential development area also raises concern regarding proposed design of access, landscape layout to the existing urban edges and rural edges along with concerns relating to layout and internal landscaping within the proposed residential development:

- The design and character of the junction on Hitchin Road requires further exploration regarding visibility splays and possible removal of hedgerow, along with highway design and signs / lighting and need for review of in terms of urbanising influence along this low key rural approach.
- The design and quality of landscape, boundary treatment and general environment within the access road to the residential development needs to be explained further via sections given the very narrow linear access shown.
- The proposals extend development beyond the existing settlement boundary and into open countryside; the proposed landscape mitigation to development edges with open countryside require a more substantial landscaped 'treed' boundary treatment to screen development, reduce visual impact, contain physical intrusions in to countryside and protect visual coalescence effect of development.
- The development interface with the existing urban edges to the north and west are shown including a treed edge - it is essential that any new landscape / treed edge is maintained within the public realm to ensure longevity - the orientation of development as shown in the suggested site layout would need to be revised orientating landscaped edges and development frontages within the public realm to make this aspect of the proposed development acceptable.
- The lack of public space within the residential area is of concern along with the limited number of trees within POS / public realm ; a local green area would be required to provide a communal public open space and opportunity for planting of trees of species and type which can mature to a size of significance influence / coalescence effect of development. Where children will play is not clear - it appears the residential site offers informal recreation opportunity for existing residents - but it is not clear where recreation opportunities for existing residents will be transferred to ?
- The proposed 'SuDS' appear reliant on piping water to attenuation basins - piping of surface water s not

acceptable in terms of landscape and appropriate integration of sustainable drainage; if the application were to be progressed SuDS would need to be linked to landscape features within the development including bio retention areas ('rain water gardens') filter strips and swales combined with hard SuDS including permeable paving and linked to attenuation areas which include a subtle change in levels and integrated within the over all site landscape design.

I note the application refers to levelling of and drainage of sports pitches - further information is required on regrading and opportunity to link to SuDS to pitches if the application is progressed.

Following amendments

I reiterate my comments made previously regarding landscape mitigation:

Significant landscape / planting mitigation will be required to the south / south eastern site boundaries to the playing fields.

Design and character of accesses associated with residential development will require careful design.

The design and quality of landscape to the site boundaries and within the proposed residential development / general environment will need to ensure effective integration of development within the landscape setting and quality design.

Ecologist

I have looked at the submitted documents and note that this is an outline application. I commented on the earlier pre-application for sports pitches and there are some differences between that and the current application. The 2014 Ecology report identifies the southern boundary hedgerow and associated scattered broadleaved trees as likely to support nesting birds and really as the main feature of ecological interest on the school site. As such I am keen to ensure that this corridor is retained, buffered and enhanced. I am concerned that the pitch orientation has altered from the preapp, resulting in the 4G pitch lying immediately adjacent to this hedge. Indeed the floodlighting plan appears to show lighting columns in the hedge.

The light spillage diagram shows maximum lit impact completely engulfing the hedge and this level of impact is not acceptable. I understand there are issues with fitting a full size pitch into the site but given the desire for

floodlighting I am not satisfied that this layout will ensure minimum impact to the biodiversity of the site and surrounding area and would urge reconsideration to positioning closer to the school and the road where there is existing lighting impacts. Ideally all trees should be retained and this corridor enhanced with a minimum 8m buffer from development.

The ecology report also notes the likelihood of bats using the area for foraging and recommends in 8.6 that a bat transect survey is undertaken. Such a survey should be a condition of any outline planning permission so result as able to inform reserved matters for layout to minimise impacts.

With regards to the housing proposal which is also outline I would wish to see the inclusion of integrated bat and bird bricks in line with NPPF requirements for development to deliver a net gain for biodiversity. Further opportunities for enhancement, for example through the use of native, wildlife friendly plants in landscaping schemes, are detailed in the CBC Design Guide.

I am also concerned over Option 1 and 2 for the justification of the loss of playing field space - utilising an area of land adjacent to Etonbury Academy. This would not be an appropriate use for this piece of land which in itself is to act as an important buffer to a biodiversity rich site so I would object to it being a viable option for increased pitch provision.

Following amendments

I have looked at the amended plans and welcome the new position of the 4G pitch which means that it, and it's associated floodlighting has far less of an impact on the hedgerow corridors of the site. As such I no longer have an issue with this aspect of the application.

However, as the supporting information remains unchanged I still have concerns over paragraph 6.62 in the planning statement which discusses justification of the loss of playing field space - utilising an area of land adjacent to Etonbury Academy. This would not be an appropriate use for this piece of land which in itself is to act as an important buffer to a biodiversity rich site so I would object to it being a viable option for increased pitch provision.

With regards to the housing proposal which is also outline I would wish to see the inclusion of integrated bat and

bird bricks in line with NPPF requirements for development to deliver a net gain for biodiversity. Further opportunities for enhancement, for example through the use of native, wildlife friendly plants in landscaping schemes, are detailed in the CBC Design Guide.

Green Infrastructure

No consideration appears to have been given to the Green Infrastructure policies, or the guidance within the Design Guide in relation to green infrastructure.

The design and layout does not demonstrate an integrated approach to designing access, open space, ecological mitigation / enhancement and landscaping in order to deliver green infrastructure benefits. As such, the proposal is unacceptable.

Although the assessment of the SuDS from a flood risk perspective indicates the scheme is acceptable, the design of the SuDS scheme does not meet policy requirements. The Drainage Strategy indicates that infiltration drainage is possible, but the Flood Risk assessment shows that infiltration testing has not taken place. The design of a SuDS scheme without this basic verification is questionable.

The proposed drainage scheme relies on piped conveyance and underground storage tanks taking water to shallow swales on the edge of the site. Whilst the use of swales is welcome, the primary conveyance and storage in pipes and tanks is unacceptable, and contrary to CBC's adopted SuDS Guidance.

The use of underground storage and conveyance, and the location of the swales on the edge of the site regrettably minimise the potential benefits the SuDS scheme could deliver for green infrastructure benefits. The SuDS should be designed as an integral part of the development, not hidden underground or at the edges of the site. They should be designed to complement areas of public open space, and to complement landscaping and biodiversity proposals. There is no evidence of this joined up approach to design, and the result is unacceptable.

Following amendments

The applicant's suggestion that a condition requiring future reserved matters submissions demonstrates a sustainable drainage system as part of an integrated strategy for the site's open space and ecological enhancement, demonstrating compliance with CBC's adopted sustainable drainage SPD would be acceptable.

This condition, suggested by the applicant, would be in addition to conditions on sustainable drainage required by colleagues in the Flood Risk team.

Internal Drainage Board Had no comments to make.

Sustainable Officer Growth Policy DM1 requires all new development of more than 10 dwellings to meet 10% energy demand from renewable or low carbon sources. The proposed development is above the policy threshold and therefore all dwellings should have 10% of their energy demand sources 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 Building Regulations and deliver 10% of their energy demand from renewable sources.

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). It is proposed that this standard will be met through installation of water efficient fittings such as low flow taps and dual flush toilets. I would also encourage the applicant to fit all houses with water butts.

The above policy requirements have been acknowledged by the applicants, however to ensure that the policy requirements are met I would like the following conditions to be attached:

- 10% energy demand of the development to be delivered from renewable or low carbon sources;
- Water efficiency to achieve water standard of 110 litres (including 5 litres for external use) per person per day.

Housing Officer Development I would expect to see 35% affordable housing or 23 affordable homes of mixed tenures of 63% Affordable Rent and 37% Intermediate Tenure as per the Strategic Housing Market Assessment, this equates to 15 units for Affordable Rent and 8 units of Intermediate Tenure/Shared Ownership. I would like to see the units dispersed (pepper-potted) throughout the site and integrated with the market housing to promote community cohesion & tenure blindness. I would also expect all units to meet at the very minimum meet all HCA design and

quality standards. If these comments are taken on board, I would support this application

Other Representations:

Neighbours

43 letters have been received. 3 parties object to the application, 7 making comments and 34 in favour. Additionally there have been in excess of 120 letters of support from students of the Samuel Whitbread school. 1 petition in favour of the application has been received.

The letters of objection have been received from the occupier of 100 Glebe Road, 39 Hitchin Road and the owner and consultant representing him as adjacent landowner. The following panning objections are raised:

- Housing development should not be built on playing fields as children do not get enough exercise.
- Pollution to students during construction and from resident's cars.
- Land adjacent to the application site could be used as replacement playing field.
- The proposed access junction is narrow and affects the agricultural access for the adjacent field.
- Access should be gained as an arm from the approved roundabout location further south on Hitchin Road.
- Increase in traffic on Hitchin Road.
- More information is required as to how traffic on Clifton Road would be controlled.

In terms of the letters of support the following comments were made:

- support for the proposed leisure development and its community use element.
- support of the new residential development.

Determining Issues:

The main considerations of the application are;

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

Considerations

1. Principle of development

- 1.1 At the time of writing the Council cannot demonstrate a five year supply of deliverable housing land. This means that under the provisions made in paragraph 49 of the National Planning Policy Framework 2012, policies concerned with the supply of housing (including DM4, DM14, and CS16 of the North Core Strategy) must be regarded as 'out-of-date', and that permission should be granted unless the harm caused "significantly and demonstrably" outweighs the benefits.
- 1.2 However the application site in terms of the location of the proposed housing is located within the settlement envelope for Shefford. Shefford is designated as a minor service centre within which housing development is considered to be acceptable in principle. The access to the residential scheme is located within the open countryside. However the access area is within an existing residential curtilage and the site of the demolished dwelling would be regarded as previously developed land although the garden would not be classified as such. Therefore the proposal will include development in the open countryside. Its location is such that it is not isolated and the access road would not be prominent. The provision of housing should be regarded as a benefit of the scheme and independent access is required to achieve this. On balance the impact on the open countryside is considered to be negligible and the scheme is therefore considered to be acceptable in respect of Core Strategy DM4 given that the Council is able to give some weight to this policy as a consideration.
- 1.3 However consideration has to be given to the fact that the site is designated as important open space. Core Strategy DM5 states that redevelopment of an important open space would only be acceptable where proposals would result in enhanced provision in functional terms, where there are exceptional circumstances resulting in overall community benefit and there would be no adverse impact on the visual quality of the settlement.
- 1.4 The applicant has provided an argument to take account of this policy restriction. In terms of enhanced provision the provision of a 4G pitch, changing rooms and improved sports provision on the remaining school can be considered in a positive light. It should also be noted that currently, in spite of its designation the land is not accessible to members of the public. The scheme includes a proposal to make the 4G pitch and changing rooms independently accessible from the school and available for community use. Therefore the accessibility of the open space would be increased which is considered to be an enhancement.
- 1.5 In terms of exceptional circumstances weight has to be given to the Council's lack of deliverable 5 year housing land supply and therefore weight should be given to schemes that propose housing during this time. This is a circumstance that can be considered favourably in light of this policy.
- 1.6 In terms of the visual quality of the settlement the development of the site would result in increasing the built form towards the open countryside. The important open space designation would act as a green buffer within the settlement envelope and the redevelopment of the land would remove this.

However when balanced against the need for housing and the leisure enhancements of this proposal loss of the green buffer is not considered to be significant. The provision of more housing would sit comfortably in this area and would not, in principle, be out of character to a harmful extent. As a result the proposal is not considered to be contrary to policy DM5.

1.7 Loss of playing field/pitches

Although Policy DM5 is considered to be addressed, compliance with this policy does not address the loss of playing field and pitches. Sport England require compensatory provision within the area and initially issued a holding objection, advising that if the objection was not addressed any resolution to approve the application would have to be referred to DCLG. Following the objection the applicant undertook feasibility studies at 14 sites in and around Shefford for replacement provision which returned little potential for direct replacement. As a result the following off-site replacement playing field package has been agreed:

- The installation of a piped drainage system and associated improvements to part (the upper pitch) of Shefford Sports Club's playing field (Hitchin Road) to improve the carrying capacity and quality of the pitches. This would address the existing deficiencies of the playing field and help meet Shefford Saints FC's shortage of playing pitches.
- The provision of a new playing field adjoining Robert Bloomfield Academy's existing playing field that would be suitable for accommodating a 9v9 junior football pitch (approximately 0.5 hectares of new provision)
- The installation of a piped drainage system and associated improvements to the lower playing field area at Robert Bloomfield Academy to improve the carrying capacity and quality of the pitches. This would address the existing deficiencies of the playing field for the Academy and help address Shefford Saints FC's shortage of playing pitches.
- The provision of a new playing field adjoining the planned artificial grass pitch at Etonbury Academy in Stotfold. This would consist of an area suitable for accommodating a senior football pitch (approximately 0.75 ha) and would principally help meet Etonbury Academy's future needs although it could be used for meeting future community football pitch needs in the Stotfold area if they arise.

1.8 Subject to the obligation of these commitments within a S106 agreement and other conditions, Sport England raises no objection to the application and therefore the loss of playing fields and sports pitches as a result of the residential development, and the Parish Council concerns are considered to be addressed.

1.9 Affordable housing

The proposal would provide 35% Affordable Housing in accordance with Policy CS7. Of the affordable homes proposed, 63% would be for affordable rent and 37% intermediate tenure secured via a S106 Agreement. The proposal is therefore considered acceptable in this respect.

1.10 Education

It is acknowledged that Shefford and Clifton are under significant strain in terms of education, particularly lower school places. Land has been secured through the previously allowed appeal CB/14/01726/OUT at Campton Road Shefford for the expansion of Shefford Lower school and there would be capacity created as a result. The education Officer has requested financial contributions for education projects within the catchment area and these can be secured by S106 agreement.

- 1.11 In this case, the additional housing, the provision of the affordable housing units and enhanced leisure provision would be benefits of the scheme and this would outweigh any adverse affects from the development. The proposal is therefore acceptable in principle as it would meet the sustainable development tests as set out in the NPPF.

2. Affect on the Character and Appearance of the Area

- 2.1 With regards to the residential scheme, detailed design considerations will be left for any subsequent reserved matters layout. An indicative layout was submitted with the application which shows a development of mixed dwelling types within the site. Little weight is given to this layout with this outline application but it does indicate that the site could accommodate the quantum of development proposed. Any reserved matters proposed would expect to provide a high quality development that is designed in accordance with the Council's adopted design guide and this would likely affect the indicative layout as garden and parking standards are taken account of. There is flexibility on the site to produce a high quality development as the application is for up to 64 dwellings, therefore allowing the flexibility to propose less if needed to make the design acceptable in planning terms.
- 2.2 Views from the open countryside to the site from can be mitigated against with the inclusion of strong landscaping on the southern boundary of the residential scheme. This would reduce the impact on the character of the area and can be secured through condition. The concerns from the Landscape Officer are noted however, while it is acknowledged that there would be a permanent impact on the character of the area and the landscaped, it is considered to be acceptable in this instance.
- 2.3 In respect of the leisure proposal the pitch development and changing rooms would sit close to the existing school buildings and would establish a visual relationship with the existing facility. As such this aspect of the development proposal would not look out of character and would not harm the character of the area as a result.
- 2.4 On the basis of the considerations made above the scheme is considered to not harm the character and appearance of the area when considering the principle of developing the site for residential purposes. Furthermore the indicative layout suggests that a development of 64 units on the site could be accommodated without having a harmful impact on the character and appearance of the area and the proposal is therefore considered acceptable in light of the policies of the NPPF and policy DM3 of the Core Strategy and Development Management Policies 2009.

3. Neighbouring Amenity

- 3.1 With regards to the residential scheme the northern boundary of this part of the site sits adjacent to existing residential properties on Southfields. The existing dwellings are a mix of bungalows and two storey buildings containing flats. There will be a visual impact on these properties and while the countryside view will be lost the development is not considered to result in an overbearing or overly prominent impact on these properties and is therefore acceptable in principle.
- 3.2 Detailed design considerations are a reserved matter and this makes it difficult to ascertain specific impacts on neighbouring properties. It is considered that any subsequent reserved matters application would design a scheme that takes account of neighbouring properties to ensure there would be no harmful impact to existing residents. Taking account of the indicative layout submitted it is considered that a scheme could be achieved in principle that would not have a detrimental impact on neighbouring amenity.
- 3.3 The Pollution Officer has raised objections on the grounds that the scheme does not protect existing dwellings from noise impacts from the development. The concerns are noted however it is considered that they can be addressed by condition. In terms of impacts on the proposed dwellings, suitable noise mitigation measures can be conditioned to ensure that there would be no harm from noise impact. This can also be the case for existing dwellings on Southfield as attenuation measures such as acoustic fencing on the boundary of the site could be considered here. The concerns regarding parking noise are noted however the proposed community use car park is away from boundaries with residential properties, centrally located on the school site and not considered to be in a location that would give rise to significant noise impacts. The impact from vehicle movements are noted however it is considered that this would also not be significant and can be addressed through mitigation measures secured by condition.
- 3.4 In terms of providing suitable level of amenity for potential occupiers, any detailed scheme would be expected to be designed in accordance with the Council's adopted Design Guide and this guide includes recommendations to ensure suitable amenity levels are provided. Therefore it is considered that the adopted policy can ensure that a suitable level of amenity could be provided for new residents.
- 3.5 In terms of the Leisure use the location of this part of the proposal is considered to be a suitable distance from both existing and proposed residents to ensure there would be no harmful noise or disturbance. Floodlighting and hours of use can be secured by condition to ensure there is no harmful impact in this respect. The proposed access to the community use element is by using the residential access which would take traffic past the proposed housing estate. The layout is such that it is considered that there would be no harm in this respect.

4. Highway Considerations

- 4.1 The highway considerations have been subject to amendment with this application. Upon initial submission the proposal showed the access

arrangement as is proposed now however the intention was to have this access be used as a new entrance to the school for pupils and buses, moving the existing traffic from Clifton Road. However the nature of the access was such that it was not adequate to accommodate bus movements and the applicant has not been able to amend the arrangement to be able to safely accommodate these vehicles. As a result it was not possible to support the bus arrangement in planning terms and the applicant subsequently removed that aspect from the scheme.

- 4.2 The amended access proposal sees the new access from Hitchin Road serve the proposed dwellings and the community use of the sport pitch only. As a result the priority junction arrangement onto Hitchin Road is considered acceptable, but only on the basis that it does not take school bus traffic. Therefore it would be necessary to ensure that the detailed design includes measures to prohibit buses using the access. The access is located outside of the 30mph restriction within Shefford and therefore, in the interests of safety the applicant will be required to finance the relocation of the speed limit signs so that the 30mph restriction includes the proposal.
- 4.3 It is noted that the Parish Council were expecting the scheme to address existing traffic problems associated with the school on Clifton Road, however the limitations of the access proposal means that it cannot be safely achieved in planning terms. In respect of this application the proposal is not required, on its own merits, to address existing traffic situations at the school itself. The nature of this application is such that it is not likely to exacerbate any existing situation and therefore no objection can be raised in this respect. The applicant has stated an intention to leave a strip of land around the access undeveloped which can be safeguarded for if a suitable access arrangement is brought forward in the future. This would be subject to consideration at reserved matters stage and could be secured if it did not compromise the quality of development proposed here. However it should be noted that any access alterations in the future are likely to require planning permission and would result in the need to submit a new application for consideration.
- 4.4 In terms of parking the residential scheme will be required to meet the design guide parking standards for both residents and visitors but this is a design detail that would be considered at reserved matters stage.
- 4.5 In terms of integrating with the existing settlement the application proposes the provision of a walkway at the northern part of the site past the school car park, leading to Clifton Road. This is a positive aspect of the scheme and provides an alternative footway route other than Hitchin Road. However there are opportunities to enhance this connectivity. In the interests of increasing the connectivity of the site to the existing settlement the applicant will be required to facilitate a footway connection from the residential development to Southfields.
- 4.6 As a result there are no objections on the grounds of highway safety and convenience.

5. Other Considerations

5.1 Community use

Sport England were consulted on the application and a number of sports pitch layout amendments were made as a result. Sport England raise no objections to the proposed 4G pitch but have requested its community use be secured through an agreement which is conditional upon granting of permission. This is considered reasonable as it will confirm hours of operations, management procedures and access arrangements among other things.

5.2 Drainage

In terms of drainage, if a scheme were considered acceptable in principle it would be subject to ensuring details of suitable drainage systems are proposed and in place to accommodate drainage impacts. The application included details of sustainable urban drainage proposals and there are no objections to this in principle. It is necessary to condition the approval of drainage details on the outline consent to ensure the specific of a scheme are acceptable in accordance with the Council's adopted sustainable Drainage SPD and to ensure appropriate management and maintenance is secured.

5.3 Ecology

The Ecologist continues to have concerns over the potential use of land adjacent to a different school, Etonbury Academy, to be used as an area for increased pitch provision. The pitch provision at Etonbury is part of a number of measures required to address the loss of playing field and sports pitches that occur as a result of the proposed residential development. It is necessary to make the scheme acceptable in planning terms. While the impact on ecology value is noted and not ideal the benefits of the scheme are considered to outweigh this impact and therefore on balance there is not considered to be significant and demonstrable harm to biodiversity as a result of this proposal.

5.4 S106 agreement

Spending Officers were consulted and comments returned from Education and Leisure. In addition, comments were received from NHS England as well. The following contributions are requested and shall form heads of terms for the legal agreement that would be required if Members resolve to grant consent.
Education:

Early Years – £44,244.48

Lower school - £147,481.60

Middle School - £148,402.18

Upper School - £181,980.36

To aid Highway Safety in the area an obligation will be sought for the relocation of the 30mph speed limit signs.

To help with the connectivity of the site and its relationship to the existing town an obligation will be sought to provide a footway link from the site to Southfields to the north.

Timetable for delivery of housing:

As the site is located within the settlement envelope it would not normally be required to demonstrate the site deliverability as the principle of development

can be considered acceptable regardless of the Council's housing land supply position. However in this instance the applicant has used the Council's position in their argument to demonstrate compliance with policy DM5 therefore contributing to the supply is a material consideration with this scheme and the applicant will therefore be required to enter into an agreed timetable for delivery of the housing scheme do demonstrate the contribution it makes to the land supply. Failure to do so will result in the application being refused on the grounds that it is not demonstrated that the site is deliverable.

Sport and leisure requirements.

In accordance with the comments from Sport England the S016 will need to include obligations on the developer to

- Pay a commuted sum of £78,657 for drainage works and maintenance costs towards pitch improvements at nearby Shefford Sports Club.
- Approval of details for construction specifications for playing field works at Robert Bloomfield Academy.
- Appropriate triggers for the delivery of the leisure facilities proposed in this application.
- Community use and facility management of the proposed facilities.

5.5 Humans Rights/Equalities

Based on the information submitted there are no known issues raised in the context of Human Rights/Equalities Act 2010 and as such there would be no relevant implications with this proposal.

Recommendation:

That Outline Planning Permission be granted subject to the completion of a section 106 agreement and the following:

RECOMMENDED CONDITIONS / REASONS

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

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

- 2 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 **No development shall take place until details of hard and soft landscaping (including details of boundary treatments and public amenity open space, Local Equipped Areas of Play and Local Areas of Play) together with a timetable for its implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

The soft landscaping scheme, with particular emphasis on the tree planting on the site boundaries, shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes at the time of their planting, and proposed numbers/densities where appropriate; and details of a scheme of management/maintenance of the soft landscaping areas. The soft landscaping areas shall be managed thereafter in accordance with the approved management/maintenance details.

The scheme shall also include an up to date survey of all existing trees and hedgerows on and adjacent to the land, with details of any to be retained (which shall include details of species and canopy spread). Notwithstanding the details submitted with the application hereby approved the measures for their protection during the course of development should also be included. Such agreed measures shall be implemented in accordance with a timetable to be agreed as part of the landscaping scheme.

Reason: To ensure that the appearance of the development would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009

- 7 No development shall take place until a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 6 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 6.**

Reason: To ensure that the appearance of the site would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009

- 8 No development shall take place until the detailed design and associated management and maintenance plan for the proposed surface water drainage for the site, based on the national Non-statutory Technical Standards for Sustainable Drainage Systems and a detailed and site specific assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design 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, in accordance with Policy 49 of Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 9 The details required by Condition 2 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.

- 10 No development relating to the construction of the dwellings or the community use of the sports pitches shall not commence pursuant to this permission shall take place until details have been submitted to and approved in writing by the Local Planning Authority of a scheme of noise mitigation that demonstrates how acceptable amenity levels will be maintained for existing and proposed residents as a result of the community use of the leisure facilities hereby approved. The works shall be carried out in accordance with the approved details and shall be in place prior to the occupation of the dwelling to which each works relate.

Reason: To ensure suitable levels of amenity are provided for residents in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 11 **No development shall take place unless and until the following have been submitted to and approved in writing by the Local Planning Authority:**
- a. **A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.**
 - b. **Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling.**
 - c. **Where shown to be necessary by the Phase 2 Desk Study, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.**

Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before the use hereby permitted commences. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

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

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination 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.

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).

- 12 **No development shall begin until details of the junction between the proposed estate road and the highway in accordance with the approved plan number 422-44 Rev B, including the provision of foot and cycleway as indicated have been approved by the Local Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details. The visibility splays shall remain for the perpetuity of the development and shall remain free of any obstruction to visibility.**

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road in accordance with policy DM3 of the Core Strategy and Development Management policies 2009

- 13 No dwelling shall be occupied until a 3 m wide foot/cycleway has been constructed on the north side of the access road between Hitchin Road and the Academy in accordance with details of the approved scheme to be submitted to and approved by the Council. Any statutory undertakers' equipment or street furniture shall be re-sited as required to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 14 **Notwithstanding the details in the approved plans, no development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of a schedule of proposed traffic calming works to the access road hereby approved that would prohibit the ability for buses to use the road and to ensure that there is no direct vehicular access between Hitchin Road and the Academy in perpetuity. The works shall be carried out in accordance with the approved details and thereafter be retained.**

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety in accordance with policy DM3 of the Core Strategy and Development Management policies 2009

- 15 Any reserved matters application shall include:
- A traffic management plan that details procedures for managing access to the academy site such that there is no vehicular link to the Hitchin Road
 - Details of the pedestrian route linking the Hitchin Road development to Shefford Road.

- Details of the pedestrian/cycle route linking to Southfields from the residential development and its mechanism for delivery.
- Estate road design to geometric standards appropriate for adoption as public highway.
- Cycle parking and storage in accordance with the council's standards applicable at the time of submission.
- Vehicle parking and garaging, inclusive of visitor parking in accordance with the councils standards applicable at the time of submission.

Reason: In the interests of road safety and pedestrian movement in accordance with policy DM3 of the Core Strategy and Development Management policies 2009

- 16 **No development shall take place until a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress, including provision for on site parking for construction workers has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.**

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety in accordance with policy DM3 of the Core Strategy and Development Management policies 2009

- 17 **No development shall commence at the site before a phasing plan has been submitted to and approved in writing by the Local Planning Authority. Applications for reserved matters and for the approval of details pursuant to a planning condition shall be made with reference to the relevant phase as shown on the phasing plan.**

Reason: To ensure that different elements of the development can come forward at the appropriate time.

- 18 **No development shall take place until details of the design and layout of the Artificial Grass Pitch, Tennis/Netball Court, Cricket Facilities, Athletic Facilities and Sports Pavilion have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development hereby approved shall not be constructed other than substantially in accordance with the approved details.**

Reason: To ensure the development is fit for purpose and sustainable and to accord with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 19 **The community use of the sports facility shall not begin until a scheme setting out the type, design, lux levels and measures to control glare and**

overspill light from sports lighting and measures to ensure sports lights are switched off when not in use has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme shall accord with Sport England's "Outdoor Sports Lighting" Briefing Note published in September 2010. After commencement of use of the sports facility the sports lighting shall be operated in accordance with the approved scheme.

Reason: To balance illuminating the sports facility for maximum use with the interest of amenity and sustainability and to accord with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 20 Unless otherwise agreed in advance and in writing by the Local Planning Authority after consultation with Sport England, the sports facility and its associated sports lighting shall not be used outside the hours of:

- 8 a.m. and 10 p.m. Monday to Friday;
- 8 a.m. and 10 p.m. on Saturday; and
- 8 a.m. and 8 p.m. on Sunday and public holidays.

Reason: To balance illuminating the [sports facility for maximum use with the interest of amenity and sustainability and to with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 21 **No development shall take place until a playing field construction specification (including a delivery programme) for the reconfigured pitches at the Samuel Whitbread Academy, prepared in consultation with Sport England, has been submitted to and approved in writing by the Local Planning Authority. The approved specification shall be complied with in full prior to the completion of the development unless otherwise agreed with the Local Planning Authority.**

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 22 **No development shall take place until the following documents have been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England:**

- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and**
- (ii) Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.**

The approved scheme shall be carried out in full and in accordance with a timeframe agreed with the Local Planning Authority [after consultation with Sport England] [or other specified time frame – e.g. before first occupation of the educational establishment]. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to with policy DM3 of the Core Strategy and Development Management Policies 2009..

- 23 **No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority, in consultation with Sport England of a proposed PE curriculum delivery programme. The Programme demonstrate how Samuel Whitbread Academy's PE curriculum will be delivered during the construction period when playing fields and tennis courts will be unavailable. The programme shall be in place prior to the commencement of works and be in place until the new facilities hereby approved are available.**

Reason: To ensure that the school is able to fulfil its PE curriculum during construction time in the interests of policy E4 of Sport England's Playing field Policy.

- 24 Any future reserved matters application shall be accompanied with a bat transect survey which shall be carried out prior to submission with its recommendations taken account of in the detailed designs of the scheme.

Reason: To ensure development takes account of bat potential in the area in accordance with the recommendations of the Preliminary Ecological Appraisal by Landscape Planning Ltd that accompanies the application and in the interests of policy DM15 of the Core Strategy and Development Management Policies 2009.

- 25 The details required by Condition 2 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 Policy DM2 of the Core Strategy and Development Management Policies 2009 and the advice within the National Planning Policy Framework.

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicant is advised that in order to comply with both Condition 1 and 2 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
3. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Highways Help Desk tel: 0300 300 8049
4. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide to Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.
5. The applicant is advised that the design and layout of the sports facility should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to:
 - Artificial Surfaces for Outdoor Sports guidance note (2013)
 - England & Wales Cricket Board's TS6 document on Performance Standards for Non-Turf Cricket Pitches Intended for Outdoor Use
 - Sport England's Athletics design guidanceSport England's Pavilions and Clubhouses design guidance

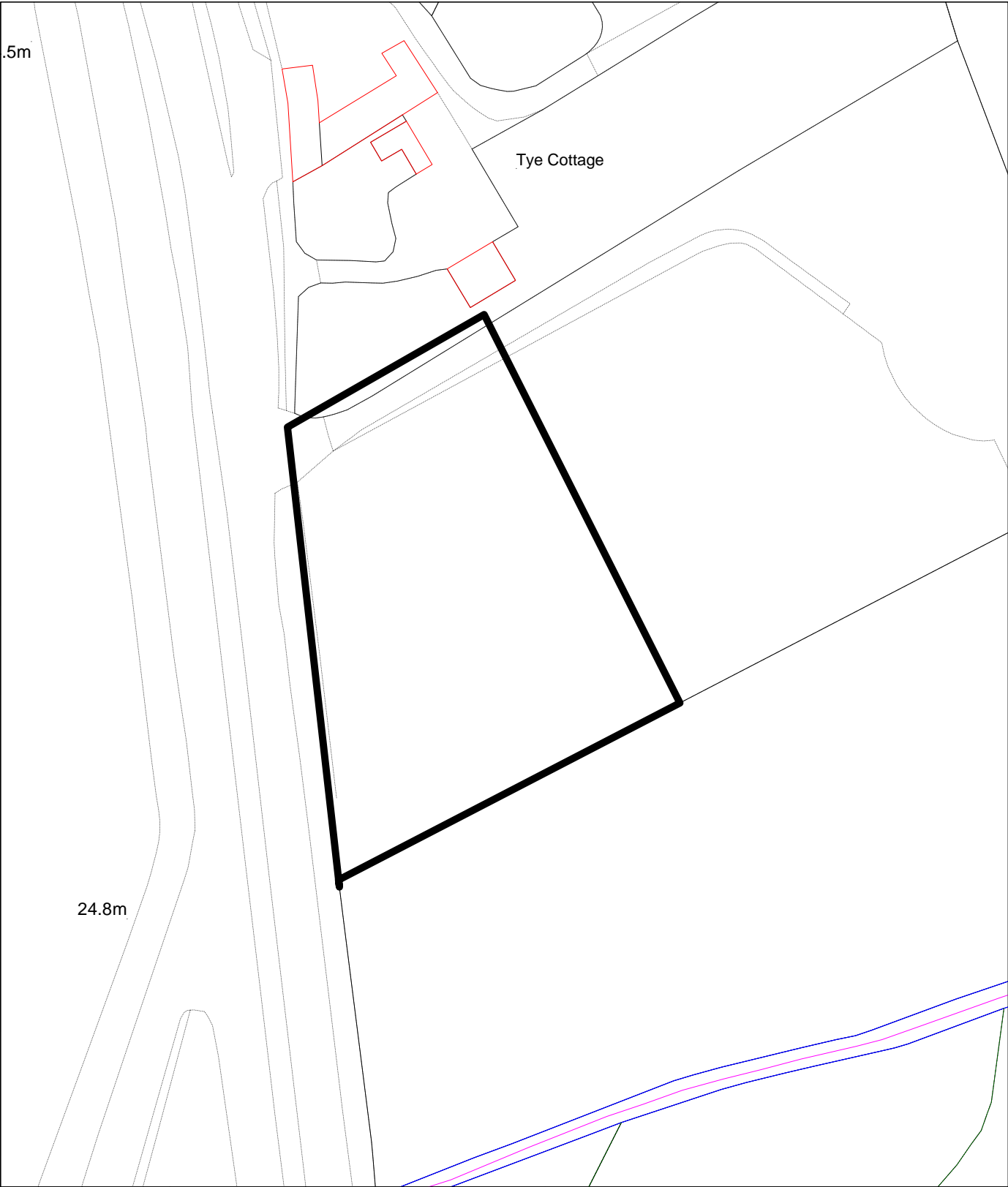
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35


The Council acted pro-actively through positive engagement with the applicant 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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	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No CB/15/04456/FULL
	Date: 05:July:2016	
	Map Sheet No	
Scale: 1:943	Land at Long Lake Meadow, High Road, Seddington, Sandy, SG19 1NU	

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Item No. 11

APPLICATION NUMBER	CB/15/04456/FULL
LOCATION	Land at Long Lake Meadow, High Road, Seddington, Sandy, SG19 1NU
PROPOSAL	Change of use of land to use as a residential caravan site for the accommodation of up to 5 gypsy families, including the laying of hardstanding.
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Maudlin, Smith & Stock
CASE OFFICER	Alex Harrison
DATE REGISTERED	18 November 2015
EXPIRY DATE	13 January 2016
APPLICANT	Mr L Connors
AGENT	Philip Brown Associates
REASON FOR COMMITTEE TO DETERMINE	Call in by Cllr Maudlin for the following reasons: <ul style="list-style-type: none">• Highway safety due to additional traffic at the access in a dangerous location.• Noise pollution to potential residents.

RECOMMENDED DECISION	Full Application - Granted
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Reason for Recommendation:

The proposed development is in a sustainable location and would provide permanent pitches towards the Councils 5 year supply of gypsy and traveller accommodation needs in accordance with the National Planning Policy Framework and Planning Policy for Traveller Sites. The proposal would not result in significant harm to the character of the area or an adverse impact on the residential amenity of neighbouring properties to the extent that it would outweigh the benefit of providing pitches at a time when the Council cannot demonstrate a 5 year land supply. It is acceptable in terms of highway safety therefore by reason of its size, design and location, is in conformity with Policy DM3 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework, Planning Policy for Traveller.

Site Location:

The site is located at Long Lake Meadow, High Road in the small hamlet of Seddington, accessed directly off the A1 trunk road. It is located within the open countryside, in a relatively isolated position with the closest residential property being Tye Cottage 30m to the north of the access track.

The land within which the application relates is a field to the west of a gypsy/traveller caravan site and stable and paddock all of which is under the control of the applicant and access from the same site entrance. The site is close to but outside of the Environment Agency Flood Zones 2 and 3.

The Application:

Planning permission is sought to change the use of the land to provide up to 5 pitches for Gypsy and Traveller accommodation.

The accommodation would be for permanent pitches and would have space for a caravan, either a static caravan or mobile home or tourer, and car parking for two vehicles.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS5 (Providing Homes)

CS14 (High Quality Development)

CS16 (Landscape and Woodland)

DM3 (High Quality Development)

DM4 (Development within and beyond Settlement Envelopes)

DM14 (Landscape and Woodland)

Mid Bedfordshire Local Plan Review December (2005)

Saved policy - HO12 - Gypsies

Draft Gypsy and Traveller Plan

In June 2014, Central Bedfordshire Council submitted the Gypsy and Traveller Plan to the Planning Inspectorate for Examination after a long process of preparation and consultation.

In August 2014, the issues and matters that the Inspector wished to discuss were received. In doing so, he raised significant issues on a substantial number of matters and asked the Council to undertake a considerable amount of additional work prior to the commencement of the Examination hearings.

Following considerations of these matters Officers concluded that it was unrealistic for the Council to respond within the proposed timescale and recommended to Members (via Executive on 19th August 2014 and subsequently at Council on 11th September 2014) that the plan was withdrawn. This document therefore carries little weight in the determination of this application. However for the purpose of assessing a planning application for the suitability of a proposed site, the policies contained within the document are considered to be useful guidelines as to whether a proposal is considered to be acceptable for its intended purpose.

Those policies thought to be relevant are:

GT5 (Assessing planning applications for Gypsy and Traveller sites)

Development Strategy

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

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

Supplementary Planning Guidance/Other Documents Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

MB/90/00136	Full: Permanent siting of mobile home – Refused 13.03.1990 Appeal Dismissed
MB/95/01068	Full: Retention of use of land for siting of mobile home, driveway and barn for storage purposes – Refused 21.11.1995 Appeal Granted 18.06.1997
MB/99/00416	Full: Retention of mobile home and alteration of existing vehicular access – Refused Appeal Granted 15.11.1999
MB/00/01795	Full: Retain mobile home for residential use without compliance with the temporary period specified in condition 2 attached to appeal decision dated 15.11.1999 ref: T/APP/J0215/A/1027879/P4 – Refused
CB/09/05652	Lawful Development Certificate (Existing): Use of land and dwelling for residential (C3) – Refused
CB/10/02306	Lawful Development Certificate for existing use: Retention of existing dwellinghouse. Refused.
CB/13/00450	Lawful Development Certificate Existing: Stationing and use of structure for residential purposes
CB/13/04088	Lawful Development Certificate Proposed use: Increase the number of caravans from 1 to 5 for occupation for residential purposes. Allowed on appeal.
CB/ENC/13/0492	Enforcement Notice. Requiring removal of hardstanding. Appeal allowed in respect of land shown hatched black. Appeal dismissed in respect of land outside the land shown hatched black.
CB/15/00892/FULL	Erection of stable building & laying of hardstanding. Approved.

Consultees:

Sandy Town Council	The Council has previously received reports that Central Bedfordshire Council Officers were in the process of enforcement action in relation to this site. The enforcement action was against the same applicant as
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the above. I do not believe the Council were notified of the outcome of that action.

To assist Members I would be grateful if you could advise the definitive position of the site, including how matters currently stand regarding the site; whether the applicant is still in breach of previous decisions and if enforcement action is still pending.

Highways

The proposal is for the siting of five residential caravans using an existing access taken from the A1. The proposal will affect Highways East and they should be consulted regarding any highway implications relating to the proposal.

However it would be prudent to include conditions for surfacing and drainage within the site, a turning area and a refuse collection point if permission is issued.

Highways England

Comments awaited.

Internal Drainage Board

The Board objects to this application as the applicant previously agreed to provide a flood compensation area, and it is unclear if the proposed development is on land that was designated as a flood compensation area for a previous application.

Environment Agency

Raised no objections

Pollution Team

The applicant has failed to demonstrate:

- That noise from the A1m trunk road and adjacent land uses will not be to the detriment of future occupiers
- The site is free from any land contamination

Waste Services

Regarding the above planning application, please see our comments below:

- The Council's waste collection pattern for Seddington / Sandy is as follows:
- Week 1 – 1 x 240 litre residual waste wheelie bin, 1 x 25 litre food waste caddy
- Week 2 – 1 x 240 litre recycling wheelie bin, 1 x 25 litre food waste caddy.
- Garden waste bags will not be provided as the allocated sites do not include any grassed areas.

Wherever possible, refuse collection vehicles will only use adopted highways. The properties on the proposed development are accessed via a private driveway, therefore these residents will be required to pull their bins to the entrance of the adopted highway. The plan should indicate both where bins are to be stored and where they are to be presented on waste collection days, with enough space for the waste collection vehicle to pull off from the A1 main highway.

Housing Development Had no comments to make
Officer
Ecology

I have no objection to the proposal but as the site lies within the Greensand Ridge Nature Improvement Area and as the NPPF calls for development to deliver a net gain for biodiversity I would ask that the impact on hard standing on the existing grassland is offset by the introduction of a grassland management plan. This should support biodiversity friendly management techniques such as that recommended by Bumblebee Conservation

Other Representations:

Neighbours

1 letter of objection received from the occupier of Tye Cottage raising the following objections:

- The new development is outside the Inspector's recommended permitted development area.
- The increase in traffic flow would constitute an increased danger on a major road. The entrance is at the end of a lay-by with barely enough room to turn in and an increase of traffic would exacerbate this problem even more.
- There is a government legislation against permitting the increases of green field sites and open countryside to travellers.
- As a resident of the area we or no one in this hamlet have mains drainage due to the age and small population. With an increase of this development there would need to have some major infrastructure.
- Fear of future development if this is permitted.

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. Neighbouring Amenity
4. Highway Considerations
5. Planning Balance
6. Other Considerations

Considerations

1. Principle of Development

- 1.1 The site lies outside of any settlement, the closest being Biggleswade to the south. In policy terms it is within the open countryside where there is a general presumption against the granting of planning permission for new development as set out by Policy DM4 of the Core Strategy and Development Management Policies Document (2009). There are no dwellings or other buildings in the immediate vicinity of the site.
- 1.2 Planning Policy for Traveller Sites 2015 (PPTS) guidance sets out that Local Authorities should ensure that traveller sites are sustainable economically, socially and environmentally. The guidance requires that Local Planning Authorities carry out a full assessment of the need of Gypsies and Travellers in their area and identify a supply of deliverable sites sufficient to provide 5 years worth of sites against their locally set targets.
- 1.3 Paragraph 25 of the PPTS sets out that if a local authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary consent.
- 1.4 Gypsy and Traveller Pitch Provision
A Central Bedfordshire-wide Gypsy and Traveller Plan (GTP) was prepared to deliver the pitch requirement for Central Bedfordshire to 2031 and was subject to public consultation following approval at full Council in February 2014. The Plan was later submitted to the Secretary of State in June 2014, however as noted earlier the Inspector raised a number of questions regarding the Plan and the Plan was later withdrawn. The Plan therefore carries very little weight in the determination of this application.
- 1.5 In preparation of the Plan the Council had a new Gypsy, Traveller and Showperson Accommodation Assessment (GTAA) undertaken, dated January 2014. This Assessment is considered to be up to date and highlights that there are a small number of unauthorised pitches, temporary consents, concealed households and people on waiting lists for the Council-run sites which are considered to represent the backlog of need within the area.
- 1.6 The need for Gypsy and Traveller pitches to 2031 is set out in the GTAA update and Full Council agreed on 30th January 2014 that the GTAA be endorsed and that the specific sites identified are taken forward to deliver 66 Gypsy and Traveller pitches.

- 1.7 While the current version of the GTAA identifies that Council has allocated sufficient sites to provide the required number of pitches to deliver a 5 year land supply the plan has been withdrawn and therefore the 5 year supply cannot be demonstrated. Nevertheless, pitches delivered through applications on existing sites or new unallocated sites would contribute to the number of windfall pitches provided.

1.8 Sustainability

The PPTS states, in para 14, that:

14. When assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community.

However, para 25 of that document also states that:

25. Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

- 1.9 The site is within the open countryside it would be an extension to an existing site. Therefore while it is new development it is not per se establishing a new site. The content of the PPTS seeks to ensure sites are sustainable in their location but also acknowledges that sites can be in rural locations. A 2015 appeal decision at Woodside, Hatch provides guidance into the location of sites and distances from services. It noted that there were sizeable settlements close by, explicitly listing Sandy (1.4 miles), Upper Caldecote (2 miles) and Northill (1.3 miles). This application site is 1.6 miles to Biggleswade however it is noted that the return journey would be somewhat longer due to the nature of the A1 as residents would have to travel to the edge of Sandy to then come back to the site, approx. 4.3 miles. The distance to Biggleswade for services is comparable to those already considered acceptable by the Planning Inspectorate and while the return journey would be longer it is considered that, as an extension to an existing site, this would not be sufficient reason to refuse planning permission when considering the location of a site. Therefore it is considered that there should be no objection to the location of the site away from any established settlements in this location.

1.10 The issue of need.

In a recent appeal decision at Twin Acres, Arlesey the Inspector noted:

"Although the Council prepared the Central Bedfordshire Gypsy and Traveller Local Plan, that plan has been withdrawn and there are no allocated sites."

This decision has previously been referred to in reports to this Committee. The Inspector went on to say:

"It is clear there is a significant unmet, immediate need for gypsy and traveller pitches" and again to say "As a matter of policy the absence of an up to date five

year supply of deliverable sites is a significant material consideration in applications for temporary permission by virtue of paragraph 25 of the PPTS. However, this factor is capable of being a material consideration in any case and with another appeal ref APP/P0240/A/12/2179237, concerning a site within Central Bedfordshire, the Secretary of State concluded that the need for sites carried considerable weight and the failure of policy was also afforded significant weight. That must remain the case today."

- 1.11 Recent planning permissions and appeal decisions over the last year have granted consent for a number of additional pitches, including making permanent some temporary pitches. Current site provision in Central Bedfordshire is continually being reviewed through monitoring and site visits including the bi-annual caravan count. The Council has therefore commissioned a further GTAA, which will have a baseline updated to 2016 and a new 5 year supply period to 2021. It will necessarily reflect the provisions of the revised PPTS, including the new "planning" definition of gypsies and travellers which requires consideration of the extent to which their "nomadic habit of life" is continuing (Annex 1 para.2).
- 1.12 In the meanwhile, the Council accepts that whilst the immediate backlog may well now have been resolved, and a new site at Dunton Lane was recently agreed to approve, there remains an unmet, albeit currently imprecise, need going forward resulting in the lack of a 5 year supply of suitable accommodation to 2019. This application for five permanent additional gypsy and traveller pitches as an extension to an existing site is therefore considered acceptable in principle.

2. The effect on the character and appearance of the area

- 2.1 Currently the site lies outside of any recognised settlement envelope and is located on the edge of Seddington, a small hamlet of dwellings. It is well screened from the public realm by existing tree planting adjacent to the A1 with timber fencing behind and there are no views through to the site as a result. The character of the site and views from the wider area will materially change as a result of this proposal. The screening would be retained as part of the application and there are opportunities to shore up the southern boundary by requiring landscaping to be provided by condition.
- 2.2 When considering planning applications, paragraph 26 of the PTSS states:
- 26. When considering applications, local planning authorities should attach weight to the following matters:*
- *effective use of previously developed (brownfield), untidy or derelict land*
 - *sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness*
 - *promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children*
 - *not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community*

- 2.3 Development of the site will materially alter the character and appearance of the area. Built form will be introduced onto the site in the form of 5 permanent pitches. This built form will affect the character of the area and although the existing significant landscape buffer on the west boundary screens the site from the public realm. It is noted that advice states that screening should not be designed to hide developments such as this however in this regard the landscaping is existing.
- 2.4 The existing and further proposed landscaping secured by condition would soften the impact of the development and accord with para 26 of the PTSS. The buffer would help screen a development that proposes what is regarded as low-scale buildings and its associated development. The PPTS states that, in considering applications weight should be given to not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community (para 26). The landscape buffers avoid a need to consider this type of enclosure and would screen any erection of a more solid enclosure if necessary.
- 2.5 On the basis of the considerations above the impact on the character and appearance of the area is considered to not be detrimental to the extent that it would warrant a refusal of planning permission when considered as part of the individual merits of the scheme.

3. The Impact on residential amenity

3.1 Existing residential amenity.

There are existing dwellings to the north of the site, the nearest of which is Tye cottage, adjacent to the access for the site. The application site is screened from this neighbour by virtue of an existing row of mature conifer trees within the applicant's control. Admittedly some of these would have to be removed to create the access into the site however the layout plan shows the majority retained. The presence of these trees would act as a visual barrier for the neighbouring residents and ensure they would not be overlooked. It would also contribute to reducing noise impacts although these would be considered against the background noise level of vehicles travelling on the A1 at national speed limit. It is therefore considered that the proposed development would not detrimentally harm the amenity of the adjacent neighbouring resident.

3.2 Proposed Residential Amenity.

The proposed layout shows that the pitches are sited with adequate room for accommodation. Each pitch also has space around these provisions and the proposal is therefore considered to provide suitable amenity space for future residents. There are no standards as to pitch sizes to consider proposals against and as a result the spacing between pitches and nature of development are considered to ensure suitable amenity and privacy levels would be established for residents of the proposed development.

- 3.3 The Council's Pollution Team has raised objection on the grounds that the applicant has failed to demonstrate that the development addresses noise impact from the A1. No such information has been provided with this application however it is considered that the nature of the site is such that measures could be incorporated to address the concern. The Pollution Team do not consider

that the matter can be dealt with via condition however this is not agreed with and it is considered that a condition would be pertinent. The existing landscaping is dense to the extent that an acoustic fence could be set up behind it, within the site, to address noise issues, without being overly prominent and affecting the character of the area. Therefore while the objection from the Pollution Team is noted it is considered that it would be matter that could be dealt with by condition and would not therefore substantiate a reason to refuse planning permission.

4. Highway Considerations

- 4.1 The site can be accessed via a slip lane off of the A1 which serves the existing properties in Seddington and therefore it is not gained directly from the trunk road itself. The Highway Officer has raised no objection to the application subject to a condition requiring the access to be in place before the pitches are occupied which is reasonable. The nature of the existing access is such that it is considered to be able to accommodate the additional traffic capacity and there is no requirement to make alterations. It is noted that, at the time of drafting this report, Highways England have not made comments however they are expected and Members will be updated via the late sheet. Subject to these comments being received there is no objection to the access arrangement in terms of highway safety and convenience.
- 4.2 In terms of on site provision the report has advised that each pitch provides suitable space for two vehicles. The on-site parking provision is therefore considered to be generous and acceptable as a result.
- 4.3 On the basis of the information provided the application is not considered to cause any concerns regarding highway impacts that would warrant a reason to refuse planning permission.

5. Planning Balance

- 5.1 The Council is unable to demonstrate a deliverable 5 year supply of sites. Therefore significant weight should be afforded to sites subject to planning applications that would contribute to this supply. The PTTS states that proposals should be assessed in accordance with the presumption in favour of sustainable development. The report has concluded that the site is considered to be in a sustainable location for a gypsy and traveller site and would be suitably close to services and facilities within Biggleswade. The site is located close to an existing community although it is acknowledged that Seddington is not large and cannot sustain a community on its own. It can be regarded as an extension of an existing site in a rural location which would not be dominated by the proposal, which does accord with government advice. The site would provide G&T accommodation at a time when there is a need for pitches and this application would contribute to its growth. The principal impact of the scheme is that it amounts to development in the open countryside.
- 5.2 Taking account of the above points the site is considered to be acceptable in light of the three strands (social, environmental and economical) of sustainable development as set out in the NPPF and can therefore be regarded as such.

- 5.3 In terms of the impacts resulting from the scheme, they should be weighed against the benefits as perceived. In this instance the report has highlighted that the impacts would not result in significant and demonstrable harm. The concerns regarding its isolated location are noted however it is clear that gypsy and traveller provision in rural locations can be accommodated.
- 5.4 In considering the previous appeal decisions at Twin Acres and at Woodside it is considered that the weight that should be attributed to the provision of pitches is significant to the extent that it should outweigh the impacts of the scheme.

6. Other Considerations

6.1 Flooding

Objection is raised on the grounds that the site is potentially an area of flood compensation required by the Internal Drainage Board in approving the application for the stable block and paddock east of the site. This compensation area was required by condition and has not yet been approved. As the works have been carried out this detail is being pursued by enforcement. The agent has advised and submitted a plan to show that the required flood compensation area can be provided elsewhere on land within the applicants control and therefore this application does not result in its removal. The Drainage Board have been re-consulted on this detail and comments are awaited and Members will be updated via the late sheet.

6.2 Drainage

Concern has been raised on this ground. The concerns are noted however it is reasonable to require such details as condition. Given the site's location close to the flood risk zone and the increase in hardstanding proposed it is considered to be reasonable to require such details by condition to ensure that measures are put in place to provide suitable site drainage.

6.3 Enforcement issues

The Town Council has raised comments over clarification on previous enforcement matters on the site. An enforcement investigation was made over the laying of hardstanding east of this site on land within the blue line area. Since the enforcement case was opened the Council has granted consent for a stable and paddock which include the aforementioned hardstanding. The approval made the hardstanding lawful and no further enforcement proceedings were required.

6.4 Human Rights and Equality issues:

Based on the information submitted there are no known issues raised in the context of Human Rights/equalities Act 2010 and as such there would be no relevant implications with this proposal.

Recommendation:

That Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

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

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

- 2 The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for Traveller Sites, August 2015, or any subsequent guidance.

Reason: To limit the use of the site to gypsies and travellers as the proposal is justified on addressing a need for such accommodation in accordance with the Planning Policy for Traveller Sites 2015.

- 3 No commercial activities shall take place on the land, including the storage of materials.

Reason: In order to ensure appropriate development in the open countryside and to protect the amenities of local residents in the interests of policies DM3 and DM4 of the Core Strategy and Development Management Policies 2009.

- 4 **Notwithstanding the details in the approved plans, no development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be submitted as part of a revised site layout showing a planting strip running the length of the southern boundary and shall include details, including sections, of the proposed landscaping bund hereby approved. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping.
(Sections 7 & 11, NPPF)**

- 5 **Notwithstanding the details in the approved plans, no development shall take place until details of the proposed walls and means of enclosures have been submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the use hereby permitted is commenced and be thereafter retained.**

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality. (Section 7, NPPF)

- 6 **No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of a scheme of proposed noise mitigation at the site to address noise impacts from vehicles on the A1 trunk road. The works shall be carried out in accordance with the approved plans, be in place prior to the occupation of the first pitch hereby approved and thereafter be retained.**

Reason: To ensure that the site is able to achieve suitable amenity levels for residents in respect of noise to accord with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 7 **No development shall take place until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing the works shall be carried out in accordance with the approved details prior to the occupation of any pitch. The permitted works shall be retained thereafter.**

Reason: To ensure suitable drainage is provided and maintained in the interests of flooding and high quality development.

- 8 **No development shall take place on site until a detailed scheme for the provision and future management and maintenance of surface water drainage, together with a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented in accordance with the approved details and timetable and shall be retained thereafter.**

Reason: To ensure suitable drainage is provided and maintained in the interests of flooding and high quality development.

- 9 **No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.**

Reason: In order to protect the amenities of local residents.

- 10 **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/001, CBC/002 and CBC/003.**

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

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 20th July 2016

Item 06 (Pages 15 - 44) – CB/15/04664/Full – Land At Timber Lane, Woburn.

Additional Consultation/Publicity Responses

None

Additional Comments

Additional representations sent to the Chairman/ Vice Chairman of Development Management Committee.

4 Timber Lane: Forwarded a copy of the letter dated 31st May 2016 and photos. Objected to the proposal on a number of fronts; validity of the scheme in relation to the Green Belt, impact on the environment and the significant increase in the existing hazardous road layout contributing to health and safety issues. As residents of 4 Timber Lane particularly affected by all three of these issues. Not only is it a challenge to exit our driveway with cars parked, it makes the bend of Timber Lane increasingly more hazardous.

3 Timber Lane: Revised proposal has failed to address any of my previous concerns and the core principles remain for my opposition as follows:

- Designated green belt
- County Wildlife Site
- Public Right of Way through the site – impacted on by the development
- Not identified alternative sites which are brownfield – applicant have identified a further five sites in Woburn suitable for development
- Highway Safety – Timber Lane is a lane and as such cannot withstand one point of residential vehicle egress from this proposed development on to it within less than 75m of Leighton Street
- Existing parking/ passing problems already in place
- The Transport report is heavily biased in its calculations
- The revised proposal has allowed for 10 parking spaces including garages and assumes that residents will use their garages for parking – reality is they will use them for storage. Therefore, lack of parking provision within the scheme.
- Extreme driving conditions during winter on entry to Timber Lane from Leighton Street and vice versa.
- Residential roof tops will blot out the scenic view of Woburn village from the meadow.
- Please look at application CB/15/04299 where the proposal to build 2 dormer bungalows in West Orchard, Fairfield Park was refused – the issues mirror this situation. It was refused as it failed to support the management and protection of the County Wildlife Site; the proposal would result in an overly domestic

character to an existing open landscape area which would be detrimental to the visual amenity of the neighbouring residents; the proposal has failed to consider the local aspirations of the local community and proposes development of an area intended to be classified as open space.

- CBC should clearly prioritise the use of brownfield over greenfield land in local planning policy so these applications cannot continue to be re-submitted.

3 Timber Lane: Reinforcing existing objection to the application.

- The consultation is out of date and the views of the public have not been sought from the developer on this current proposal;
- Local development should be for the benefit of the community and not just the financial benefit of the developer;
- Supporter of affordable housing, the revised proposal fails to address many of previous objections
- Green belt land, County Wildlife Site, historic bridleway a much used local amenity area;
- Sajid Javid (Business Secretary) The Green Belt can rightly be protected. There is plenty of land which is not Green Belt that we can build on and which is suitable for housing, and we need to get on with it. (July 2015)
- Timber Lane is extremely narrow and no wider than a small country lane. It has an acute curvature which makes exiting adjacent properties a hazardous manoeuvre, sight lines are challenging and it is difficult to see oncoming vehicles entering from Leighton Street.
- The development of 6000 new homes at nearby Wavendon and Kingston as well as new housing development along the M1 corridor from Luton will see traffic volumes increase significantly in Woburn over the coming years. Leighton Street is already congested and any additional traffic volumes from Timber Lane will further exacerbate the problem.
- Woburn offers limited employment opportunities and everyday Timber Lane witnesses an exodus of commuter traffic leaving for the conurbations of Milton Keynes, Leighton Buzzard and Bedford.
- Insufficient parking provision for ten houses.
- The views from Timber Lane should not be discounted and form part of the historical and spatial context of Woburn itself.
- The housing needs survey is out of date and the proposal does not meet the required need. No additional survey since 2011.

46 Timber Lane:

- The site is Green Belt
- The site is a Historic Landscape and County Wildlife Site
- In my opinion, there is already more than an adequate supply of rental housing stock in Woburn. For example, one local landlord, the Woburn Estate, has had an average of 2.15 properties available for let, in Woburn (sample period December 2013 to June 2014) - why does Woburn need ANY additional housing if the current supply of rental housing stock consistently exceeds demand?
- The Housing Needs Survey showed that Woburn has an average of 25% private rental properties against a County average of 6.9%. This further illustrates that there is already way more than an adequate supply of rental housing stock in Woburn without any additional development.

- Although the Housing Needs Survey on which this application is founded is 3-years out of date, in that survey just 2.7% of the population of Woburn suggested that any additional housing would be desirable in our village

Secondly, in addition to the above points, I also object to this specific planning application for the following reasons;

- Based on the points above, the applicant has failed to objectively demonstrate that any need for this development exists
- The Housing Needs Survey identified a need for 6-one-bed units. Notwithstanding what is written above, this planning application does not meet that need
- The applicant has not considered any alternative, brown-field sites in the village. No SWOT analysis of alternative locations has been conducted nor any weighted scoring of alternative sites undertaken. As such, the need to demonstrate that any special circumstances exist to justify greenbelt development in the Woburn Conservation Area is not met
- My understanding is that any planning application submitted under the Rural Exception guidelines should be solely for affordable housing. That is not the case with this application
- The application raises significant road safety & traffic concerns on Timber Lane
- Local children have used this field for recreation for years and years and their need for local "play areas" is overlooked.
- Finally, the development sits outside the Woburn Settlement Boundary

Additional/Amended Conditions/Reasons

None

Item 07 (Pages 45-68) – CB/15/03850/Full – Eversholt Beeches, Watling Street, Caddington, Dunstable, LU6 3QP

Application withdrawn from committee

Item 08 (Pages 62-92) – CB/16/00181/Full – Land to the Rear of 33 to 57 Shortmead Street, Biggleswade, SG18 0AT

Additional Consultation/Publicity Responses

Three further letters of objection and a further report prepared by MTC Engineering on behalf of a number of residents have been submitted since the Committee Report was finalised. They make the following comments:

- The positive amendments to the scheme are welcomed but there are still concerns.

- The highways situation would still be unsatisfactory. The Council could be held accountable in the future.
- The density would still be high.
- There would still be overlooking and a loss of sunlight.
- The loss of the existing wall would be unacceptable.
- New residents could use the existing lay-by parking on Wharf Mews.
- The existing grassed area would be lost and new amenity space should be adopted for public use.
- There would be various conflicts with the Council's Design Guide.
- The deeds for new properties should include various covenants.
- Construction traffic should be carefully managed.
- There would be noise and dust during the day.
- Wharf Mews cannot accommodate more than 50 dwellings.
- Further works to the road are required.
- There should be a resident's parking scheme.
- The Council should not approve plans without certainty that the developer can deliver the development.
- The junction would be unsafe and there is no evidence of there being sufficient capacity on the road network.
- Parking in the turning head would be lost.

Additional Comments

Additional/Amended Conditions/Reasons

Item 09 (Pages 93-114) – CB/16/0374/RM – Land East of Station Road, Langford

Additional Consultation/Publicity Responses

A further representation has been received from a resident at No 49 Station Road that reads:

Whilst my concern is not a major objection, I would like some reassurance that it is being considered as I have to live with the outcome on a daily and permanent basis. I did spell out clearly that my main area of concern was the close proximity of plot No 8 to my boundary as my living aspect is all facing this direction. Whilst I do not expect this proposed building to be significantly moved, I would expect some level of screening to be provided to offer a level of privacy to both my property and the proposed building. Based on how many house's are being developed on this site, I feel my request is both reasonable and fair.

In response, officers highlight that a condition would secure a detailed landscaping scheme which could include additional landscape screening on that boundary.

Additional Comments

The applicant has requested that the Committee is aware of the following points:

Highways:

Information pertaining to conditions 9, 10 and 12 were submitted and validated on 10th May 2016

The submitted information deals with the railway noise, the Langford Mitigation Strategy (April 2016) updates the noise mitigation strategy in line with the current bund and wall proposal

Landscape Officer:

Three landscape drawings were submitted with the reserved matters application GL0558 01B, GL0558 02B and GL0558 03B these have detailed planting information on them

DWH have no intention of removing the hedgerow/trees to the north of the site (along Jubilee Lane). The only instance where this is likely to happen is where we connect our drainage into the ditch

Housing:

The proposed housing split (63% rented 37% intermediate) is as per the outline planning appeal decision condition No. 8

The housing will be tenure blind

Rights of Way:

A sum of £13,800 was allocated in the S106 specifically bridleway No. 8

We are leaving the current field access open through to bridleway No.8, this will remain open after completion of the site

Two access points are not viable due to the ditch running along the length of Jubilee Lane

Network Rail:

S106 contribution is noted

Waste Services:

A number of the units noted already have bin collection points on the layout, those that have been missed will be amended.

Additional/Amended Conditions/Reasons

Condition 2 should be amended to read:

Notwithstanding the submitted details, no development shall commence at the site before a revised landscaping scheme has been submitted to and approved in writing by the Local Planning Authority showing what trees would be retained and planting

on the northern boundary of the site, the retention of a field gate access from Jubilee Lane and landscape screening between Plot 8 and No 49 Station Road. The development shall be carried out as approved.

Reason: To ensure that the appearance and layout of the site would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

Item 10 (Pages 115-156) – CB/15/01657/Out – Samuel Whitbread Community College, Shefford Road, Clifton, SG17 5QS

Additional Consultation/Publicity Responses

Sport England

I had a few comments on the committee report that I would be grateful if you could consider and report to members of the committee at the meeting as follows:

1. Paragraph 5.4 – S.106 agreement Sport & Leisure requirements (page 147 of report): While I appreciate that the wording of the section 106 requirements may not need to be definitive for the purposes of the committee report, can I make the following points:
 - As advised in my response, the commuted sum for drainage works at Shefford Sports Club would be £78,657 plus professional fees and VAT as the club will need to bear the costs of the fees and VAT as well as the capital costs of the works.
 - As advised in my response, at Robert Bloomfield Academy, as well as submission/approval of the construction specification for the playing field works, there will need to be provision in the obligations for the delivery of the works, the delivery of an annual long term maintenance programme and a new or revised community use agreement. The s.106 requirements in the report only refer to the construction specification.
 - As advised in my response, the same provisions need to be made at Etonbury Academy as at Robert Bloomfield Academy. While the committee report acknowledges the off-site provision at Etonbury Academy as part of the mitigation package in paragraph 1.7 (page 142), there is no reference to Etonbury Academy in the s.106 requirements summary in paragraph 5.4
 - As advised in my response, as well obligations to include facility management of the proposed facilities, there will need to be obligations covering playing field maintenance.

It is considered important that the committee are made aware of the full range of obligations that are expected in relation to sport and leisure before the application is determined plus to avoid any confusion or misinterpretation at a later date about the content of the obligations when the s.106 is drawn up between the applicant and the Council.

2. Proposed Condition 18 – Sports Facility Design (page 152 of report): This condition has amalgamated 5 separate conditions that I requested in my consultation response. I do not have a problem in principle with this approach for the tennis courts, cricket facilities, athletics facilities and sports pavilion as proposed condition 18 would have the same effect as 4 separate conditions for the 4 different facilities. However, in relation to the Artificial Grass Pitch, a bespoke condition was requested requiring the design and layout to be prepared in accordance with the content of Appendix 4 of the submitted Sport England Response to Comments (attached). The content of Appendix 4 had been worked up and agreed between the applicant, Sport England, the FA and the RFU and was intended to be more specific about the design requirements for the facility (than a more general submission/approval in consultation with Sport England approach) in order to provide some specific parameters for the design to be assessed against and to ensure that the commitments made by the applicant to date in relation to its design were followed through in practice and that a potential scenario where a design which did not follow the specific requirements set out in Appendix 4 was subsequently approved by CBC against Sport England's advice. As the AGP is seen as the main element of the playing field mitigation by the FA and the RFU, it is imperative that its detailed design will be acceptable in practice. A further consideration, is that not all of the specific requirements in Appendix 4 can be assessed at pre-application stage which was another reason why a bespoke design condition for this facility was requested. The requirement in Appendix 4 for the AGP to be designed to meet the FIFA 1* Performance standard can only be assessed following completion of the construction as the pitch has to be tested against the FIFA standard and then added to the FA' Register of Football Turf Pitches before it would meet this requirement. Condition 18 as proposed would presumably require the details submitted to be approved and the condition discharged before commencement of development and may not therefore provide the opportunity for an assessment to be made of whether it met the FIFA standard at the post construction stage. To address these concerns, it is requested that for the Artificial Grass Pitch, a separate design condition is imposed on any planning permission along the lines recommended in my formal response. At the very least, as an alternative (in addition to proposed condition 18 as currently worded), to address the point above about assessing whether the artificial grass pitch has met the required performance standards before it is first used, a further planning condition as follows is recommended to address this matter:

“Use of the artificial grass pitch shall not commence until certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf - One Star accreditation (or equivalent International Artificial Turf Standard (IATS)) and the World Rugby Regulation 22 (2016) requirements, including confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches, has been submitted to and approved in writing by the Local Planning Authority. The artificial grass pitch will be maintained in accordance with the approved details for as long as the facility is operational.

Additional Comments

Additional/Amended Conditions/Reasons

Amended condition 18

No development shall take place until details of the design and layout of the Tennis/Netball Court, Cricket Facilities, Athletic Facilities and Sports Pavilion have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development hereby approved shall not be constructed other than substantially in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with policy DM3 of the Core Strategy and Development Management Policies 2009.

Replacement condition 23

No development shall take place until a scheme to ensure the continuity of the existing sports use on the playing fields and facilities shown edged within the red line area on Drawing No. 14-01 during construction works is submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme shall ensure that the sports facilities remain at least as accessible and at least equivalent in terms of size, usefulness, attractiveness and quality to the existing playing fields and facilities and shall include a timetable for implementation. The approved scheme shall be implemented and complied with in full throughout the carrying out of the development.

Reason: To protect the playing fields from damage, loss or availability of use and to accord with Policy E4 of Sport England's Playing Field Policy.

New condition

No development shall take place until details of the design and layout of the Artificial Grass Pitch, as proposed in accordance with Appendix 4 of the document Sport England Response to comments (January 2016 revision) have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development hereby approved shall not be constructed other than substantially in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with policy DM3 of the Core Strategy and Development Management Policies 2009.

Item 11 (Pages 157-196) – CB/15/04456/Full – Land at Long Lake Meadow, High Road, Seddington, Sandy, SG19 1NU

Additional Consultation/Publicity Responses

Highways England

Additional Comments

Regarding Internal Drainage Board objection:

The application site falls outside of the flood zone. The objections relate to the possible loss of flood compensation area required by condition for an existing consent for stabling adjacent to this application site.

Additional/Amended Conditions/Reasons

Additional condition as a replacement for conditions 5, 7 and 8.

The residential caravans hereby approved shall not be brought on to site until details of a development scheme have been submitted to and approved in writing by the Local Planning Authority, and the approved development scheme shall implemented in full prior to occupation of any caravan, and thereafter retained in the agreed form.

- (i) The proposed means of foul and surface water drainage of all parts of the site;
- (ii) Walls, fencing, gates or other means of enclosure on the boundary of and within all parts of the site, together with any additional such walls, fencing, or other enclosures on all parts of the site. The means of enclosure shall include a proposed boundary on the eastern boundary of the site and acoustic fencing on the western boundary (as required by condition 5 of this decision); and
- (iii) The waste storage facilities to serve the various parts of the site; and
- (iv) The treatment of the hard-surfaced areas of the site.

Reason: To provide a satisfactory appearance in recognition of the location of the site in an open countryside location.

(Policy DM3 CSDMP and Sections 7, 9 & 11 NPPF)

Additional condition

The development hereby permitted shall not be occupied or brought into use until the details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details.

Reason: To protect the visual amenity of the site and the open countryside of the A.O.N.B & AGLV and its surrounding area.

(Sections 7 & 11, NPPF)

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