

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

**This meeting
will be filmed.***



**Central
Bedfordshire**

please ask for Helen Bell
direct line 0300 300 4040
date 18 February 2016

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 2 March 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, Mrs C F Chapman MBE, I Dalgarno, Ms C Maudlin, P Smith, 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

1. **Welcome**

2. **Apologies for Absence**

Apologies for absence and notification of substitute members

3. **Chairman's Announcements**

If any

4. **Minutes**

To approve as a correct record, the Minutes of the meeting of the Development Management Committee held on 3 February 2016.

(previously circulated)

5. **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.
6	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.
7	<p>Planning Application No. CB/15/03693/FULL</p> <p>Address : 101 Amptill Road, Flitwick, Bedford, MK45 1BE</p> <p>Redevelopment to provide 75 bedroom residential care home (use class c2), proposed access, parking, landscaping and other associated works.</p> <p>Applicant: Frontier Estates Ltd</p>	15 - 36
8	<p>Planning Application No. CB/15/03172/OUT</p> <p>Address : Land rear of 16-36 Newbury Lane, Silsoe, Bedford, MK45 4ET</p> <p>Outline application for a residential development of 23 dwellings including access road and sewers.</p> <p>Applicant: Canton Ltd</p>	37 - 64
9	<p>Planning Application No. CB/15/01739/FULL</p> <p>Address : Land adj to Popes Farm, 19 Tempsford Road, Sandy, SG19 2AE</p> <p>Application for consent for use for up to three Gypsy and Traveller Pitches with associated hardstanding, access and fencing.</p> <p>Applicant: Mr Farrer</p>	65 - 86
10	<p>Planning Application No. CB/15/02916/REG3</p> <p>Address: Land at Chase Farm, East of High Street, Arlesey</p> <p>Construction of section of relief road between A507 and High Street, formation of a new roundabout junction on the A507 and mini roundabout on the High Street.</p> <p>Applicant: Central Bedfordshire Assets Team</p>	87 - 134

11 **Planning Application No. CB/16/00038/FULL**

135 - 154

Address: Mentmore, 4 Greenfield Road, Pulloxhill, Bedford,
MK45 5EZ

Erection of detached barn style bungalow,
demolition of garage, proposed turning and parking
area. Three dormer windows in rear of existing
dwelling.

Applicant: Mr & Mrs Freeman

12 **Site Inspection Appointment(s)**

Under the provisions of the Members Planning Code of Good
Practice, Members are requested to note that Site Inspections
will be undertaken on Monday 29 February 2016.

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Meeting: Development Management Committee
Date: 2nd March 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 2nd March 2016)

	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	A presentation to CMT on 03/02/16, re options (Injunction to revoke permissions, or CPO) was positively received and a report will go to PFMT in March.
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 - high court challenge submitted	27-Sep-14	Not complied	Garage remains. Prosecution case against non compliance of Notice to continue at Luton Magistrates on 2 March 2016.
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	09-Apr-16		Internal site inspection required in April 2016 to ensure property has been returned to a single dwelling house.
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				A presentation to CMT on 03/02/16, re options (Injunction to revoke permissions, or CPO) was positively received and a report will go to PFMT in March.
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				Further compliance check to be done week commencing 15/02/16.
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 received 18/09/15			Await outcome of appeal. Appeal site inspection 09/02/16.

Planning Enforcement formal action (DM Committee 2nd March 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 received 05/08/15			Appeal against Enforcement Notice received 5/8/15, await outcome of appeal.
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 to be made.
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				Notice partially complied with. Awaiting outcome of planning application.
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	A presentation to CMT on 03/02/16, re options (Injunction to revoke permissions, or CPO) was positively received and a report will go to PFMT in March.

Planning Enforcement formal action (DM Committee 2nd March 2016)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
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		Planning application ref: CB/15/03057/FULL to retain the walls, gates & piers granted permission on 08/10/2015 with a condition that within 2 months of the date of the decision the boundary wall, piers, and gates shall all be reduced according to the detail shown on the approved revised drawing. Contact from owner of site who confirms works have been delayed but will commence next month.
12	CB/ENC/13/0336	The Stables, Dunstable Road, Toddington, Dunstable, LU5 6DX	2 Enforcement Notices - Change of use from agriculture to a mixed use of agriculture, residential and retail sales and building works for commercial purposes	11-Jul-14	15-Aug-14	15-Oct-14	Appeals dismissed	Aug-15		Residential use returned to site in non compliance with requirements of Notice. Prosecution action being considered.

Planning Enforcement formal action (DM Committee 2nd March 2016)

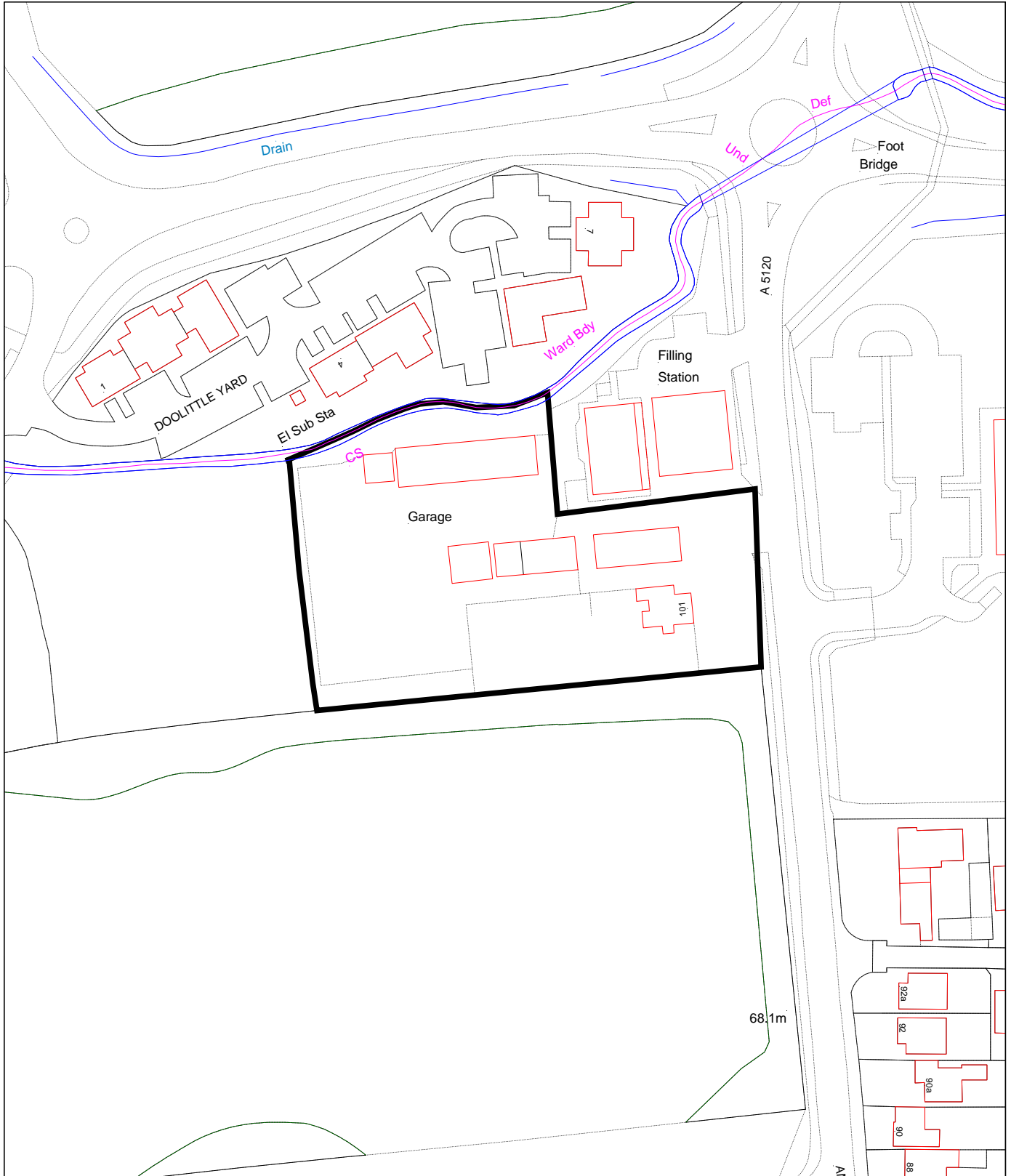
	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
13	CB/ENC/13/0452	Long Yard, Dunstable Road, Studham, Dunstable, LU6 2QL	<p>3 X Enforcement Notices - 1 -Erection of timber building</p> <p>2 - Material change of use 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>	12/08/2015	12/09/2015	12/11/2015				<p>Enforcement Notice 1 has not been complied with.</p> <p>Enforcement Notice 2 has been complied with.</p> <p>Enforcement Notice 3 has been part complied with.</p> <p>Enforcement notice served on rear of land. Check compliance 07/05/2016 and 07/06/2016</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 received 30/6/15			Planning Inspectorate appeal decision letter due shortly as Inspector carried out a site visit on 19/01/16.
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			<p>Appeal has been submitted.</p> <p>Outline application CB/16/00116/OUT, for "Erection of new dwelling and replacement garage" has been submitted.</p>

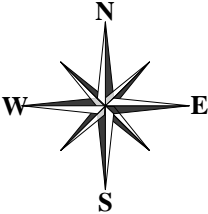
Planning Enforcement formal action (DM Committee 2nd March 2016)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
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				An offer has been made to purchase the property with the owners willing to undertake the necessary works to comply with the notice. Awaiting confirmation of the sale of the property.
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		To prepare briefing note on costs involved for taking direct action.
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		Following further discussions an extension has been agreed for the removal of the mobile home until end of March 2016. Should the mobile home not be removed by this date then prosecution proceedings will commence to ensure its removal.
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			Appeal submitted 7/12/15, await outcome of appeal.

Planning Enforcement formal action (DM Committee 2nd March 2016)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION	
20	CB/ENC/15/0184	Land at New Road, Clifton	<p>Breach of Condition Notice - Condition 13 attached to CB/13/01208/Full, Ground and tree protection.</p> <p>Breach of Condition Notice - Condition 14 Transport Assessment details</p> <p>Breach of Condition Notice - Condition 15 Works to Harbrook Lane</p>	<p>19/10/2015</p> <p>09/02/16</p> <p>09/02/16</p>	<p>19/10/2015</p> <p>09/02/16</p> <p>09/02/16</p>	<p>18/11/2015</p> <p>09/05/16</p> <p>09/05/16</p>				<p>Breach of condition notice served on 19th October 2015 in relation to non compliance with condition 13 attached to the planning permission ref: CB/13/01208/FULL. Notice being complied with.</p> <p>Further Breach of Condition Notice served, check compliance 09/05/16.</p> <p>Further Breach of Condition Notice served, check compliance 09/05/16.</p>	
21	CB/ENC/15/0349	Erin House, 171 Dunstable Road, Caddington, LU1 4AN	Enforment Notice - Unauthorised instabllation of open swimming pool	28-Jan-16	01-Mar-16	01-Jun-16	Appeal received for refusal of planning permission 29/01/16				Retrospective application for the retention of the pool refused in November 20 (CB/15/03508/FULL) Appeal submitted to Planning Inspectorate.
22	CB/ENC/15/0423	Land at, Astwick Road, Stotfold	<p>Injunction served 22nd September 2015, continuation injunction served 5th October 2015 for unauthorised development for Gypsy and Traveller site.</p> <p>Enforcement Notice served 11/12/15</p>	11/12/2015	11/01/2015	11-Jul-16 11-Oct-16	Appeal received 27/12/15				<p>Continuation of Injunction granted 5/10/15 to prevent further unlawful development.</p> <p>Planning application refused.</p> <p>Enforcement Notice served 11th December. Enforcement and Planning appeals received 27/12/15.</p>



	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No: CB/15/03693/Full
	Date: 16:February:2016 Map Sheet No	
Scale: 1:1250	101 Amphill Road, Flitwick, MK45 1BE	

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Item No. 07

APPLICATION NUMBER	CB/15/03693/FULL
LOCATION	101 Ampthill Road, Flitwick, Bedford, MK45 1BE
PROPOSAL	Redevelopment to provide 75 bedroom residential care home (use class c2),proposed access, parking, landscaping and other associated works.
PARISH	Flitwick
WARD	Flitwick
WARD COUNCILLORS	Cllrs Mrs Chapman, Turner and Gomm
CASE OFFICER	Debbie Willcox
DATE REGISTERED	29 September 2015
EXPIRY DATE	29 December 2015
APPLICANT	Frontier Estates Ltd
AGENT	Turley
REASON FOR COMMITTEE TO DETERMINE	This is a major application that has received objections from the Town Council.

RECOMMENDED DECISION **Full Application - Recommended for Approval**

Summary of Recommendation

The proposed development of the site would be acceptable in principle, including its impact on the Green Belt. It would contribute towards meeting an identified, immediate need for care home places and would bring employment benefits to the area. It would not have a detrimental impact on the character and appearance of the area or on the amenity of the occupiers of neighbouring dwellings. The level of car parking meets the Council's adopted parking standards and the impact of the proposal on the highway network is considered to be acceptable. The proposal is therefore considered to be in accordance with the National Planning Policy Framework, policies CS10, CS14 and DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (North) and the Central Bedfordshire Design Guide.

Site Location:

The application site is an L-shaped site of some 0.56 hectares which comprises a two storey detached, residential property and its associated garden and a collection of single storey commercial properties and a large extent of hardstanding from which three businesses operate, a car sales and workshop business and two wholesale businesses.

The site is located on the west side of Ampthill Road on the northern edge of Flitwick. It is flanked to the immediate north and east by a petrol station. Opposite the site is the Flitwick Football Centre, while there is an open field to the south of the site with dwellings beyond. The Doolittle Mill cluster of offices is located to the north west of the application site. A river runs just outside the northern boundary of the application site and the neighbouring petrol station.

The site is washed over by the Green Belt. The site was previously classified as being located with Flood Zones 2 and 3, however, the Environment Agency has recently changed the classification of the site and it is now located within Flood Zone 1. There is substantial tree planting along the southern and western boundaries, including a tree with a tree preservation order just outside the southern boundary of the site.

The Application:

The application seeks planning permission for the demolition of the existing buildings on the site and the redevelopment of the site to provide a 75 bed care home with associated parking and gardens.

The building itself would be a predominantly two and a half storey cruciform building with the front projection being long, relatively narrow and two storey in height. The majority of the building would have a pitched roof, with dormers set into the roof of the rear and side wings serving the second floor. There would be a number of minor projections and recesses, including two small flat roofed projections to the south elevation. The building would have a palette of red brick, off-white render and artificial slates. There would be a terrace on the second floor at the rear of the building.

Communal garden areas would be provided in the two northern and the south western quadrants created by the cruciform shape of the building. A new access to Amphill Road would be created which would provide access to 30 parking spaces in the final quadrant.

The majority of the trees along the boundaries of the application site would be retained and a landscaped area would be introduced at the front of the application site.

The building would provide 75 single rooms with en-suite bathrooms and ancillary facilities to include lounges, dining areas, a cinema / activity room, a hairdresser and laundry facilities.

It is anticipated that the proposal would provide permanent employment for 75 people, working three shifts a day, with approximately 25 members of staff anticipated to be on site at any one time.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 9: Protecting Green Belt land

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

Section 11: Conserving and enhancing the natural environment

Core Strategy and Development Management Policies (November 2009)

CS10 Location of Employment Sites
CS14 High Quality Development
DM3 High Quality Development
DM14 Landscape and Woodland
DM15 Biodiversity

Development Strategy for Central Bedfordshire (June 2014)

At the meeting of Full Council on 19th November 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 web site as material considerations which may inform further development management decisions.

Supplementary Planning Guidance

Central Bedfordshire Design Guide: A Guide for Development:
Design Supplement 6: Accommodating Special Housing Needs, 2014

Relevant Planning History:

Application Number	CB/14/03548/PAPC
Description	Pre-Application Charging Advice: Redevelopment of site for a 75 Bed Care home.
Decision	Advice given that the site is in the Green Belt and very special circumstances would be required for any formal application. Advice given on detailed aspects such as design, highways, trees and landscape and ecology.
Decision Date	24/10/2014

Consultees:

Ampthill Town Council	Resolved: That the Council OPPOSE this application: The development of the Football Centre with inadequate parking provision, and the developments in Froghall Road and Warren Farm in the surrounding areas will all have an effect on traffic movement. The parking provision on this site will not be adequate to support professionals, visitors or residents within the proposed allocation.
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Meeting the
Accommodation Needs
for Older People Team
(MANOP)

Demand

The proposed development falls within the West Mid Bedfordshire locality and the Flitwick ward. West Mid Bedfordshire has a total population of 61,170 and 9,500 of these residents are aged over 65 years. This is forecast to rise to 16,608 by 2030. Delivering accommodation suitable for older people is therefore a priority for Central Bedfordshire Council.

In 2013 the Flitwick ward had 13,400 residents and 15% of its population was over 65 years old. For the same area 9.2% of households consist of one person of 65 years of age or over and a further 7.5% of households have more than one occupant, all of who are aged 65 or over. In 2011 12.1 % of the population in this ward were retired, which is slightly lower than the average for Central Bedfordshire (13.5%) and England (13.7%)

Central Bedfordshire Council uses the 'More Choice, Greater Voice' model to estimate demand for care home accommodation based on the number of people over 75 in the population of the area. This model indicates a current demand for care home places in West Mid Bedfordshire of 321, rising to 349 by 2020 and 439 by 2025. In the same area the supply of places is currently 147 (although 60 of these are not in use at the time of writing). A further 63 places are currently under construction but even when these come on stream there will be a shortfall of 111 places (assuming that the 60 come back into use). In addition, Central Bedfordshire Council has stated that it wishes to reprovide 30 of the 147 places in more modern facilities. Planning permission is being sought for a care home in Marston Moretaine but even if this is granted and the development completed there will still be a significant and growing shortfall in care home places in the area.

Design and layout

Good care home design can not only provide a better quality of life for residents but can reduce running costs. A list of desirable features is provided.

The submitted plans are not in sufficient detail to allow comment on all of these features but the internal arrangements appear to comply with most of these features. We have noted that, given the site constraints, the provision of outdoor amenity space is potentially inadequate because of the proximity of the adjacent Petrol Filling Station and road frontage would effectively preclude outdoor space on these parts of the site from being useable.

In addition, whilst the provision of parking spaces may in some contexts be adequate we are concerned that the lack of any appropriate alternatives nearby may result in traffic issues.

Whilst the location is not ideal, being away from the town centre or neighbourhood centre, we consider it

acceptable in terms of access to local facilities and transportation links. Potential operators are likely to be attracted by the frontage to a main through road although they may be less keen on the proximity of the Petrol Filling Station.

Summary

The development is large for its site and this will result in there being comparatively little usable outdoor amenity space for residents. We are also concerned that the level of parking proposed may be inadequate for the scheme. Both of these issues could be overcome by a reduction in the scale of the development and the number of care home places proposed.

Our view is that there is significant unmet demand for care home places in this area and that whilst the location is not ideal, it is acceptable in terms of access to local facilities and transportation links.

Highways Officer

There is no fundamental objection to the principle of the development. The scheme is supported by a Transport Statement that demonstrates that traffic generation will not be significant and can be accommodated within the existing highway network. A new, dedicated vehicle access is proposed, which although close to the existing pedestrian crossing on Ampthill Road is acceptable in terms of highway safety. With the frontage boundary fence being set back 4m from the carriageway edge visibility for and of vehicles using the access will be sufficient. Car parking within the site is compliant with the standards required by the authority and adequate area for service vehicle and ambulance parking and turning is provided.

However, what still needs to be demonstrated is that access for tanker vehicles accessing the adjacent petrol filling station is not compromised by the development. The existing access arrangement allows for access from both the north and more importantly the south and the principal highway network. I acknowledge that the applicant has submitted a tracking plan indicating that access from the north can be achieved but I will require confirmation that access can be achieved by such a vehicle approaching from the south, the A507. On the understanding that the scheme will be revised to provide a suitable access to the petrol filling station, and I am confident that such an arrangement can be achieved

without impacting upon the position of the proposed care home I recommend inclusion of the supplied conditions and advice notes should you be minded to view the proposal acceptable in terms of planning policy.

Pollution Team

Following the submission of additional information I have no objections in principal with this proposal subject to the supplied conditions being applied to any granted application. This is to ensure that the impact of noise associated with transport and commercial source including noise generated by the operation of the building are not going to have an adverse effect upon the future and neighbouring occupiers of the development.

Environment Agency

No objection.

Bedfordshire and River
Ivel Internal Drainage
Board

The current Environment Agency flood zone maps indicate the proposed development lies within flood zone 2. However, it is noted that the Flood Risk Assessment clearly shows that the Environment Agency has accepted a challenge to these maps and will change them to show the site being within Flood Zone 1. On this basis the Board will not object to this planning application.

Please note that the watercourse on the boundary of, or passing through this site is under the statutory control of the Board. In accordance with the Board's byelaws, no development should take place within 7 metres of bank top without the Board's prior consent, this includes any planting, fencing or other landscaping.

Please also note that storm water discharge will not be allowed into a watercourse under the Board's control without the prior consent of the Board. The means of storm water disposal should be resolved prior to the issue of planning consent or that any planning consent given should be conditional to the method of storm water disposal being resolved prior to commencement of development.

Anglian Water

There is available capacity for anticipated flows for foul sewerage and foul drainage.

An informative is recommended regarding trade effluent and a condition is recommended regarding surface water management.

SuDS Team

No objection subject to the imposition of the supplied condition and informative.

Tree & Landscape

No objections subject to the imposition of recommended

Officer	conditions.
Ecologist	No objections subject to the recommended condition.
Sustainable Growth Officer	Requests conditions.
Archaeologist	No objections.
Private Sector Housing	No comments.

Other Representations:

Neighbours &
Response to Publicity:

96 Clophill Road,
Maulden

Objects to the proposal because it will increase the number of accesses and the amount of cars accessing the site which will be dangerous for children walking to school.

7 Doolittle Yard,
Froghall Road

Comments on the following:

- The photograph on the Planning Statement is misleading as it does not show the current football ground or the pelican crossing;
- The Green travel plan is out of date and does not take into account recent housing developments in the local vicinity;
- The bus stop mentioned in the travel plan is only one from the Amptill direction, those travelling from Flitwick would have to cross the A507;
- Higher vehicle movements will make it more dangerous for those who walk past the site;
- The construction phase will cause substantial disturbance to the local neighbourhood due to construction traffic, vibration and noise and could result in the neighbouring petrol storage tanks cracking;
- The Council should impose on the applicant similar requirements to the City of London Code of Practice for Deconstruction and Construction Sites 7th edition (May 2013) which includes a requirement for quiet hours during the working day to reduce noise disturbances to businesses;
- The number of car parking spaces is inadequate;
- The development is too large for the site and its location next to a petrol station, football team and major local road network;
- The elderly shouldn't be placed in a development

- backing onto the A507 and next to a petrol station in regards to air quality;
- Residents could wander onto the A507 or Ampthill Road and be hit by cars or walk into the river at the edge of the boundary of the development.

Determining Issues:

The main considerations of the application are;

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

Considerations

1. Principle of the Development including Green Belt Considerations

- 1.1 The site is located in the Green Belt and therefore Section 9 of the National Planning Policy Framework is a key consideration in the determination of this application. Paragraph 79 of the NPPF states that the government attaches great importance to Green Belts and the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
- 1.2 Paragraphs 87 and 88 state that Local Planning Authorities should give substantial weight to any harm that would be caused to the Green Belt. Inappropriate development within the Green Belt is harmful by definition and should only be permitted in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness or any other harm is clearly outweighed by other considerations.
- 1.3 Paragraphs 89 and 90 provide a list of types of development that is not considered to be inappropriate development within the Green Belt, which includes the partial or complete redevelopment of previously developed sites (brownfield land) which would not have a greater impact upon the openness of the Green Belt and the purposes of including land within it than the existing development. The purposes of including land within the Green Belt are set out within paragraph 80 of the NPPF.
- 1.4 In this case, while the proposal would constitute the complete redevelopment of a previously developed site which would not have a greater impact upon the purposes of including land within the Green Belt than the existing development, the proposal would introduce built form on the site that would be significantly larger in bulk, scale and mass than the existing built form on the application site. As such, it is considered that the proposal would comprise inappropriate development and therefore should not be approved unless very special circumstances exist that would be sufficient to outweigh the harm that would be caused to the Green Belt by reason of inappropriateness and harm to openness.

- 1.5 The application sets out a case for very special circumstances which is summarised below. Each point is then analysed to judge the amount of weight that should be given to this point.
- 1.6 Significant Need
Evidence has been provided that demonstrates that there is an identified, immediate unmet need for elderly care home provision in the West Mid Bedfordshire area.
- 1.7 The evidence provided includes the Council's own research and this is substantiated by the comments from the Council's MANOP team, which is reproduced above. This includes the statement that, even if another application for a care home in Marston Moretaine is approved, (this outline application has subsequently been granted planning permission), "there will still be a significant and growing shortfall in care home places in the area." Significant weight is therefore given to this factor.
- 1.8 Lack of Available Alternative Sites
An alternative site assessment has been carried out by the applicants and submitted with the application, which demonstrates that only one other appropriate site is available within the area. The assessment explains that this site is not preferable as it is constrained by a Grade II Listed Building and also demonstrates that the development of this alternative available site would not be sufficient to meet the identified need for care homes places in the area.
- 1.9 The submitted Alternative Site Assessment is acknowledged and it appears that there is currently a lack of readily available sites within the area that would meet the applicant's needs. Therefore, in conjunction with the above point, weight is given to this analysis.
- 1.10 Re-use of a Brownfield Site
The proposal would make efficient use of an existing brownfield site, in accordance with one of the core principles of the NPPF and one of the purposes of including land within the Green Belt.
- 1.11 The proposal would include the efficient redevelopment of a previously developed site and therefore some weight is given to this consideration.
- 1.12 Reduction in Transport Movements
The Transport Statement submitted with the application demonstrates that the proposal is likely to reduce the number of trips being made to and from the site. The Transport Statement estimates the maximum vehicle movements of the proposal during peak AM and PM hours to be 10 trips whereas the existing use is estimated at 26 AM peak hours trips and 28 PM peak hour trips.
- 1.13 It is considered that the anticipated reduction in transport movements to the site would improve safety and this is considered to be a substantive benefit of the scheme and thus some weight is also given to this consideration.
- 1.14 Site enhancements and openness

The proposal would considerably enhance the appearance of the site, particularly to the street frontage and will significantly improve the amount of green space on the site. The third floor of the proposed building would be restricted to the rear section of the building and is provided in the roof to reduce height.

- 1.15 It is considered that the proposal would reduce the openness of the site as the building would have a greater height, mass and footprint than the existing buildings on the application site. However, it is acknowledged that the proposal would introduce additional green space on the site, including on the site frontage and that this would enhance the appearance of the site. As such, a small amount of weight is given to the proposed enhancements to the site that the scheme would bring.
- 1.16 Employment Opportunities and Economic Benefits
The proposal would bring approximately 75 permanent full and part time jobs in a range of positions. It would also bring short-term employment opportunities during the construction period. Indirect economic benefits are also likely to be felt including through supply chains in the local economy.
- 1.17 The NPPF places great emphasis on the creation of a wide range choice of employment opportunities. However, it should be noted that there are three businesses on the site, which currently provide employment, albeit a smaller a number of jobs than the proposed care home. It is noted from the Planning Statement that these businesses have been informed of the site owners' intentions to sell the site for redevelopment and the businesses are actively looking for alternative sites within the area. It is therefore considered that some weight should be given to the economic benefits of the scheme.
- 1.18 Community Support
The applicant has engaged in pre-application consultation with 87 local residents, Flitwick Town Council and Ampthill Town Council, local Ward Members and the Council, the results of are set out within the Planning Statement accompanying the application. The results were mainly positive.
- 1.19 Pre-application consultation is always welcome and is considered a sign of good practice. However, limited responses were received, with only 7 local residents responding with wholesale support. It is noted that Ampthill Town Council has objected to the proposal. As such, only limited weight is given to this consideration.
- 1.20 Conclusion
It is considered that the package of substantive benefits that the scheme would bring as a whole should be given significant weight and that, together, they clearly outweigh the harm that the scheme would have on the Green Belt in terms of inappropriateness and harm to openness. As such, the principle of the development is considered to be acceptable.

2. Affect on the Character and Appearance of the Area

- 2.1 The design of the proposed building was revised following pre-application discussions with Planning Officers, including a reduction in the height of the

building and the footprint and the introduction of an area of landscaping at the front of the site. It is considered that the proposed building would complement and harmonise with the surroundings of the application site in terms of scale, design and the proposed palette of materials.

- 2.2 The introduction of landscaping at the front of the site, the retention of many of the trees on the site boundaries and the keeping of the third floor to the rear section of the building also contribute to an enhancement that the scheme will bring to the streetscene, which is currently dominated by the existing hardsurfacing area.
- 2.3 The design of the proposal, including the layout and the secured gardens areas complies with many of the requirements of the MANOP team and the guidance set out within Design Supplement 6 of the Central Bedfordshire Design Guide, which specifically addresses the design of care homes and extra care facilities. It is therefore considered that the proposal would deliver high quality living accommodation for future residents.
- 2.4 In conclusion, it is considered that the impact of the character and appearance on the area would be positive and thus the proposal is considered to be in accordance with the National Planning Policy Framework, policies CS14 and DM3 of the South Bedfordshire Local Plan Review and the Central Bedfordshire Design Guide.

3. Impact on Neighbouring Amenity

- 3.1 The nearest residential dwellings are located 40m away from the site to the south and 75m away to the west. It is therefore considered that the proposal would not have a material impact upon the amenity of the occupiers of these dwellings.
- 3.2 The existing tree screen along the north boundary of the site, which is proposed to be retained would provide sufficient screening to prevent interlooking between the office units at Doolittle Mill and the proposed Care Home.
- 3.3 It is acknowledged that the construction period is likely to result in a degree of disruption to the neighbouring businesses in terms of traffic movements and noise, however, these impacts would be temporary and would not provide sufficient justification to refuse the application. Furthermore, the highways impact of the construction phase can be limited by condition. In the absence of policy support, it is not considered that a condition requiring "quiet hours" during the working day could be justified, particularly as this would be likely to prolong the construction period.
- 3.4 Overall, it is considered that the impact of the proposal on the amenity of occupiers of neighbouring premises would be limited and acceptable.

4. Highways Considerations

- 4.1 The concerns of the Town Council are noted, however, the proposal complies

with the Council's parking standards for facilities of this nature and the Highways Officer has not raised concerns in regards to the proposed levels of parking. It is therefore considered that it would be difficult to sustain an objection to the proposal based on the level of parking.

- 4.2 The responses from the members of the public in regards to traffic movements are noted, however, the Transport Statement has demonstrated that the proposal is likely to reduce the number of vehicle movements to and from the site rather than increase them, which would improve the safety of pedestrians and drivers in the vicinity.
- 4.3 In response to the comments from the occupier of 7 Doolittle Mill, it is noted that the Green Travel Plan is dated September 2015 and includes up-to-date public transport information. It is noted that some of its conclusions are based on data from the 2011 Census, however, these are trend related and it is considered that the age of the data does not reduce the legitimacy of the conclusions within the Green Travel Plan.
- 4.4 Work is continuing with the agent to ensure that the scheme would not prejudice the access to the neighbouring petrol station. The Highways Officer has stated that he is confident that this can be achieved without significant alterations to the scheme. An update will be provided on the Late Sheet.
- 4.5 Subject to the resolution of the access arrangements for the petrol station and the imposition of the recommended conditions, it is considered that the proposal would not have a detrimental impact on the highway network.

5. Other Considerations

5.1 Section 106 Requirements

The nature of the development, as a care home, means that there is no requirement for affordable housing contributions. Having regard to the infrastructure in place around the site and the tests for Section 106 contributions as set out within the National Planning Policy Framework, it is not considered that there is any requirement for Section 106 contributions in this case.

5.2 Flood Risk and Drainage

While the application site was designated as being within Flood Zones 2 and 3, testing, modelling and assessment demonstrated that the application site is outside of both the 1% probability floodplain and the 0.1% probability floodplain meaning that it would be classified as Zone 1 according to National Planning Policy Guidance and therefore it is suitable for all types of development, including those classified as "highly vulnerable" such as care homes. The Environment Agency accepted this evidence and updated the classification of the site in October 2015 to Flood Zone 1.

- 5.3 Anglian Water, the Internal Drainage Board and the Council's SUDS Team all requested a condition in regards to a Surface Water Drainage Management Plan. It is considered appropriate to impose the condition requested by the Council's SuDS team as this is the most comprehensive.

5.4 Human Rights issues:

The proposal raises no Human Rights issues.

5.5 Equality Act 2010:

The Design and Access Statement states that the scheme would meet Disability Discrimination Act guidelines and Part M of the Building Regulations. Nevertheless, it is considered appropriate to impose an informative advising the applicant of their responsibility under the Equality Act 2010.

Recommendation:

That Planning Permission be APPROVED subject to the following:

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 construction work on the walls and roof of the building hereby approved shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the building 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, and Policies CS14 & DM3, CSDMP)

- 3 **No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement should detail demolition procedures and response to on site situations found, e.g. exposure of extensive roots immediately below removed surfaces, positioning and construction methods of areas of no dig construction surfacing, detailed proposed works to trees, detail and confirmation of tree protection fencing and a timetable for works to be adhered to with regards on site arboricultural supervision. No equipment, machinery or materials shall be brought on to the site for the purposes of development until the tree protection fencing has been erected in the agreed positions. The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.**

Reason: The condition must be pre-commencement to ensure the protection of the trees on the site that are proposed to be retained during any phase of the demolition and construction period, including

ground works.

(Sections 7 & 11, NPPF and Policies DM3 & DM14, CSDMP)

- 4 The development hereby approved shall not 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.

(Sections 7 & 11, NPPF and Policies CS14 & DM3, CSDMP)

- 5 **No development shall take place until a detailed surface water drainage scheme and associated construction and management/maintenance plans for the site, based on the agreed 'Flood Risk Assessment (CSB/KM/E/17158/B4, 22 September 2015)', has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the scheme shall include a restriction in run-off and surface water storage on site as outlined in the application for B/15/03693/FULL. The scheme shall subsequently be implemented prior to any occupation of the development in accordance with the approved details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

Reason: The discharge of condition must be pre-commencement to reduce limitations on the possibilities for the drainage scheme. The scheme will prevent the increased risk of flooding, improve and protect water quality, and improve habitat and amenity.

(Sections 10 & 11, NPPF)

- 6 The development shall not be occupied until two bat boxes and two Schwegler swift boxes have been positioned in accordance with part 5 of the 2014 Ecological Appraisal and two Schwegler 1SP sparrow terraces have been incorporated into the building and 1 nest box has been located on retained mature trees.

Reason: To provide a net gain in biodiversity on the application site.

(Section 11, NPPF)

- 7 Work on the construction of the building hereby permitted shall not commence until a detailed scheme of noise attenuation measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that the internal noise levels from transportation and internal mechanical noise sources shall not exceed 35dB LAeq 07.00 –

23.00 in any habitable room or 30dB LAeq 23.00 – 07.00 and 45 dB LAmax 23.00 – 07.00 inside any bedroom, and that external noise levels from transportation noise sources shall not exceed 55dBLAeq (1hr) in outdoor amenity areas. Any works which form part of the scheme approved by the Local Planning Authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the local planning authority, before the building is occupied, unless an alternative period is approved in writing by the Authority.

Reason: To ensure that the future occupiers of the development are not adversely affected by the external noise sources.

(Section 7, NPPF and Policies CS14 & DM3, CSDMP)

- 8 Noise resulting from the use of any plant, machinery or equipment used in accordance with this permission shall not exceed a level of 5dBA below the background level (or 10dBA below if there is a tonal quality) when measured in accordance with BS4142:2014 at a point one meter external to the nearest noise sensitive building.

Reason: To ensure that neighbouring and future occupiers of the premises are not affected by the operational noise from the development.

(Section 7, NPPF and Policies CS14 & DM3, CSDMP)

- 9 Equipment shall be installed to effectively suppress and disperse fume and/or odours produced by cooking and food preparation. Full details of the method of odour abatement and all odour abatement equipment to be used, including predicted noise level of the equipment in operation, shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment. The approved equipment shall be installed and in full working order to the satisfaction of the local planning authority prior to the building hereby approved being brought into use and shall be maintained thereafter.

Reason: In order to prevent adverse impact of odours arising from the cooking activities on the amenity of the neighbours.

(Section 7, NPPF and Policies CS14 & DM3, CSDMP)

- 10 The development hereby permitted shall not be occupied or brought into use until a lighting design scheme and an impact assessment devised to eliminate any detrimental effect caused by obtrusive light from the development on neighbouring land uses have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be prepared by a suitably qualified lighting engineer in accordance with the relevant publications and standards. The external lighting shall be installed in accordance with the approved details and maintained thereafter.

Reason: To ensure that obtrusive light does not have a detrimental effect upon the neighbouring occupiers.

(Section 7, NPPF and Policies CS14 & DM3, CSDMP)

- 11 No occupation of the development hereby permitted shall take place until the following has been submitted to and approved in writing by the Local

Planning Authority:

a) A Supplementary Investigation to incorporate soft landscaping soil quality provision and following sampling of the previously referenced former fuel tank, along with detailed remedial solutions should potential risks be discovered.

b) the effectiveness of any remediation implemented shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs and depth measurements).

Reason: To ensure that risks from land contamination to the future users of the land are minimised.

(Section 11, NPPF)

- 12 Notwithstanding the detail shown on the submitted plans, no alteration to the existing vehicle access to the neighbouring petrol filling station shall be undertaken unless otherwise agreed in writing by the Local Planning Authority in accordance with details to be submitted to and approved in writing.

Reason: To ensure that access to the adjacent site is not compromised in the interests of highway safety.

(Section 4, NPPF and Policies CS14 & DM3, CSDMP)

- 13 The development hereby permitted shall not be occupied until the junction of the proposed vehicular access with the highway has been constructed in accordance with the approved details.

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

(Section 4, NPPF and Policies CS14 & DM3, CSDMP)

- 14 The development hereby permitted shall not be occupied until the area of public highway between the approved boundary fence along Ampthill Road and the existing footway has been reinstated as footway, constructed to highway specification.

Reason: In the interests of highway safety and pedestrian movement.

(Section 4, NPPF & Policies CS14 & DM3, CSDMP)

- 15 The development hereby approved shall not be occupied until all on site vehicular parking and turning areas have been surfaced in a stable and durable manner in accordance with the approved plans. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits

(Section 4, NPPF and Policies CS14 & DM3, CSDMP)

- 16 The development hereby permitted shall not be brought into use until a scheme for the secure and covered parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

(Section 4, NPPF)

- 17 **No development shall take place until a scheme detailing 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: The condition must be discharged prior to commencement of the development to ensure adequate off street parking during the construction period in the interests of road safety.

(Section 4, NPPF and Policies CS14 & DM3, CSDMP)

- 18 **No development shall take place until wheel-cleaning facilities have been provided at all site exits. These facilities shall be maintained and employed at all times during the construction of the development for the cleaning of the wheels of all lorries leaving the site.**

Reason: The condition must be pre-commencement to minimise the impact of construction vehicles on the local area and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

(Sections 4 & 7, NPPF and Policies CS14 & DM3)

- 19 No implementation of the proposed boundary treatment shall take place until a method statement for the installation of the boundary treatment in a way that would prevent harm to the Root Protection Areas of the retained trees (as identified by approved drawing no. 1410-20-P-12) has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall subsequently be installed in accordance with the approved method statement.

Reason: To safeguard existing trees and hedgerows.

(Sections 7 & 11, NPPF and Policies CS14 & DM3, CSDMP)

- 20 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 17158-1001.1, 17158-1001.2, 1853 S001 Rev A, 1853 PL001 Rev A, 1853 PL002 Rev A, 1853 PL003 Rev A, 1853 PL004 Rev C, 1853 PL005 Rev A, 1853 PL006, 1853 PL007 Rev A, 1853 PL008 Rev A, 1853 PL009 Rev B, 141020-P-10, 141020-P-11, 141020-P-12, 17158/ 1002, 17158/1003,

17158/1004.

Reason: To identify the approved plans and to avoid doubt.

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the Central Bedfordshire Core Strategy and Development Management Policies (North) (CSDMP) 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. For further information in regards to the requirements for the Surface Water Drainage Scheme that must be submitted to discharge Condition 5, the applicant is advised to contact Alys Bishop of the Council's Flood Risk Management Team on 0300 300 8635 or floodrisk@centralbedfordshire.gov.uk.
4. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

Anglian Water recommends that petrol / oil interceptors be fitted in all car parking facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.

Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

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

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

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

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the

Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.

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

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

These requirements are as follows:

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

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

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)

Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

7. The applicant is advised that in order to comply with 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 modification to the barrier at the existing pedestrian crossing and footway works. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ.
8. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".
9. 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 0300 300 8049. 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.

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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© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No CB/15/03172/OUT
-E Date: 16:February:2016	Land rear of 16-36 Newbury Lane, Silsoe, Beds MK45 4ET
Map Sheet No Scale: 1:1250	

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Item No. 8

APPLICATION NUMBER	CB/15/03172/OUT
LOCATION	Land rear of 16-36 Newbury Lane, Silsoe, Bedford, MK45 4ET
PROPOSAL	Outline application for a residential development of 23 dwellings including access road and sewers.
PARISH	Silsoe
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Alex Harrison
DATE REGISTERED	24 August 2015
EXPIRY DATE	23 November 2015
APPLICANT	Canton Ltd
AGENT	J & J Design
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Graham <ul style="list-style-type: none">• Outside of settlement envelope• Road has high volume of speeding commuter traffic• Silsoe has absorbed 583 new homes since 2000 and infrastructure is at breaking point.

**RECOMMENDED
DECISION**

Outline Application - Approval recommended

Reason for Recommendation

The proposal for 23 dwellings is contrary to Policy DM4 of the Core Strategy and Development Management Policies Document, however the application site is adjacent to the existing settlement boundary in Silsoe and is adjacent to development on three of its sides, it is therefore considered to be a sustainable location. The proposal would have an impact on the character and appearance of the area however this is considered to be limited given the location of the site. The proposal is also considered to be acceptable in terms of highway safety and neighbouring amenity and therefore accords with Policy DM3 of the Core Strategy and Development Management Policies Document (2009) and the Council's adopted Design Guidance (2014). The proposal would provide affordable housing and would add to the Council's 5 year housing supply, these benefits are considered to add significant weight in favour of the development and therefore the proposal is considered to be acceptable.

Site Location:

The application site comprises approximately 1.2ha of land located adjacent to the northern extent of the defined settlement envelope for Silsoe. The principle parcel of land that comprises the site abuts residential curtilages of existing dwellings to the east, south and western boundaries. The northern boundary abuts arable farmland and the land level rises to the north from this point. The site also includes part of the access driveway that serves 36, 36a and 36b Newbury Lane and part of their residential curtilage as well. The final part of the site is an existing access track that runs between 26 and 28 Newbury Lane.

The principle parcel of land is undeveloped and is a mixture of overgrown and unkempt landscaping at the eastern part and what appears to be unauthorised garden extensions at the western part.

For planning purposes the site lies in open countryside and is not located within a Conservation Area. A scheduled Ancient Monument is located approximately 50 metres to the west of the site.

The Application:

Outline planning permission is sought for the construction of 23 dwellings on the site including access road and sewers. All matters are reserved aside from access but the application includes an indicative layout to demonstrate how development could be accommodated on the site.

Access is to be gained by adapting the existing driveway access that currently serves 36, 36a and 36b Newbury Lane. The adaptation will lead to a 4.8m wide access road passing between 36a and 36b into the site. Replacement driveway and parking spaces for the existing dwellings are provided as a result. The scheme proposes 8 affordable units which is provided at 35% of the overall scheme.

Since the original submission of the application additional information in the form of a sustainability statement was submitted and an amended indicative site layout was also submitted.

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

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:

None

Consultees:

Silsoe Parish Council

Initial submission

The planning application is made in outline but is supported by a number of very detailed technical reports. Unsurprisingly, these seem to show a lack of “technical” problems arising from the proposed development, for example in relation to highways, flood risk, wildlife, trees and contamination. Although they are voluminous, these reports appear to reach rather obvious conclusions – for example, the flood risk assessment concludes, among other things, that “the risk of the site flooding from the sea appears to be low”.

The absence of concern (or the potential to mitigate problems) on these grounds does not, however, overcome certain fundamental objections to the scheme.

Firstly, it must be emphasised that the site lies outside the built-up limits of Silsoe. The lawful use of the land is evidently use as agricultural land, even though it has been neglected. It does not appear to be actually in use for amenity purposes, which would, in any case, be unlawful, since planning permission has not been obtained for such a change of use. Thus the development of the land would be clearly contrary to Development Plan policies and would, moreover, erode the countryside in this part of Bedfordshire. That objection would be even stronger, of course, if the site were located in the Green Belt but is nevertheless a real ground of objection, irrespective of the “visibility profile” of the site. The development of the site would expand the “sprawl” of the village of Silsoe, expanding into the countryside in a way that is inherently undesirable.

Secondly, account must be taken of the excessive scale of development that has been imposed on Silsoe in recent years, due to the redevelopment of the “brownfield” site at Cranfield University (originally the National College of Agricultural Engineering), on the southern edge of the village. There was, of course, special justification for that development, due to its particular nature (unlike the proposed development at Newbury Lane, which would be on a “greenfield” site). Nevertheless, the scale of the Cranfield University

housing development will have imposed a strain on the social cohesion of the village which should not now be exacerbated. In any case, the number of houses that have recently been built in Silsoe make it obvious that that there is not a particular need for development in the village at this time.

Thirdly, the scale of the proposed development, on open land in the countryside, is such that it should only be contemplated in the context of a proper planning review of potential sites across the District. As the planning officer points out, sound planning is not based on the principle “first come, first served”. It is by no means clear that the site at Newbury Lane would be the best site in the District or even in Silsoe. Reasonably up-to-date planning policies are in place for Silsoe, namely the ‘Central Bedfordshire Core Strategy and Development Management Policies Local Development Framework (North)’ (adopted in 2009) and the ‘Central Bedfordshire (North) Site Allocations Development Plan Document’ (adopted in 2011). Both cover the period to 2026. While it is true that further policy work is necessary and that the ‘Development Strategy for Central Bedfordshire’ has been quashed in the High Court, it can confidently be expected that work on the new planning policy document will proceed more quickly, in spite of this setback, since preparatory work has already been undertaken.

In short, there are clear reasons why this development should not be allowed to proceed as now proposed. It is clearly contrary to current Development Plan Policy (notably Policy DM4 of the adopted Core Strategy) and the absence of contentious technical issues does not overcome the fundamental objections to the scheme, which do “significantly and demonstrably” outweigh the benefits of the proposals.

Highways

Original Submission

Fundamentally this proposal has been the subject of pre-application discussion and I am able to confirm that there is no fundamental highway reason to justify and sustain an objection to the principle of this proposal. The application is supported by a Transport Statement detailing the traffic generation and distribution that confirms that the access and surrounding highway network has sufficient capacity to accommodate the traffic movements from the new development. The submitted indicative layout is the same as that presented at the pre-application stage and will require amendment to make the scheme Design Guide compliant

With regard to accessing the site the submitted plans

indicate a junction arrangement onto Newbury Lane that is compliant with design standards in terms of layout and visibility splay provision with the exception of the width of footways which would need to be 2.0m wide.

In these circumstances the following highway conditions and advice notes are recommended should the grant of planning permission be considered.

Following amendments

Whilst I stand by my previous response that the principle of residential on this site is acceptable I note that the submission maintains reference to narrow footways alongside the estate road.

In view of the fact that access is not reserved I think it prudent to seek a detailed plan of the access junction onto Newbury Lane to demonstrate that a suitable junction arrangement can be achieved within the red line area and not encroach onto third party ownership.

Sustainable Urban
Drainage

Original Submission

No comments received.

Following amendments

The proposal would only be acceptable if the points below are acted upon with the provision of the final sizing, location, performance and maintenance details at the final detailed design stage, and the planning conditions recommended below are secured.

1. Please note that we do not support the indicative master plan design and we strongly recommend that private land is not designed to abut the existing watercourse on the north west boundary of the site. The layout as it is currently proposed comprises a timber post and rail fence along the top of the existing drainage ditch. The Council currently has byelaws approved by Full Council that requires a 9m easement be provided on the developable side of a watercourse. This figure may be flexible subject to the required maintenance activities and access needed. The applicant must demonstrate in the final detailed design that there will be a sufficient buffer, in which no structure or feature will be erected, in order to manage risks for the future maintenance, management and function of the existing watercourse.

2. The proposal is subject to the infiltration capacity of the site being confirmed, indicative data held by the council indicates significant drainage constraints and the report '1475 – Drainage Strategy – Aug 2015' indicated variable rates of infiltration have been sampled. The use of

permeable paving should use site-specific design calculations allowing for the infiltration that occurs as water is stored. This should be provided with the final detailed design, using site specific infiltration and ground water monitoring tests done in accordance with BRE 365 in the locations of the proposed infiltration devices. A rate of no less than 10⁻⁶ should be demonstrated if proposal for total infiltration is to be pursued. Rates between 10⁻⁶ and 10⁻⁸ will be suitable for partial infiltration, in which case excess water should be drained to other drainage devices such as to the swale and/or the watercourse in accordance with the agreed peak discharge rate. Additionally, the highest recorded groundwater level must be greater than 1000mm below the bottom of the permeable sub-base, this is to allow filtration of pollutants in the soil below the pavement and also to prevent groundwater rising and reducing the available storage in the permeable sub-base. Construction, structural integrity and maintainability should also be demonstrated with the final detailed design.

3. We support the proposal to incorporate a swale into the surface water management train for the site, to provide additional attenuation and to reduce pressure on the use of permeable surfaces and challenges associated with variable infiltration rates. This advice is given in pursuit of the Council's 10 Local requirements for SuDS set out in its Surface Water Drainage SPD 2014, and should be demonstrated by the applicant with the final detailed design.

4. Please note that the Council has not adopted the role of a SAB and therefore this is not a viable route for adoption, as stated in para 5.10. Any responsibility for private drainage by householders should be made clear in the final maintenance arrangements.

5. Drainage arrangements for the adoptable roads should be confirmed with the Local Highway Authority.

Environment Agency

Original Submission

We consider that planning permission could be granted to the proposed development as submitted subject to conditions

Following amendments

No comments received.

Internal Drainage Board

Original Submission

Please note that the Board has no comment to make regarding the above planning application.

Following amendments

Please note that the Board has no comment to make regarding the above planning application.

Trees and Landscape

Original Submission

Proposal is for the development of this area of primarily grassland with scrub/small trees to include 23 dwellings and associated infrastructure.

Substantial information has been included with the application including a tree survey of the site. The intention appears to be to retain all Category B trees, mainly located around the site boundary except for a group within the site.

My pre application comments are below in italics :-

Proposal is for the construction of 24 dwellings and associated infrastructure on land that at present is open pastureland to the north and rear of properties in Newbury Lane, the north edge of the site overlooks open farmland.

A tree survey has been supplied with the application that identifies the majority of trees as Salix caprea, a relatively short lived tree the majority of trees on site are identified as category C.

Planning Statement indicates that there is the intention to retain a number of the B category trees on site where practical and we should encourage this approach. Mature and established trees add value to landscaping on new development sites and when supplemented by well chosen new planting can enhance new development sites.

North boundary is proposed on the Indicative Masterplan as be post and rail fencing overlooking open farmland, retention of west boundary and enhancement of east boundary with additional planting.

A great deal of information has been supplied with this pre application and looking through what it contains it would seem the principle with regards to trees and landscaping would appear to be acceptable with retention of quality trees and boundary planting and proposed new planting. We would require details of tree protection throughout construction and also details of new proposed landscaping and planting.

My only additional comments would be the addition and improvement of the north boundary indicated as post and

rail fencing. I would suggest a combination of new native species planting perhaps with additional standard native tree planting within it.

Full landscape detail to include species, sizes and densities of planting will be required.

Trees and hedgelines on site are to be protected throughout the development using tree protection fencing located at a distance and detail specified in BS5837 2012 Trees in relation to Design, Demolition and Construction. Recommendations.

Following amendments

No additional comments

Landscape Officer

Original Submission

I have no objections to the principle of development, as described in the outline master plan, regarding landscape. I do have the following comments which I hope are of assistance:

The proposed treatment of the northwest site boundary to include low level stock style open fencing is a positive means of integrating the openness of the adjoining fields but I would suggest this boundary would benefit from additional tree planting using native species appropriate to the locality, planted in groups to break up / soften the image of built form, creating a more significant ecological treed edge whilst allowing views through below canopies. This would compliment the existing wooded landscape edge to Newbury Farm and north western boundary at Apple tree Close.

The inclusion of 2.5 storey development on this sensitive edge may not be appropriate.

The use of the way leave strip to the overhead lines as an additional footpath access increases permeability between the site and village and is a positive. The inclusion of informal play / pocket park and creating a vista through the development is a sympathetic feature. Is there potential to place the overhead cables under ground at least within the corridor within the development?

The landscape approach at the main vehicle access is also an attractive feature but I would urge this would need to tie in with the character of adjoining landscaped frontages along Newbury Lane to blend.

The future management and maintenance of this landscaped access and informal POS within the

development will need to be considered.

The use of swales and similar SuDS features to treat and convey surface water runoff to the northwest boundary and ditch is a positive and should be considered in relation to the site landscaping, how these two features can be integrated most successfully and compliment the development. It is not clear how the ditch is currently / will be maintained, mean of access and any necessary offset for maintenance?

Following amendments

Many thanks for opportunity to comment on revised master plan; the simplified arrangement of residential units to the north west of the site is a positive but I am concerned the site boundary at this location is still too open and requires trees / a stand of trees at least to help mitigate the visual impact of built form on the wider rural landscape to the north.

More natural / landscape drainage features need to be included in the SuDS / surface water drainage scheme and integrated within the site landscape scheme - including features such as bio retention areas / 'rain water gardens'.

Ecology

Original Submission

The 2014 Preliminary Ecological Appraisal does not identify any particular ecological constraints within the site. The site is currently open rough grassland with scattered trees and a dry ditch, it is well connected to the wider countryside and lies within the Greensand Ridge Nature Improvement Area

Looking at the indicative masterplan some trees are to be retained which is welcomed but photo 1 of the Design & Access statement shows a small hedge to the northern boundary beside the ditch. The masterplan shows post and rail fence along the ditch to 'maintain an open aspect'. Reinstatement of this hedge by laying and gapping up could still allow views over to open countryside but would enhance the ditch corridor to provide more value for wildlife.

SuDS do not appear on the master plan and given the ditch was dry at the time of survey the opportunity to increase flows in this should be explored through a SuDs scheme within the development. This will not only provide a sustainable drainage solution but would also contribute to ecological enhancement.

The NPPF calls for development to deliver a net gain for

biodiversity and areas of wildflower planting are welcomed. As the site lies within the GSR NIA the inclusion of acid grassland mixes should be explored. In addition to this I would wish to see any landscaping scheme utilise locally native tree species together with nectar rich planting to ensure a net gain for biodiversity. 5.100 of the Design and Access Statement lists 'bird and bat boxes and a number of hibernaculum' as ecological features to be incorporated into the development. These are not indicated on the master plan and further details would be required. I would wish to see integral bird and bat boxes to be provided by **condition** at a ratio of 1 per dwelling.

Following amendments

Having looked at the revised masterplan I welcome the addition of a native hedge on the northern boundary. I cannot identify further changes so my previous comments still apply as follows;

SuDS do not appear on the master plan and given the ditch was dry at the time of survey the opportunity to increase flows in this should be explored through a SuDs scheme within the development. This will not only provide a sustainable drainage solution but would also contribute to ecological enhancement.

The NPPF calls for development to deliver a net gain for biodiversity and areas of wildflower planting are welcomed. As the site lies within the GSR NIA the inclusion of acid grassland mixes should be explored. In addition to this I would wish to see any landscaping scheme utilise locally native tree species together with nectar rich planting to ensure a net gain for biodiversity. 5.100 of the Design and Access Statement lists 'bird and bat boxes and a number of hibernaculum' as ecological features to be incorporated into the development. These are not indicated on the master plan and further details would be required. I would wish to see integral bird and bat boxes to be provided by condition at a ratio of 1 per dwelling.

The Preliminary Ecological Appraisal (PEA) is dated August 2014, ecological data is accepted to remain valid for 2 years so if development does not commence before August 2016 I would advise the site is reassessed.

The PEA states that '...a precautionary approach should be adopted with regard to the protection of important species...to ensure that no important species are harmed in the development of the application site, it is essential that mitigation measures are adopted to protected

important species.'. As such I would request that a condition requiring the provision of a method statement for site clearance is adopted.

Green Infrastructure
Officer

Original Submission

The layout of the open space across a site of this scale does not maximise the potential green infrastructure benefits. The fragmentation of the open space is particularly negative. The retention of existing vegetation is welcome, but the location of the local play space is visually isolated, and not fronted onto by homes to promote surveillance. The location of the linear pocket park is determined solely by the utilities corridor, and as such is undevelopable land, not a green infrastructure corridor location chosen to maximise positive benefit. The play area and the linear corridor should be joined, and the total level of open space increased. Colleagues in Leisure Services will be able to comment in more detail about the quantity of open space proposed, but the Leisure Strategy standards would indicate a level of 8.46Ha per 1000 population. This would indicate that around 0.46Ha of the site should be designed as open space, in contrast to the 0.084Ha indicated by the masterplan. Extending the area of open space would enable linking and extending the proposed pocket park and play areas, which would have much more potential in delivering a net gain in green infrastructure. From information in the Design and Access statement (Fig 25), it looks like there would be potential in integrating a surface water conveyance channel within the pocket park, delivering multifunctional benefits.

Insufficient information is provided on the SuDS, and how they have been designed to maximise green infrastructure benefits. The current proposals (of permeable paving and water butts) offer no biodiversity or amenity benefits. Landscaped swales and a potential attenuation basin are suggested, but there is insufficient background work done on how the SuDS will be adopted / maintained. Some permeable paving, and all the water butts are in private gardens, so to ensure they continue to provide satisfactory levels of surface water management in the long term, the applicant would need to demonstrate how these features would be guaranteed to remain and function over the lifetime of the development.

Following amendments

The amendments do not affect issues highlighted in previous comments - previously made comments are therefore still applicable to this amended application.

Archaeology

Original Submission

The proposed development site lies within setting of the Newbury medieval moated site (HER 218, NHLE 1012701) and under the terms of the *National Planning Policy Framework* (NPPF) this is a designated heritage asset with archaeological interest.

This application is accompanied by a Heritage Impact Assessment (Lloyd Bore, October 2014) which concludes that while the proposed development would be within the setting of the Newbury moat Scheduled Monument (it lies around 60m to the west and south-west of the application area), it would not cause substantial harm to the site. This is an assessment that I broadly agree with.

The archaeological potential of the application area is unknown, however, investigations have been undertaken at two locations to the south-west of this site and neither has produced any evidence of surviving archaeological remains (Heritage Network, 2002 and 2004). This suggests that the archaeological potential of the proposed development site is likely to be low. Consequently, I have no objection to this application on archaeological grounds.

Following amendments

The changes to the indicative masterplan do not have an impact on my comment made on the 17th September 2015 and I have no objection to this application on archaeological grounds.

Historic England

Original Submission

No comments received.

Following amendments

Leisure Officer

Original Submission

Facility requirements for new/improved indoor sports and leisure centre facilities –

1 No contribution is sought from this development.

Recreation and Open Space –

- On site provision of Amenity is required to green the development and provide landscaping and informal space.
- The Indicative Masterplan shows an area of “Local Play Space” on the northern boundary which creates a “pocket park”. This site does not constitute “Play Space” as it does not provide any formal play equipment. Due to the proximity of the existing play

area, the Play provision for this development would be more appropriately achieved by a contribution to the PC's improvement of the High Street play area. A contribution equivalent to the play items which would be required for a LAP play area is sought i.e. approx.£12,000.

- The space allocated to the "Pocket Park" should be retained to provide the required on-site Amenity Space.

Playing pitch -

1 Based on an estimated occupancy of 2.4/dwg, Table 2

2 On-site provision of Outdoor Sporting Space is not possible on a development of this size, and no off site contribution is sought from this development.

NHS England

Original submission

Consideration has had to be made with regard to other localised development in an around this development.

With this in mind the following surgeries would be affected by the increase in the number of dwellings, as they are, the practices nearest to the development and their capacity to continue to take on additional patients, within the remit of the current premises, should be noted;

- Flitwick Surgery – which is deemed to be constrained at 27.86 patients per m2
- Oliver Street Surgery, Ampthill which has reached its capacity at 20.99 patients per m2
- Houghton Close Surgey, Ampthill which is currently under capacity at 16.75 patients per m2
- Greensand Surgery, Ampthill which is deemed to be constrained at 35.40 patients per m2
- Dr Cakebread and Partners, Shefford is currently under capacity at 17.70 patients per m2
- Dr Collins and Carragher, Lower Stondon is deemed as having capacity, but is nearing its constraints at 18.70 patients per m2

'Constrained' means a practice working to over-capacity for the size of their premises and the clinical space available to provide the required services to their patients. Practice in this situation would usually need to be re-configured, extended or in exceptional circumstances even relocated to absorb a significant number of new registrations.

Financial contribution requested.

Following amendments

No comments received.

Pollution Team

Original Submission

In summary having consulted with specialists within the team we no objection or conditions to impose but please attach the following contaminated land informative to any permission.

Land contamination - Andre Douglas

On the basis of the findings and assumptions of the August 2014 EPS Geo-Environmental Assessment the proposal to not require a Phase 2 investigation is considered reasonable, subject to any unexpected contamination that may be discovered during development being reported to the LPA.

Following amendments:

No further comments.

Other Representations:

Neighbours

17 letters of objection have been received raising the following summarised issues:

- Loss of a greenfield site which would change its use.
- Impact on existing wildlife on site.
- Loss of views to the north
- Negative impact on the northern part of Silsoe
- Site has previously been rejected for allocation for residential development.
- Increased traffic on Newbury Lane
- Village does not have the facilities to support the development and the facilities that are here are beyond walking distance.
- Scheme does not provide social or economic benefits.
- Harm through noise impact to 24, 38 Newbury Lane
- Overlooking to 8,9 and 10 Apple Tree Close
- Construction noise impacts to residents on Newbury Lane and Apple Tree Close
- Access insufficient in width and on street parking on Newbury Lane makes it unsuitable.
- Health and safety risks from existing high voltage lines crossing the site.
- Cranfield University site has doubled the size of the village and the village has had enough development.
- No clarity on which obligations are proposed.

- Parish Plan limits housing development to brownfield sites and infill and this scheme is neither.
- Applicant has not satisfactorily engaged with the community
- Loss of trees would harm the character of the area and affect site drainage.
- Drainage statements demonstrate that the development
- Submitted highways statement under-assumes the number of vehicles generated from the development.
- No consideration into the impact on Newbury Manor Scheduled ancient Monument.
- Internet access is poor in the village and would be made worse.
- Scheme does not amount to sustainable development and the benefits are questionable.

Petition containing 114 signatures objecting on the grounds that Silsoe has already been the subject of significant housing increase, the development is not required will result in the loss of green field land and cause traffic problems on Newbury Lane.

1 letter of support has been received.

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
6. The Planning Balance and Sustainable Development

Considerations

1. The Principle of Development

- 1.1 The site lies for the most part outside of the settlement envelope of Silsoe and is therefore located on land regarded as open countryside. The adopted policies within the Core strategy and Development Management Policies 2009 limit new housing development on unallocated sites to within settlement envelopes (Policy DM4). Silsoe is designated as a large village where Policy DM4 limits new housing development to small scale development. On the basis of Policy DM4 a residential proposal outside of the settlement envelope would be regarded as contrary to policy. However it is necessary for the Council to consider whether material considerations outweigh the non-compliance with Policy.

- 1.2 At the time of writing this report the Council can demonstrate a five year housing supply, therefore in accordance with Paragraph 49 of the NPPF, land supply policies within the Core Strategy and Development Management Policies Document are not out of date.
- 1.3 The site is adjacent to and partly within the Settlement Envelope (the access is road is located within the settlement envelope and the area north of the existing gardens of the properties south of the larger parcel is outside). To the east, south and west the site directly adjoins existing residential development. The application site does extend outwards into the surrounding countryside however the northern boundary can be read as a continuation of the limits of curtilages to the east and west. The site would have a squaring off effect which, while a material consideration, is not sufficient to justify the site for development in isolation. What should be taken account of is that the site currently affords no public realm views and therefore does not play a significant role in defining the character of the area beyond its open countryside location. As such the application site would not be visible from within the existing village and would have limited views from the wider landscape surrounding Silsoe.
- 1.4 Affordable Housing
The proposal would provide 35 % Affordable Housing in accordance with Policy CS7. Of the 15 homes 63% would be for affordable rent and 37% intermediate tenure secured via a S106 Agreement. The proposal is therefore considered acceptable in this respect.
- 1.5 Sustainability
Concern has been raised regarding the sustainability of the proposal. Silsoe is categorised as a Large Village under Policy CS1 of the Core Strategy. There are various facilities in Silsoe including a shop, a pub, lower school, estate agents, Church, village hall, nursing home and community clubs. There is also a regular bus service through the village
- 1.6 It is acknowledged that Silsoe has been the subject of growth in recent years. Most recently the former Cranfield University site located to the south of the village has had development proposals approved for up to 345 new homes, new lower school, community sports hall and outdoor sports facilities and pitches.
- 1.7 As advised above, Silsoe is classified as a Large Village where small scale housing and employment uses will be permitted together with new facilities to serve the village. Although small scale development is not defined, the scale of the proposed development should reflect the scale of the settlement in which it is to be located. Silsoe is one of the larger villages within the district where there are a number of existing facilities and services, therefore the scale of the proposal is considered to be appropriate.
- 1.8 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 (and Section 70 (2) of the Town and Country Planning Act 1990) requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 1.9 Given the location of the site, there is a general presumption against new development, however the site is immediately adjacent to the Settlement Envelope and bound by existing housing on 3 sides of the site. The extension of the village into the open countryside would result in some harm to the character of the village, however the harm is not significant due to a lack of presence the site has in the public realm.
- 1.10 In this case, the additional housing and the provision of the affordable housing units would be a benefit by adding to the 5 year supply 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. Impact on the character and appearance of the area

- 2.1 The existing site has no public realm presence and therefore in terms of streetscene, does not contribute in a significant way to the character of the area. The site lies outside the settlement but is considered to sit as an isolated entity in terms of its surrounding land uses. It bears no visual or use based relationship with the land to the north which is actively used for arable farming. A ditch separates the site from this land and the land levels notably change to a noticeable northerly rise compared to the relatively flat nature of the site. The Landscape Officer has considered the site and raised no objections to the scheme.
- 2.2 The site does encroach into the open countryside however, in this instance it abuts established residential curtilages of existing dwellings on three of its four sides. Its projection beyond the settlement envelope is such that it does not encroach beyond the extents of the adjacent sites and does not result in the loss of arable farmland. In this instance there is not considered to be any detrimental impact to the character of the area as a result of the development of this open countryside site for residential purposes.
- 2.3 A number of consultees have raised points or concerns over the indicative layout plan. As suggested this is indicative and would not form part of the approved plan. Looking at the merits of this layout a number of concerns are raised that would need to be addressed prior to the submission of any reserved matters application. For instance as an edge of village site there are a large number of 2.5 storey dwellings at the northern extent of the site which is not appropriate as it fails to provide a suitable transition from what would form the edge of the settlement to the open countryside. There are 2.5 storey dwellings to the east of the site however there are also a number of 1.5 storey homes to the east. It would be appropriate to include a condition limiting the scale of the development to a maximum of 2 storeys at the northern part of the site. In order to create a beneficial mix of dwellings it is also considered to be reasonable to condition a number of bungalows or dormer bungalow units on the site. The indicative layout has shown that 7 no 1.5 storey units are proposed and this is considered to be acceptable and a benefit of the scheme.
- 2.4 The indicative layout does not appear to have taken account of the advice within the Design Guide. For instance there are opportunities for termination points to be included in the design but they are not shown. Any reserved matters proposal will be expected to have taken account of the recommendations of the Design

Guide in order to be considered acceptable.

- 2.5 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 23 units on the site could be comfortably 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.
26. The indicative layout shows the provision of a 'pocket park' and 'play space'. The Leisure Officer has advised that while this provision is acceptable in terms of providing amenity space it would not satisfy a requirement regarding play space and a financial contribution is required as well. This has been proposed by the applicant as part of their submission and is addressed later in this report. The current indicative layout does not show a favourable relationship between the open space and dwellings and will require revisiting before a formal submission is made.

3. Impact on amenity.

- 3.1 At this edge of village location, the site is immediately adjacent to the rear boundary fences of properties to the east, south and west on Newbury Lane and Apple Tree Close. The proposed Indicative Masterplan shows that the development has been proposed so that units are away from the common boundaries and private gardens about these areas providing suitable gaps to existing properties.
- 3.2 Although detailed design matters are reserved, the information submitted with this application shows that it would be possible to develop the site for up to 23 dwellings without resulting in a detrimental harm to the amenity of existing neighbouring residents by virtue of impact such as overlooking, loss of light or noise disturbance.
- 3.3 It was noted that the southern boundary of the site was subject to a variety of boundary types including a number of existing dwellings that have open boundaries with no enclosure. The Masterplan is annotated to show that new boundary treatments will be created along these common boundaries to establish greater security. This is considered necessary and would be a detail for reserved matters or condition.
- 3.4 In terms of providing a 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.

4. Impact on highway and parking

- 4.1 No objection has been raised from the Highways Team on the principle of the access in its location. The access detail has required amending to widen one of the footpaths so that it can accommodate services. The amended plan shows

that this can be accommodated and therefore no objection is raised to the access.

- 4.2 The access as proposed can be achieved without resulting in a net loss of parking spaces for the existing dwellings that it passes. It is however necessary to include a Grampian style condition to provide a revised parking arrangement for the frontage property, No. 36 as this is not clear on the layout and is necessary to make the scheme acceptable in planning terms. Replacement parking provision for Nos 35a and 36b is proposed within the red line area as part of the development proposal and would be considered at reserved matters stage.
- 4.3 The indicative layout appears to show that the development can achieve parking provision for each unit in accordance with the standards set out in the Design Guide. It is not clear as to whether visitor parking has been accommodated or not however a reserved matters proposal would need to demonstrate this in a formal layout. A scheme of 23 dwellings would result in a need to provide 5 visitor spaces.
- 4.4 Objections have been received on the grounds of increased traffic in the area. The concerns are noted but the Highways Officer would have considered the scheme in light of the ability of the existing highway network to accommodate the increased traffic. As a result there are no objections on the grounds of highway safety and convenience.

5. Other Considerations

5.1 Flooding and Drainage

A number of objections have been received on this ground. The objection is noted however 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 which incorporates the existing ditch and swales 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.

5.2 Impact on the Scheduled Ancient Monument (SAM).

As stated the SAM lies some 50 metres west of the site and is separated from the site by existing residential development. At the time of drafting no comments have been received by Historic England. It is not anticipated that there would be any adverse comments but Members will be updated through the Late Sheet.

5.3 Planning Obligations

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:

£15,900.36 – Early Years

£53,001.20 – Lower School – Relocation of Silsoe Lower School
£53,332.03 – Middle School – Phase 2 capacity increase at Arnold Middle School
£65,399.19 – Upper School - capacity increase Harlington Upper School

Leisure:

Provision of additional play equipment at High Street Recreation Ground

Healthcare:

£14,283 – for reconfiguration of catchment area practices to accommodate new registrations.

The applicant has separately identified contributions of monies towards play equipment at the lower school and the provision of ‘enhanced 30mph speed limit signage, including Vehicle Activated Signage’. These are noted and will also form possible heads of terms but would be subject to discussions with relevant Officers as part of the negotiations.

6. Sustainable Development and the Planning Balance.

6.1 The application has been submitted with the argument that the Council is unable to demonstrate a deliverable 5 year supply of housing land. Therefore the scheme is proposed to meet an assumed housing need in the area. However, at the time of writing the Council considers that it is able to demonstrate such a supply. Paragraph 14 of the NPPF states that the presumption in favour of sustainable development is at the heart of the NPPF, for decision-making this means:

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted*

As such the development must accord with the development plan to be approved. In this case it is considered the development is contrary to policy DM4 of the Core Strategy and Development Management Policies and this policy is up to date as the Council considers that it has a deliverable 5 year supply of housing land.

6.2 However, consideration should still be given to the individual merits of the scheme in light of said presumption in favour of sustainable development. Paragraph 7 of the NPPF sets out the three dimensions to sustainable development; economic, social and environmental. The scheme should therefore be considered in light of these.

6.3 Environmental

The encroachment of built development beyond the settlement envelope results

in a loss of open countryside which is a negative impact of the proposal. However the land itself is not considered to have a public realm presence and does not make a significant contribution to the character of the area. The fact that it abuts residential development on three of its four sides shows that it is not isolated and it is considered that this is an instance where the impact of developing adjacent the settlement envelope does not result in significant and demonstrable harm.

6.4 Social

The applicant highlights the provision of housing as a benefit to the scheme. This is noted as a benefit although not one that is given as significant weight as it would if the Council was unable to demonstrate a 5 year housing land supply. Therefore some weight is given to this but it is not significant.

The scheme provides a policy compliant percentage of affordable housing and proposes a mixture of house types that can include bungalows or dormer bungalows. Both of these considerations are regarded as benefits of the scheme.

The report has detailed that Silsoe is regarded as a sustainable development and, while it is acknowledged that the village has already been the subject of proposals for significant growth, it is considered that the village offers the services and facilities that can accommodate the growth from this scheme.

The development will impact on local infrastructure and as a result the applicant is required, to offset these impacts, to enter into a S106 agreement to provide financial contributions for education projects and to provide play equipment to be installed within the village.

6.5 Economic

The economic benefits of construction employment are noted. As mentioned above financial contributions will be secured for education projects at schools in the catchment area of the site to help accommodate the level of growth anticipated from this scheme which is considered to be a benefit.

- 6.6 In this case, the additional housing and the provision of the affordable housing units would be a benefit by adding to the 5 year supply and this would outweigh any adverse affects from the development. In light of the comments made above it is considered even though the development is contrary to policy DM4 of the Core Strategy and development Management Policies 2009 the individual merits of this scheme are such that the proposal can be regarded as sustainable development in the eyes of the NPPF and, in accordance with a presumption in favour, should be supported.

7 Humans Rights/Equalities

- 7.1 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 S106 agreement and the following:

RECOMMENDED CONDITIONS / REASONS

- 1 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.

- 2 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 (General Development Procedure) Order 1995 (as amended).

- 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 **No development shall take place until details of the existing and final ground, ridge and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties. Thereafter the site 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.**

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 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 7 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 7.**

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 details for the protection of the retained trees and hedgerows during construction in accordance with the Root Protection Areas identified in the 'Arboricultural Assessment' dated March 2015, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. There shall be no built development within the identified Root Protection Areas, branch spreads and tree shadows of the retained trees and hedgerows, in accordance with the Arboricultural Assessment' dated March 2015.**

Reason: To ensure retained landscape features are protected in the interests of ecological preservation and achieving high quality development in the interests of policy DM3 of the Core Strategy and Development Management Policies.

- 9 **The development hereby approved shall include the provision of a minimum of 7 bungalows or dormer bungalows across the site. These shall be detailed**

in any reserved matters application.

Reason: To ensure development reflects the housing mix as set out in the indicative layout and to ensure a suitable housing mix across the development in accordance with policy DM10 of the Core Strategy and Development Management Policies 2009.

- 10 **No development shall take place until a detailed surface water drainage scheme for the site, based on the agreed drainage Strategy (Ref: 1475 – Drainage Strategy – Aug 2015) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a restriction in discharge and the attenuation volume as stated for the 1 in 100 year rainfall event with a 30% allowance for climate change. An easement on the developable side of the watercourse shall be provided to ensure access for future maintenance. 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 scheme shall include details of a site specific ground investigation report (in accordance with BRE 365 standards) to determine the infiltration capacity of the underlying geology and the ground water level as well as details of how the scheme shall be maintained and managed after completion.**

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.

- 11 No dwelling hereby approved shall be occupied until details have been submitted to and approved in writing by the Local Planning Authority of a management and maintenance plan for the surface water drainage scheme approved under Condition 10. The scheme shall be implemented in accordance with the approved details and thereafter be maintained as per the plan unless otherwise agreed in writing by the Local Planning Authority.

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.

- 12 **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 dwelling subsequently approved.**

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policy DM2 of the Core Strategy and Development Management Policies 2009.

- 13 **No development shall take place (including ground works or site clearance) until a method statement for the creation of new wildlife features such as hibernacula and the erection of bird/bat boxes in buildings/structures and tree, hedgerow, shrub and wildflower planting/establishment has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:**
- a) purpose and objectives for the proposed works;**
 - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);**
 - c) extent and location of proposed works shown on appropriate scale maps and plans;**
 - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;**
 - e) persons responsible for implementing the works;**

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework.

- 14 **No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing how renewable and low energy sources would generate 10% of the energy needs of the development and also showing water efficiency measures achieving 110 litres per person per day. The works shall then be carried out in accordance with the approved details.**

Reason: In the interests of sustainability.

- 15 **There shall be no more than 23 residential units at the site.**

Reason: To ensure that the site is not overdeveloped.

- 16 **The reserved matters proposals shall not include any dwellings at the northern extent of the site that are more than two storeys in height.**

Reason — In order to provide an appropriate form of development in the interests of visual and residential amenity in accordance with policies CS17 and DM16 of Central Bedfordshire Core Strategy and Development Management Policies.

- 17 **No development shall take place until technical construction details of the access arrangements in accordance with drawing number 1475-02A have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and be in place prior to the occupation of the first dwelling hereby approved.**

Reason: To ensure the provision of appropriate access arrangements and associated off-site highway works in the interests of highway safety in accordance with policy DM4 of Central Bedfordshire Council's Core Strategy and Development Management Policies.

- 18 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1216/1 and 1475.02A.

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

INFORMATIVE NOTES TO APPLICANT

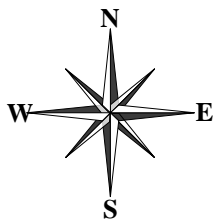
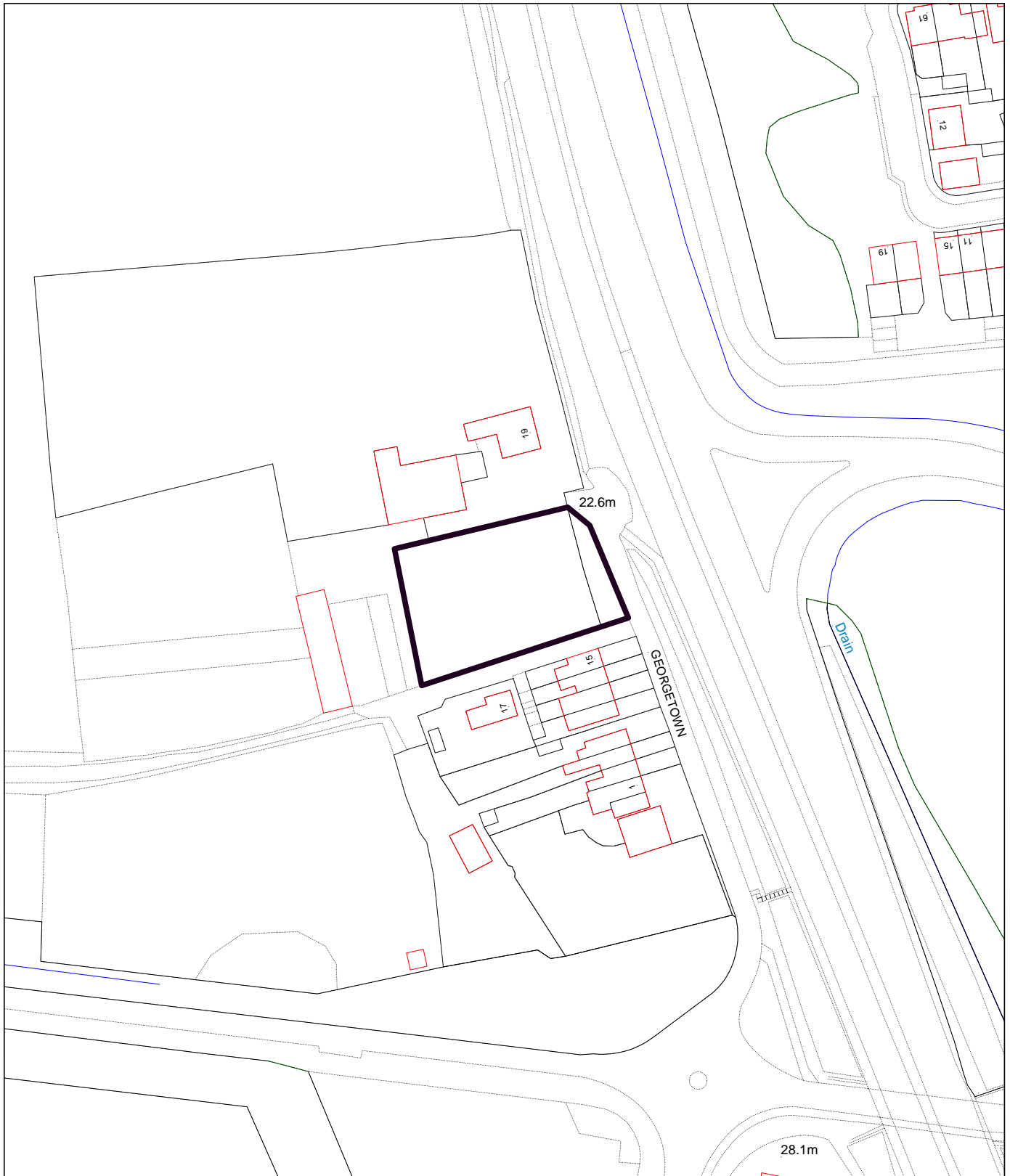
- 1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

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

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: 16:February:2016

Map Sheet No

Application no.
CB/15/01739/FULL

Scale: 1:1250

Land adj to Popes Farm, 19 Tempsford Road, Sandy, SG19 2AE

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Item No. 9

APPLICATION NUMBER	CB/15/01739/FULL
LOCATION	Land adj to Popes Farm, 19 Tempsford Road, Sandy, SG19 2AE
PROPOSAL	Application for consent for use for up to three Gypsy and Traveller Pitches with associated hardstanding, access and fencing.
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Maudlin, Smith & Stock
CASE OFFICER	Alex Harrison
DATE REGISTERED	13 May 2015
EXPIRY DATE	08 July 2015
APPLICANT	Mr Farrer
AGENT	Barford+Co
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Maudlin: <ul style="list-style-type: none">• Access could result in adverse highway impact.• Impact on the character of the area• Concerns over flooding
RECOMMENDED DECISION	Full Application - Approval recommended

Reason for recommendation

The proposed development would be in a sustainable location and would provide 3 transit caravan 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 unacceptable 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 Sites and Saved Policy HO12 of the Mid Beds Local Plan Review.

Site Location:

The application site forms a redundant parcel of land located outside of the settlement envelope of Sandy. The site is overgrown and has evidence of former buildings/structures that would have previously occupied the site. Currently the site is fenced off.

The site sits close to the A1 and is accessed via a no through road that serves a handful of dwellings in the immediate area and a kennels which abuts the site on

two sides. The southern boundary of the site abuts a public right of way. The site is not within a designated flood risk area.

The Application:

Planning permission is sought for the change of use of the land to allow the siting of up to three gypsy and traveller pitches with associated hardstanding access and fencing.

Since its original submission a noise survey has been submitted along with amended layout and elevations showing a number of outbuildings and walls proposed that were not shown in the initial submission

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:

None

Consultees:

Sandy Town Council

Initial Submission

It was resolved to object to this application on the grounds of the site being inappropriate for development as it does not meet criteria; potential excessive traffic noise, with a complete lack of screening from the A1, a classified Flood risk 3 area, noise from mobile homes carrying, drainage problems.

Following the additional/amended details.

After discussion it was **resolved** to object strongly to this application on the grounds of the site being inappropriate for development as it does not meet established criteria; potential excessive traffic noise, with a complete lack of screening from the A1, a classified Flood risk 3 area. Members resolved the site to be unsuitable for the proposed use for Gypsy and Traveller pitches since the potential exposure to excessive noise to those living in caravans and the like would result in an unsatisfactory level of residential amenity.

It was noted that the noise report presented with this application is entirely inappropriate being since it pertains to a separate application at land adjacent to 1 Georgetown Cottages, and is irrelevant to the application under consideration.

LDF Team

Initial Submission

The application is for three Gypsy and Traveller pitches to the rear of the site, with soft landscaping along the frontage with Tempsford Road. The application site is located to the west of Sandy, separated by the A1.

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. Following considerations of these matters, the plan was withdrawn. The withdrawn Gypsy and Traveller Plan sought to allocated sites that were considered suitable and deliverable for the provision of Gypsy and Traveller pitches. Potential sites were assessed using a three stage process. The application site (site 112) was assessed and failed at Stage 2 of the assessment. Part of the site assessment in stage 2 considered the visual and acoustic privacy and visual amenity of the site. The assessment considered that the noise from the A1 road directly to the east of the site and Kennels to the north would highly likely result in unacceptable noise levels which cannot be mitigated to meet the Council's noise standards. Another criterion was the site's safe access from the public highway. The assessment concluded that Tempsford Road is a small road unsuitable for large vehicles. As a result of these two factors the site was considered inappropriate for development.

The site lies just outside the settlement envelope of Sandy and is separated from Sandy by the A1. To access services in Sandy, residents would have to access Sandy by crossing under the A1.

The new Planning Policy for Traveller Sites guidance sets out that Local Authorities should strictly limit new Traveller site development in open countryside that is away from existing settlements. Planning Policy for Traveller Sites is specifically designed to provide guidance on determining Gypsy applications and to ensure fair and equal treatment for Travellers, in a way that facilitates that traditional and nomadic way of life for Travellers whilst respecting the interests of the settled community.

The new policy document requires that Local Planning Authorities carry out a full assessment of the need of Gypsies and Travellers in their area in liaison with neighbouring authorities to determine the need for sites. Sites should be specific deliverable sites sufficient to provide 5 years worth of sites against the authorities locally set targets.

Paragraph 25 of the Planning Policy for Traveller Sites 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.

The withdrawn Gypsy and Traveller Plan was prepared to deliver the pitch requirement for Central Bedfordshire to

2031 in order to meet the five-year supply of deliverable sites. In preparation of the Gypsy and Traveller Local 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 highlighted 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.

The need for Gypsy and Traveller pitches to 2031 is set out in the GTAA update as:

- Number of pitches in Central Bedfordshire in January 2014 - 247
- Pitch need from 2014 to 2019 (to meet backlog) - 35
- Growth between 2014-2019 (2%) - 19
- Growth between 2020-2024 (2%) - 30
- Growth between 2025-2029 (2%) - 33
- Growth between 2030-2031 (2%) - 14

- Total need to 2031 - 131 pitches

The current version of the GTAA identified that Council had allocated sufficient sites to provide the required number of pitches to deliver a 5 year land supply but pitches delivered through applications on existing sites or new unallocated sites would contribute to the number of windfall pitches provided. However, the Gypsy and Traveller Plan is now withdrawn and there are no allocated sites to deliver these pitches.

Applications such as this therefore potentially make a contribution to the delivery of the required number of Gypsy and Traveller pitches and help to maintain the required 5 year land supply trajectory providing they are acceptable in all other respects.

Highways

Initial Submission

The proposal is for the siting of three traveller pitches and associated access and parking provision, on a piece of unkempt land. There has been a previous outline application (15/01646) but the highway authority were not consulted with regard to this.

Please be aware that the red line plan includes land with highway rights over it, although the indicative layout has no construction within this land.

Access is taken from a no through road that runs parallel to the A1. Access to Georgetown is via a roundabout

which provides adequate visibility. To the north of the site is a small turning head and the site also has an existing access at the north of the sites frontage that will be required to be closed and re-instated. Visibility from the proposed access is acceptable.

Georgetown is a narrow road under 5.0m wide which will allow the passing of cars but a larger vehicle/towing vehicle will possibly require the entire width of the road. There are no passing places for vehicles to wait while a large vehicle passes. The applicant has not submitted any details regarding the frequency of large vehicles/towing vehicles using the road, I am assuming this will be infrequent?

This is a full application however the proposed layout is indicative only and subject to alteration. There are also no details of the size of vehicles entering/egressing from the site and a tracking diagram is required to ascertain the junction indicated is capable of access/egress without over run and damage to the highway.

Before I can assess the proposal with regard to the effect it will have on the public highway I will require some further information:

- Tracking diagrams of the largest towing vehicle entering/egressing the site
- Frequency of movements of large and/or towing vehicles entering/egressing the site
- Are the homes to be static (large mobile homes) with mobile caravans for each pitch
- Tracked diagram of turning within the site
- Vehicle parking provision and long stay cycle parking in accordance with current guidance
- Refuse collection point located at the site frontage outside of the public highway
- There should be no planting within the highway as indicated on the indicative layout

Following the additional/amended details.

The applicant has submitted a revised plan for the site showing three pitches and associated parking. Please be aware that the store and refuse buildings abut the public highway, and should be set back slightly into the site as the foundations, roof overhang and drainpipes will be within the public highway. It is also noted that the plan shows planting within the public highway which is not acceptable.

There are some issues with the proposal that will need to be addressed prior to further comments:

- The access should be widened to 4.7m to allow for the two way flow of vehicles at the access
- Tracking diagrams of the largest towing vehicle entering/egressing the site to ascertain that there is no overrun either side of the access or across the land opposite from the access
- Frequency of movements of large and/or towing vehicles entering/egressing the site
- Are the homes to be static (large mobile homes) with mobile caravans for each pitch
- Vehicle parking provision and long stay cycle parking in accordance with current guidance
- There should be no planting within the highway as indicated on the indicative layout

Following these comments further details were submitted to address the bullet points. No comments from Highways at the time of drafting this report.

Pollution Team

Initial Submission

The dominant noise source affecting the site is from the adjacent A1 trunk road. Whereas it is possible to mitigate external noise and meet internal noise standards in conventionally constructed dwellings achieving such sound insulation in Gypsy and Traveller accommodation is more difficult. However the issue of meeting the outdoor amenity standard for both the settled and travelling community is the same. The applicant states that to mitigate for road noise new planting on the eastern boundary with the Highway would help improve amenity in terms of noise pollution. In order to be effective against road traffic noise any planting would have to be high, dense and thick enough so that it cannot be seen through. Shrubs or other ground cover are necessary to provide the required density near the ground. Around 30 metres of dense vegetation can reduce noise by around 5 decibels. In general plantings by themselves do not provide much sound insulation.

Recommend a noise condition is scheme is supported.

Central Bedfordshire Council's primary approach is to physically separate conflicting land uses. If this cannot be achieved then emphasis should be placed on maximising layout, orientation and screening of buildings. The inclusion of barriers to achieve acceptable acoustic conditions would be the last resort. BS8233:2014 recognises that in certain circumstances, such as urban areas adjoining the strategic transport network, the upper guideline value of 55dB LAeq, T is not achievable. BS8233 continues that in such a situation,

development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited.

Following the additional/amended details.

I write with respect to the above application and having considered the various arguments in terms of acoustics I am satisfied with the proposal. In terms of conditions there is no requirement for them to submit a scheme as the scheme is in fact detailed on the plans / acoustic report (consisting of buildings and fences etc.). You will therefore only have to ensure that built in accordance with the plans through an appropriate condition

Anglian Water

Initial Submission

It may be possible that the proposals could be in compliance with Part H4 of the Building Regulations 2010. So please be sure to check the Part H4 Criteria on our web site, if your proposals are H4 compliant then Building Control can approve your proposals on our behalf and Anglian Water would not need to be involved. Also, if the distance between any new buildings and any public sewer is more than 3.0m then an agreement will not be required.

Following the additional/amended details.

No further comments received.

Internal Drainage Board

Initial Submission

It is not clear which method of storm water disposal is to be employed, as the applicant proposed to use soakaways and discharge to the main sewer.

If the method is to be by way of soakaways then it is essential that the ground conditions be investigated and if found satisfactory the soakaways constructed in accordance with the latest BRE Digest 365.

In the event that ground conditions are found not to be suitable for soakaway drainage any direct discharge to the nearby watercourse will require the Board's prior consent.

With respect to any alternatives to the above methods of surface water discharge the applicant should enquire of Anglian Water whether a public sewer is available.

The Board therefore suggest that planning permission should not be granted without conditions requiring that the applicant's storm water design and construction proposals are adequate before any development commences.

Following the additional/amended details.

Highways England

Initial Submission

Raised no objections

Following the additional/amended details.

Raised no objections.

Housing Officer

Initial Submission

While there is space for three pitches on this site I am unsure as to why this piece of land is being used for traveller sites - isn't this within the settlement envelope and there are issues I'm assuming with the neighbouring properties as these are dwelling houses.

However if this is to go ahead is it possible that we could ensure that the following is done:-

- That there is proof that the traveller developing the site has ownership - this may not be an issue for planning but it is a very real legal issue for PSH and its licensing requirements.
- That there are proper drainage plans for connection to the mains sewer - I think this is reasonable given the distance and location of the main road.
- That there are suitable fencing and boundaries in place for the site; often these are manipulated over time so these should be appropriate and secure.
- That the relevant services are connected to the mains; Electricity and water obviously but gas too if its there.
- That there is enough space for any consideration of a day room - especially as this is 'permitted development' as planners see it under the site license.

Following the additional/amended details.

The main concerns PSH Housing Solutions would have are the following:

- There are still vacant pitches on the two sites further down the A1. Why are these not being used.
- Wouldn't this site be better used as a light commercial site for a business/development opportunity given its location.
- The types of homes placed there are what? Its not

- clear from the planning application.
- Outbuilding? This is not sufficient. There should only be day rooms and a storage area for the site - not 'outbuildings' that can be used for a variety of purposes.
 - Its not clear that this is for a traveller family, a multiple site for travellers or for travelling showpersons. This is essential as the site licenses differ over who and what the land is intended for.

Other Representations:

Neighbours

Initial submission.

9 Letters were received raising the following planning objections:

- Unsuitable location for travellers. Site has previously been considered for travellers and rejected.
- Small residential area would be overwhelmed by such an allocation. There would be noise disturbance from the adjacent kennels and A1 trunk road. No details submitted to address noise impacts with the application [originally]
- Access road too narrow for towing caravans
- Site appears to include an area of public highway.
- Amenity space too small to accommodate inevitable business activities on the site.
- Residential development would be more appropriate
- Site is overlooked by 3 properties
- Safety concerns as there is no protection from the A1
- Drainage problems with the sewers.
- No room to park on the access road.
- Harmful noise impacts on existing dwellings, 17 Georgetown Cottages
- Concerns of crime and safety.
- Loss of views across the existing site.
- Development would be out of character with the area.
- Drainage and waste proposals are unclear

A petition as submitted objecting to the application on some of the grounds raised above and signed by 9 residences on Georgetown Cottages.

Following submission of amended/additional information [new additional comments provided on top of those raised above shown].

- Site plan significantly out of date omitting present

- Noise survey does not address kennels next to the site.
- Noise evidence taken from 1 Georgetown Cottages further south of the site and is misleading.
- Revise layout includes tall buildings and is a different proposal. The high walls would give a fortress appearance and would give a startling impact on the streetscene.

One third party letter received included a Consultant report on the submitted noise assessment which concluded a number of shortcomings in the applicant's submission.

Following submission of further revised information a new consultation period is running and Members will be updated of any further letters received.

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 the built up area of Sandy, adjacent the settlement envelope. 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). It is acknowledged that the dwellings immediately south of the site are within the settlement envelope and the application site sits adjacent to buildings to the north and west as well.
- 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 25, 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 close to the available facilities at Sandy. The site is within walking distance of Sandy which is identified as a Minor Service Centre under Policy CS1 of the Core Strategy where there are a number of facilities and services together with the railway station providing links to London.
- 1.10 The site has been previously rejected from inclusion as an allocated site on the grounds of concerns regarding highways access and noise impact due to the proximity to the A1. Regardless of this, a formal application still has to be considered on its merits. In terms of the access to facilities the site is considered to be sustainable in principle. In order for the site to be considered appropriate in planning terms a proposal has to be considered acceptable in regards to the other material considerations which include the impact on the character of the area, the appropriateness of the access and noise impact.
- 1.11 Issue of need
The application as submitted was unclear as to the type of accommodation

proposed although the agent has clarified that it is likely to be transit pitches. It should be noted that, if approved, it would be possible for gypsy and travellers to occupy the site permanently in theory. The transit nature of the proposal would be managed privately by the applicant and could not be conditioned by the Council. This lack of clarity led to a request to provide details on whether there is an identified need for the pitches. The applicant has confirmed there is no specific identified need that has resulted in this proposal but also highlights that the Council's need as part of the now withdrawn GTP was done on a district wide basis rather than anything more specific. Furthermore reference was made to the questions raised by Examination Inspector in his Pre-Hearing questions relating to the criteria in policy GT5 which stated:

'Why should a proposal demonstrate a local need, bearing in mind that need is not usually a test for residential development? (Clearly need may be a material consideration, but that is different to making it a policy requirement.)'

On this basis the applicant has stated that they consider it not necessary to prove an identified need for the application.

- 1.12 In a recent appeal decision at Twin Acres, Arlesey (APP/P0240/W/15/3004755) 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."

- 1.13 On the basis of the considerations above the principle of development is considered to be acceptable in this instance.

2. The effect on the character and appearance of the area

- 2.1 Currently the site lies outside of, but adjacent to, the settlement envelope for Sandy. It is open and largely enclosed by fencing that allows views into and beyond the site. Although being located in the open countryside in planning terms it is acknowledged that there are dwellings adjacent the site to the north and south, a commercial kennel building to the west and the A1 runs to the east. The location therefore cannot be considered to be isolated or rural.

- 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:

- a. *effective use of previously developed (brownfield), untidy or derelict land*
- b. *sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness*
- c. *promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children*
- d. *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 affect the character and appearance of the area. A number of outbuildings are proposed, the majority of which would be sited adjacent the eastern boundary (front) of the site to act as a noise buffer. Smaller buildings are also proposed within the site. The boundaries of the site will be treated by solid boundary walls with a height of between 2 and 3 metres. As a result of the works the site will become entirely enclosed from the public realm. There are planting strips proposed in parts to soften what would otherwise be a continually hard frontage to the site when viewed from both the public realm and from within neighbouring sites.
- 2.4 The change in character would result in low scale outbuildings along with high and abrupt boundary treatments at a site that is currently unkempt and open with a mixture of enclosure types. 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). This proposal will use high enclosures on the boundaries of the site and will fully enclose it in the area. However at the point that the walls are over 2 metres in height and the buildings are most prevalent, this is done to address the impacts of noise levels from the adjacent A1 traffic and is proposed as much for amenity reasons but it would have an effect on the character of the area. The amenity considerations are detailed below but in respect of the impact on the character of the area the change is material.
- 2.5 The inclusion of outbuildings provide for a better streetscene than would be the case if it were simply enclosures. The 3 metre high stretches of wall is not ideal visually, particularly for users of the adjacent right of way but it is considered that, on balance, the impact is not significantly harmful to the extent that it would warrant refusing an application. It is considered that the impact of the enclosures could be softened further on the southern boundary, adjacent the right of way, by increasing the planting strip in front of it, allowing for a greater extent of landscaping in this area. This can be secured through condition and would be provided entirely within the applicant's land.
- 2.6 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.

The site is located very close to a number of existing dwellings. The impact on noise, lighting and activities from the site on the amenity of neighbouring residents is a pertinent consideration and in this respect there will be an impact

purely on the basis that the site is undeveloped and unoccupied at present and any residential development will alter that.

- 3.2 Noise impact can be mitigated against through built forms and boundary treatments. This application proposes a number of utility outbuildings on the frontage of the site, principally done to buffer noise from the adjacent A1 but it also has an effect on restraining noise emission levels from the site itself. To the sides a 3 metres high wall is proposed on both boundaries which drops to 2 metres as it runs in a westwards. A landscape belt is proposed along part of the southern boundary. The western boundary is not detailed but it is assumed that a 2 metre wall is proposed here as well. In any case boundary treatments can be controlled by condition. The solid boundary treatments mean that it would restrict noise emissions from the site.
- 3.3 Noise can be generated from activities relating to vehicle/caravan movements at the site. The applicant did not initially specify the type of accommodation proposed on each plot but envisaged that they would be occupied as 'transit pitches'. As a definition this is a site intended for temporary use with stays often ranging from between 28 days and 3 months. The applicant's agent is quite clear in the submission that there is flexibility to accommodate permanent pitches or show people plots however in the letter dated 22 January 2015 it is confirmed that the site is to be used as a transit site. Considerations are therefore made on this basis only.
- 3.4 The closeness of existing dwellings to the site means that significant increases in activity on the site will affect the amenity levels enjoyed by occupants currently. A transit site that is subject to potentially frequent levels of activity from users would result in some impact on the amenity of existing residents, most notably those adjacent the site, through vehicle noise, including moving and stationing of caravans and occupant noise. A site providing permanent pitches would have a lesser impact due to the less transient nature of activities and occupants. It would result in an impact to the occupiers of Popes Farm and 15 & 17 Georgetown Cottages and while this is acknowledged it is not considered to be an impact that would warrant a justified reason to refuse the application when taking account of the individual merits of the application.
- 3.5 As the report has noted, the Council's lack of deliverable supply to accommodation means that significant weight should be given to proposals for such sites. The report will go on to address the planning balance, of which the concerns and harm found to neighbouring amenity will form part of.
- 3.6 Proposed Residential Amenity.
The site has been previously put forward for consideration as an allocated site. The reasons for its rejections included concerns over noise impacts from the A1 being such that an appropriate level of amenity could not be achieved for future occupiers. There are other sites adjacent the A1 that provide Gypsy and Traveller pitches, including Long Lake Meadow which currently has an application for an additional 5 pitches under consideration at the Council. . This concern was raised to the applicant and a noise assessment produced as a result. The initial submission failed to demonstrate that amenity levels could be achieved for varying reasons. A second document, submitted as a direct response to a third party objection which included an alternative assessment, was submitted. The Pollution Team has considered the information and noted

the mitigation measures proposed, which includes the boundary treatments and building locations, and has raised no objections. The advice has been given that the implementation of the layout as submitted would address amenity concerns and provide an acceptable level for occupiers.

- 3.7 As there is no objection from the Council's Pollution Team it is considered that it would not be reasonable to give weight to the previous reasons for rejecting the site when considering it for formal allocation. The issue remained pertinent but now that technical studies have been completed to assess the issue it is considered that the applicant has demonstrated that it can be addressed and therefore no objection is raised.

4. Highway Considerations

- 4.1 The site is proposed to be accessed from Georgetown which links to Sandy and the A1 by a roundabout junction arrangement. The applicant has submitted details demonstrating vehicle tracking movements of a 4x4 vehicle and two axle caravan into and out of the site as requested by the Highways Officer and these details are currently being considered.
- 4.2 In spite of the application lacking any specific detail initially the agent has confirmed that the site will be a transit site and would accommodate touring caravans. Therefore if the tracking details are considered to be accurate then the access can be considered acceptable. Members will be updated on the Highway Officer's view in the late sheet.
- 4.3 The Highways Agency has raised no objections to the proposal.
- 4.4 The site layout shows suitable parking space is provided for resident and visitor parking spaces within the site. The concerns regarding on street parking are noted however the site is considered to provide enough parking.

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 and would be suitably close to services and facilities within Sandy. The site is currently previously developed land (having once contained buildings) and is unkempt. While outside the settlement envelope it would not encroach into the open countryside to the extent that it would harm the character of the area. 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.
- 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 there will be harmful impacts as a result of this scheme. They amount to noise and disturbance to immediately adjacent residents, visual impact looking onto

the site from first floor windows and a hard and abrupt edge as a result of the proposed enclosure of the site affecting the character of the area.

- 5.4 As stated already, the benefit of the scheme is the provision of a deliverable site providing and this has to be given significant weight. In considering the previous appeal decision at Twin Acres 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. The impacts on neighbouring amenity and the character of the area are acknowledged in the report however the impacts would have to be considered to be significant and demonstrable to outweigh the benefits of pitch provision in the absence of a 5 year land supply.
- 5.5 It is necessary to consider the extent of development on the site and number of pitches. It is considered that the level of information certainly fails to demonstrate that the site is suitable for travelling showpeople. The nature of travelling showpeople pitches are such that they required to accommodate larger vehicles than touring caravans and also are subject to repair and maintenance works. The layout does not appear to accommodate this and in any case the non-residential nature of travelling showpeople pitches would likely have an unacceptable impact on neighbouring residential amenity through noise and disturbance.
- 5.6 The applicant has advised that the site would be for transit pitches. The layout shows three pitches and it would be necessary to limit its occupation to one caravan per pitch through condition in the interests of providing suitable pitch space and the interests of neighbouring residential amenity.
- 5.7 On this basis it is considered that the scheme will have an impact on the area and amenity as highlighted above but, in affording significant weight to the provision of pitches as required by the PPTS, it is considered that the scheme should be supported in this instance as the benefits outweigh the impacts of the scheme.

6. Other Considerations

6.1 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.

6.2 Flooding

There are no objections to the development in terms of flooding or drainage.

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.

- 3 No more than 3 touring caravans shall be stationed on the site at any one time.

Reason: To control the level of development in the interests of visual and residential amenity.

- 4 **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 full elevation plans and floor plans of the buildings hereby approved. The works shall then be carried out in accordance with the approved detail and shall be complete before the use hereby permitted commences.**

Reasons: In the interests of clarity as not all elevations have been provided and in the interests of providing noise attenuation for site occupiers.

- 5 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.

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

Reason: In order to protect the amenities of local residents.

- 7 **No development shall take place, 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)**

- 8 **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. 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)**

- 9 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)

- 10 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.

- 11 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 permitted dwelling. 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.

- 12 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, drawing Numbers S-421P/1A, S-421P/2A, CBC/001 and CBC/002.

Reason: For the avoidance of 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.

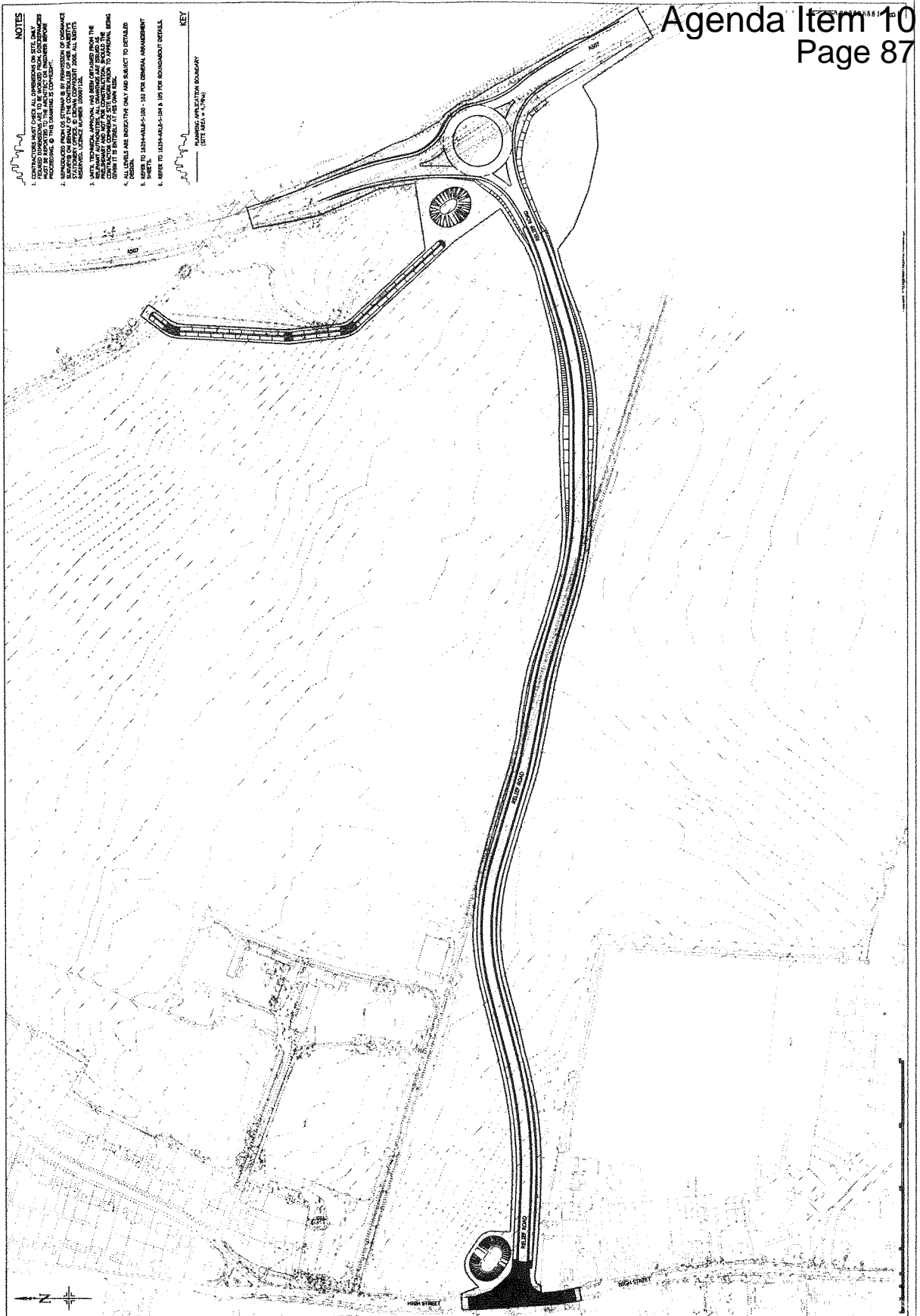
2. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

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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- NOTES**
1. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED.
 2. REPRODUCED FROM OS STRIPMAPS BY PERMISSION OF ORDNANCE SURVEY. THE DATA IS UNCORRECTED FOR CURVATURE AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF ORDNANCE SURVEY.
 3. ALL DIMENSIONS ARE TO CENTRE UNLESS OTHERWISE STATED.
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KEY

PLANNING APPLICATION BOUNDARY
(SEE SHEET 10/1)



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Application No. CB/15/2916/REG3

Date: 16 February 2016

Map Sheet No.

Scale: 1:4000

Land at Chase Farm, East of High Street, Arlesey

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Item No. 10

APPLICATION NUMBER	CB/15/02916/REG3
LOCATION	Land at Chase Farm, East of High Street, Arlesey
PROPOSAL	Construction of section of relief road between A507 and High Street, formation of a new roundabout junction on the A507 and mini roundabout on the High Street
PARISH	Arlesey
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Louise Newcombe
DATE REGISTERED	30 July 2015
EXPIRY DATE	19 November 2015
APPLICANT	Central Bedfordshire Assets Team
AGENT	Woods Hardwick Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	This is a CBC application, advertised as a departure and is also a major application with a Town Council objection
RECOMMENDED DECISION	Application recommended for approval subject to recommended conditions

Summary of recommendation:

The development of this road would represent a contribution to bringing forward the delivery of the planned allocation, consistent with policy MA8 of the Site Allocations DPD (2011) and the Adopted Arlesey Cross Masterplan.

- The principle of development is acceptable in this location and in compliance with the Development Plan and the NPPF
- All material considerations have been taken into account
- The proposed road will enable residential, employment, extra care, retail, community and education development to come forward contributing to the creation of homes, jobs, services and facilities
- It will minimise pollution
- It will have minimal adverse noise and vibration impacts
- It will manage flood risk and drainage effectively
- It will have cause harm to archaeological assets that can be overcome by recording and reporting of these
- It will have no significant adverse impacts on features of landscape or ecological value
- It will generate an acceptable level of waste and promote recycling
- It will provide appropriate infrastructure to meet the needs generated by the development.

Subject to suitable mitigation, no significant environmental impacts would result from the proposed development or due to the impact on local services and facilities. In all other respects the proposal is considered to be in conformity with the adopted Development Plan policies and national policy contained within the National Planning Policy Framework.

Site Location:

The site comprises a corridor of agricultural land between the A507 and High Street Arlesey approximately 4.79 hectares in area. To the north and south of the site is agricultural land forming part of the Chase Farm landholding. There is little enclosure of the land. The Chase is an existing private track that currently runs between the High Street and the A507 however this is not a Public Right of Way. The central line of The Chase aligns with the proposed route of the road.

The site and adjoining land is mostly allocated under Policy MA8 of the Site Allocations DPD and detailed within the Arlesey Cross Masterplan Adopted Technical Guidance.

The Application:

This application is for the construction of a section of road, connecting Arlesey High Street to the A507 and the associated junctions on either end. The road is designed with a 7.3m carriageway with 3m footpaths / cycleways on both sides with a 1m verge separating the carriageway from the footpaths / cycleways. The application proposes a mini roundabout for the road to connect it to the High Street and a new roundabout junction on the A507.

The proposed road is intended to provide access to future development on the wider land east of High Street as identified within the Arlesey Cross Masterplan. This will comprise approximately 900 dwellings, an extra care facility, 8 ha of employment land, a supermarket, retail units, community facilities, a GP surgery and a new lower school.

Along with the plans, the application is supported by the following documents:

- Planning Supporting Statement July 2015
- Environmental Statement July 2015 addressing the chapters set out in Determining Issues below
- Arboricultural Baseline Assessment July 2014

The planning application was revised following original consultation with the following amended details submitted:

- Revised Transport Assessment (Rev A) dated 29/10/2015

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) March 2012

Central Bedfordshire Core Strategy and Development Management Policies – North 2009

CS1	Development Strategy – Part 3.16 Arlesey
CS3	Healthy and Sustainable Communities
CS4	Linking Communities – Accessibility and transport
CS13	Climate Change
CS15	Heritage
CS16	Landscape and Woodland
CS17	Green Infrastructure
CS18	Biodiversity and Geological Conservation
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes

DM9	Providing a range of transport
DM13	Heritage in Development
DM14	Landscape and Woodland
DM15	Biodiversity
DM16	Green Infrastructure
DM17	Accessible Greenspaces

Central Bedfordshire (North): Site Allocations DPD – Adopted April 2011

MA8 Land at Chase Farm and Land West and North-East of High Street, Arlesey

Minerals and Waste Local Plan (2005)

W4	Waste minimisation and management of waste at source
W5	Management of wastes at source: Waste Audits

Bedford Borough, Central Bedfordshire and Luton Borough Council's Minerals and Waste Local Plan: Strategic Sites and Policies (2014)

WSP5 Including waste management in new built development

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:

- Town and Country Planning Act 1990
- Planning and Compulsory Purchase Act 2004
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Town and Country Planning (Environmental Impact Assessment) Regulations 2011
- Central Bedfordshire and Luton Local Transport Plan 2011-2016 (LTP3)
- Arlesey Cross Masterplan Document (2014)
- Revised Central Bedfordshire Design Guide (2014)
- Central Bedfordshire Sustainable Drainage Guidance SPD (2014)
- Bedfordshire Biodiversity Action Plan – Hedgerows (2008), Water Vole (2009) and Ponds (2008)
- Managing Waste in New Developments SPD (2005)
- Mid Bedfordshire District Landscape Character Assessment (2007)

Relevant Planning History:

No relevant planning history for this application site.

The following application relates to the western section of the relief road:

Application Number	CB/14/00934/FUL
Description	Proposed erection of the western section of the Arlesey relief road (from north of St Johns Road & Cricketers Road to High Street north of Lewis Lane)
Decision	Currently suspended as the application requires an Environmental Statement to accompany it
Decision Date	N/A

Representations:

Neighbours / Others:

Representations from 23 Arlesey properties (addresses on Stoffold Road, Hitchin Road, Howberry Green, Carters Way, Chapel Drive, High Street, Chase Hill Road, The Hermitage, House Lane, Primrose Close, Lewis Lane and Lymans Road) have been received and the comments have been summarised below with the number of times each comment has been mentioned indicated in brackets: -

- Creation of more traffic on the High Street (10)
- Does not provide an entire relief road / only a section of road – contrary to Masterplan (9)
- Not compliant with Policy MA08 (5)
- Will not alleviate the existing traffic problems (5)
- Support - will help a little with current traffic problems / provision of additional access / noise and vibration through House Lane (5)
- No up to date traffic surveys (4)
- Transport Assessment does not properly assess impacts on High Street (3)
- Wildlife concerns / age of environmental surveys (3)
- Masterplan was to avoid piecemeal road and development (2)
- Not to join the High Street until the western section of the road has been agreed (2)
- Residents of Arlesey should have the opportunity to have a Neighbourhood Plan in place before planning applications are submitted (2)
- More traffic in southern part of the village (2)
- Noise from vehicles approaching and exiting the roundabout (2)
- Piecemeal construction will cause major traffic disruption
- Concerned over starting from the west (High Street)
- Query over previous meeting and traffic figures
- Proper bypass needed
- High Street and southern end of the village unable to offer safe manoeuvrability and needs looking into
- Reduction in value of house not considered a planning issue
- Eastern drainage pool has no safety barriers – safety of children
- Timing and managing impact of construction traffic – should use A507 for safety of Arlesey residents using High Street
- Will lay the foundation for improved facilities and much needed housing
- Western side of the road should follow in due course
- Road should be free flowing in both directions along its entire length
- In favour of roundabout and relief road

- Good plan that will reduce traffic on House Lane that can at times be very congested, dangerous and very frustrating
- Existing speeding cars
- No mention of traffic calming measures along the High Street
- Environmental Impact
- Impact on and provision of Infrastructure
- Impact on Quality of life
- Loss of community feel to the town
- Proximity of new roundabout on High Street to the existing War Memorial junction
- Only two roads that will benefit – House Lane and Stotfold Road
- Don't require 1,000 houses in Arlesey

Four representations were received on behalf of two landowners on the west side of the High Street:

1) Phillips Planning Services (PPS) Ltd on behalf of Samuel Beadie (Arlesey) Limited (SBAL)

16/09/2015 – Detailed Planning Comments paper and Highways Technical Note provided (available in full on the application file). Summary below:

- Comments based on the desire to ensure that development progresses in the manner promised to and anticipated by local people and in accordance with the adopted planning policy.
- Detailed comments on the context and background to MA8
- Application is for a Spine Road which may (or may not) be converted to a section of the relief road, no other development is included
- The alignment of the road sits outside of the allocated site area on the local plan proposals map and the application does not explain this. This represents a departure and should be advertised.
- Real costs of infrastructure cannot be known at this stage
- Agrees that it is necessary to include safeguards to ensure that the road is delivered as a whole and that significant development does not take place without completion of the whole of the road on the west.
- If the Council agrees that this application can be considered in isolation then the TA needs to consider these impacts.
- Provision of this road could result in a significant redistribution of traffic on a local level, taking traffic from House Lane and Stotfold Road and thereby causing further congestion in the High Street.
- All scenarios should be considered (eastern section and eastern and western sections).
- TA does not consider all scenarios
- TA assumes HGV ban is in place and this is not being taken forward
- No tracking diagrams are provided for the mini roundabout
- Safety Audit concerns regarding the future double mini roundabout and this could prejudice the delivery of the western relief road
- MA8 makes clear that what is sought as part of the development is a relief road “for the High Street”. Proposed road does not deliver this.
- At best would have little impact on the High Street and at worst could add to the level of traffic using the High Street
- Unless any permission granted were to be conditioned or subject of a legal

agreement to prevent its construction until the wider, western relief road is provided it is considered that there would be harm that is not outweighed as there is no benefit. The proposed road provides no benefits in the context of policy MA8 and has no specific purpose in the context of MA8. Whilst the use of some open countryside and Grade 2 agricultural land, some adverse ecological, landscape and archaeological impacts may be justifiable in the context of delivering the MA8 allocation it is submitted that these harmful impacts are not justified simply to provide a road which is not required and has no purpose in isolation.

- Two courses of action open – refuse the application or approve subject to Grampian style condition or legal agreement clause preventing construction of the road until such time as the western relief road, providing a bypass for the High Street is available. Any condition / legal agreement clause should also ensure that all land necessary to facilitate the provision of the link to the western side of the High Street is secured / dedicated at this time so that there could be no prejudice to future delivery.

03/12/2015

- Do not accept the assertion that the application for the eastern road is comparable with that submitted by SBAL for the western relief road as the western section of the MA8 allocation was originally promoted in isolation as part of the preparation of the 2005 adopted local plan.
- Historically the development of land to the west of the High Street depended on a relief road for the High Street. MA8 does not specifically require a relief road for House Lane or School Lane.
- Some development of the west side could take place whilst utilising House Lane and School Lane however it is not the case that development could take place whilst utilising the High Street. Until the High Street relief road is provided (the west side) development associated with the MA8 allocation could not be considered to conform with policy MA8.
- Safety audit concerns with the proposed future double mini roundabout and possible prejudice for the future delivery of the High Street relief road. Anything approved now must enable connection to the west side. Suggest either undertake Stage 2 audit and/or for the Council to deliver the western mini roundabout now.
- The TA ignores the existing planning permission until 2040 to enable clay extraction from the site west of Arlesey railway line which could be resumed at any time and should therefore form part of the base data for the TA.
- Once the road is opened, crossing over the A507 would become a desired route for people particularly children accessing Etonbury School. A safe crossing point for pedestrians and cyclists should be provided.
- Safety measures associated with the road drainage should be considered at this stage as once open the road will be a desire line for children and it will be unsafe not to protect drainage features / attenuation ponds.
- Part of the road lies outside of the MA8 allocation.
- The TA is flawed.
- The EIA acknowledges harm in respect of loss of agricultural land, loss of some ecological features, impact on the landscape and on archaeological remains and whilst the harm may be considered low i.e. not sufficient to outweigh the benefits of MA8, this specific part road proposal has no purpose in isolation and there are no benefits which can be set against this harm in the planning balance.
- Two courses of action open – refuse the application or approve subject to Grampian style condition or legal agreement clause preventing construction of the road until

such time as the western relief road, providing a bypass for the High Street is available. Any condition / legal agreement clause should also ensure that all land necessary to facilitate the provision of the link to the western side of the High Street is secured / dedicated at this time so that there could be no prejudice to future delivery.

- Further comments from Phil Jones Associates on the Transport Assessment
 - o Unlikely that the full MA8 development would be built by 2020
 - o No justification for the 60% diversion rate from the High Street. No redistribution of traffic elsewhere on the network is considered
 - o The increased vehicular flow on the High Street without the western MA8 development is not considered
 - o The clay extract licence is not considered as committed development
 - o The double mini roundabout may not be the best access solution for both parcels of development. 10% of traffic is shown to be HGV movements, which is a relatively high proportion and a double mini roundabout may not be the best way to accommodate these movements even if they can be achieved.
 - o The scenario whereby land west of High Street is not built has not been properly considered.
 - o The scenario whereby the road is only built out from the western end is not properly considered.
 - o Traffic flows on the High Street would increase significantly if the western relief road is not built simultaneously. This has not been considered.
 - o The Environmental Statement has not been updated and does not properly consider the critical scenario whereby the Western relief road is not built.

09/02/2016

- The additional information relates largely to the testing of one possible scenario whereby the proposed eastern link road is constructed and opened prior to any new dwellings being constructed on the site and prior to the western relief road being delivered.
- Whilst this testing was necessary, the level of design detail provided in support of the application appears far less involved than the Council required when the southern 'Five Ways' junction application was considered.
- The recent submission does not address previous concerns and specifically the MA8 allocation was adopted on the premise that it would deliver a relief road for the High Street. The policy does not support the delivery of development to the east of the High Street in isolation of this.
- Previous concerns and therefore objection to this application remain.

2) Jones Lang La Salle Ltd on behalf of Mr and Mrs Furr

17/09/2015

- Clients wish to see the development progress as do the other landowners in a manner anticipated by local people and in accordance with the adopted planning policy.
- Fully endorse the comments that PPS raise in their representation and the accompanying Highways Technical Note.
- The TA fails to consider the re-distribution of local traffic following completion of the road, fails to consider a scenario whereby the western relief road is not completed and the eastern road is constructed in isolation, assumes the previously promoted

plan to ban HGV traffic is in place, fails to provide tracking diagrams for the mini roundabout and fails to provide traffic data for the additional traffic movements on the High Street.

- Concern regarding the safety of the double mini roundabout on the High Street to link east and west sides of the road and prejudicing delivery of the western side
- Can the road in isolation be justified in planning terms when considering the planning balance? Harm vs benefits of the proposal in light of it only being part of the relief road.
- Recommend the application is refused or approved subject to condition or legal agreement preventing the construction of the road until such time as the western relief road providing a bypass for the High street is available.

Consultees:

Town Council:

Arlesey Town Council – Recommend to refuse the proposal and have made the following comments:

16/09/2015

Following input from Councillors and local residents, Arlesey Town Council would like to raise some serious concerns with regard to the application for the new “relief road” in its current form. First of all, the application seems to contradict CBC’s own policy in the LDF with regard to the Arlesey Cross development, and there are serious concerns relating to the Transport Assessment which is both based on very old surveys and does not properly assess the potential impact of the new road on traffic on the High Street, and to the fact that the environmental surveys are aged and do not report protected species that are known to be in the area. Arlesey Town Council believes that the application needs some considerable work to be done to ensure the concerns of Arlesey and its residents are addressed.

Local Development Framework

In the Site Allocations document dated April 2011, which forms part of CBC’s Local Development Framework, policy MA08 states that the development should include the “provision of a relief road running north along the west of the High Street to the north-east of Arlesey and joining the A507”. This application does not comply with this policy in that it does not run north along the west of the High Street and it is the strongly held view of Arlesey Town Council that the provision of only half of the road would be detrimental to Arlesey and contrary to the stated aims of the adopted Arlesey Cross Masterplan.

Transport

The Transport Assessment appears to be based on traffic surveys some of which date back to 2008 and would not, therefore, reflect the current volume of traffic in the affected area particularly given the major new housing developments in Stotfold and Fairfield in recent years that will have significantly increased traffic on the A507.

Moreover, it is our understanding that the analysis was carried out on the basis that a proposal to ban HGV’s on the High Street had been implemented. As such a proposal has not been implemented, the entire Transport Assessment would be invalidated if our understanding is correct.

Furthermore, no consideration seems to have been given to the strong likelihood that the new road would increase traffic on the High Street between the Five Ways junction and the new mini-roundabout, which is one of the major traffic bottlenecks in the village. The new road would offer a shorter route from the Five Ways area to Fairfield / Letchworth than the southern route via the Arlesey New Road, which would be the preferred route today. This is a direct consequence of the proposal to build the road in stages as it will only be a "Relief Road" once the western section is complete – building the eastern section alone will more than likely increase traffic on the High Street rather than offer any relief.

Finally, not only does the traffic analysis not deal with any impact on the High Street, it also does not consider the potential impact on routes to the railway station, which could increase volumes on Church Lane.

Environment and Ecology

A number of environmental surveys have been used to support the application but none of these has been conducted in the last two years and, based on evidence from local conservation groups, the known presence of some protected species, such as buzzards and fieldfares which had also been sighted, in the development areas has not been recorded.

Furthermore, it appears that there has been no proper assessment of the ecological impact of building the drainage channel to the Pix Brook. The environmental and ecological impacts should be re-assessed based on new surveys that cover the whole area and take account of the nesting season of protected bird species.

The Planning Statement includes aims to minimise the extent of the development that is overlooked by surrounding dwellings both existing and to be built, to minimise noise, vibration, air and water pollution, and light spillage. The proposal has only limited readings in relation to the possible effects of the development and readings for all these aims should be taken before the proposal is approved in order to provide a base line for measuring the effects of the relief road and the development generally. This monitoring should include up to date (at the time construction is to commence) survey of flora and fauna.

Drainage

No safety measures seem to have been considered with regard to the eastern drainage pool, which is currently in a popular walking area and would be on a new route for schoolchildren between Arlesey and Etonbury Academy.

With regard to the western drainage pool, it is our understanding that this will be covered to allow for the development of the "town centre" as stated in the Arlesey Cross Masterplan.

There is a concern that the water main on the High Street already overflows at times of heavy rain causing local flooding and no consideration appears to have been given to any impact the new road may have on the capacity of the water main.

Gas main

The gas main that runs south from Bleak House is marked on the plans but no mention seems to have been made of the special measures required when building a road over major gas mains.

17/12/2015 – comments following re-consultation

Wishes to object in the strongest possible terms on the following grounds:

Having met with CBC planning and policy officers and discussed the application in detail, it is the understanding of Arlesey Town Council that Policy MA08 and the corresponding Masterplan (as adopted by CBC Executive on 18 March 2014) together “set the requirements for the development and a framework within which planning decisions in respect of this site will be made”.

The term ‘site’ is pivotal and is defined in policy MA08 as “land at Chase Farm and land west and north east of the High Street Arlesey as identified on the Proposals Map”.

Policy MA08 stipulates that “*development on this site will be subject to provision of a relief road (singular) running north along the west of the High Street to the north east of Arlesey joining the A507*”. This planning application relates to only the North Eastern portion with no reference to the south western portion of the relief road. Furthermore no undertakings are provided that the complete ‘relief road’ will be delivered in its entirety in compliance with Policy MA08.

Point 29 in the report presented to CBC’s Executive Committee 18th March 2014 states that “*..the new relief road is intended to take traffic off the High Street and traffic calming will deter traffic from using the High Street at the five ways junction.*” Were this application to go forward it would inevitably lead to increased traffic flows along the High Street thereby exacerbating the problems the Masterplan was originally intended to solve. The Town Council strongly believes that the current situation of traffic being dispersed between Hitchin Road leading to the A507 from the south of Arlesey, and Stotfold Road leading to the A507 from the north of Arlesey will be adversely affected as a result of a likely change in preferences of traffic originating from the current central area and result in a direct worsening of the current situation.

Point 24 in the report adopted by CBC Executive 18th March 2014 refers to a “*detailed Transport Assessments setting out the extent of physical mitigation works required to bring about nil impact*” being required to be submitted with any future planning application. The transport assessments referenced in this application are unable to robustly demonstrate ‘nil impact’. The Town Council has noted that the previously proposed HGV Arlesey High Street ban has now been lifted, and that Woods Hardwick has amended its Transport Assessment figures accordingly. The Town Council vehemently disagrees with Woods Hardwick assessment that the impact of the amendment would be “*negligible*”. HGV’s travelling both north and south through High Street are already deemed to be a nuisance to the residents of Arlesey, particularly at peak periods. Concerns for the safety of pedestrians have already been voiced in this respect.

The Town Council questions why the Revised Transport Assessment (October 2015) Traffic Flow maps for 2013 and 2020 omit any survey data for House Lane (leading from Stotfold Road)? House Lane a major route used by traffic to access the High Street area from the north of Arlesey and as such should be included within the Traffic Assessment for this application and any application coming forward in relation to the Masterplan.

With reference to Woods Hardwick’s response regarding the refining of the TRICS figures in which they say “*...trip rates now being based upon surveys undertaken a fewer developments that include flats as well as houses. This is considered to be a robust*

approach given that the proposed development is likely to include a significant proportion of flats” the Town Council disputes this understanding of Section 4 of the Masterplan, which actually states on page 34 para. 4.10 “...a mix of dwelling types, tenures and sizes. The housing mix will reflect the requirements in Arlesey and would include 2,3,4 and 5 bed homes.” Para 4.13 states “New development at Arlesey Cross will comprise predominantly of 2 storey terraced, semi-detached and detached housing with a maximum height of 3 storeys where appropriate. Apartments in smaller groups would include accommodation above local centre land uses...”. The Town Council draws the LPA’s attention to the use of the word “predominantly” in reference to 2 storey terraced, semi-detached and detached housing as opposed to ‘flats’ and would suggest that the use of the word “apartments” is more akin to ‘flats’, which the Masterplan states, will be provided in “smaller groups”. There is also discord between the Town Council’s and Wood Hardwick’s perception of the effect of a different housing mix, in so much as the number of cars per dwelling can be directly linked to the number of bedrooms (i.e. 2 to 5 per house), whereas individual flats are more likely to be in the region of nil to one car per dwelling dependant on their tenure.

Point 9.1 in the ‘Delivery’ section of the Masterplan states that “*Given the scale of the proposed development it will inevitably be built out in phases, which will require a co-ordinated build programme....in order to achieve a comprehensive and coordinated development*” and that “*CBC as local planning authority, will require the provision of the various elements identified in the Masterplan as part of the outline planning application process*” ATC is not aware of any such outline application, details of a co-ordinated build programme or details of how deliverability of land and land ownership issues will be addressed. Instead, application CB/15/02916/REG3 is being proposed as a standalone application with no reference to any comprehensive or coordinated outline planning application. The objectives of the Masterplan will require a planned delivery, however it appears that “phasing” as referred to by Woods Hardwick is increasingly likely to result in a fragmenting of the overall plan. Piecemeal amendments to difference components of the plan, on each successive application will result in a loss of cohesion.

Point 9.2 requires that “*..developer(s) of this site will be required to formulate an infrastructure phasing programme*” We are not aware of any such infrastructure phasing programme at this time and as the application relates to crucial infrastructure of the Masterplan the Town Council argues that it should be subject to such a ‘phasing programme’ as any future development application.

Point 9.3 states that “*The main critical infrastructure item that must be provided is the relief road and in conjunction with it traffic calming measures on the High Street*”. This application, which relates to a portion of the relief road, makes no reference to traffic calming on the High Street, and therefore fails to meet this directive.

Point 9.4 states that “*If the site were to come forward in more than one planning application, the LPA (Central Bedfordshire Council) will need to be satisfied that the impact on the road network can be mitigated by appropriate phasing and / or other highway measures that will prevent unacceptable levels of traffic entering the existing road network until the relief road can be provided in full. Any future planning application submitted in respect of this site will require a comprehensive Transport Assessment to assess the highway infrastructure required at each stage of the development. Relevant planning conditions and / or obligations will be imposed to mitigate the potential highway impacts.*” The Town Council does not believe this application supports these requirements, and would assert that bringing this application forward in isolation, and without being subject to an appropriate ‘phasing programme’, will result in a detrimental effect on the High Street,

which has the potential to cause severe harm to the ‘village centre environment’. The Town Council bases this opinion on its local knowledge of the area, and affirms that the High Street will undoubtedly be adversely affected by an increase in through traffic. The Masterplan clearly identifies the issues of excessive traffic in the High Street, and these will be exacerbated by bringing forward the Eastern portion of the relief road in isolation.

Furthermore the Town Council hereby restates its previous objection to the lack of safety measures proposed for the eastern drainage pool. The area is already frequented by walkers and cyclists and it is strongly believed that the area will become a point of interest for local schoolchildren. The temporary situation, as described by Woods Hardwick’s letter, is deemed by the Council to represent a sufficient degree of danger and therefore appropriate controls should be introduced.

The Town Council trusts that Central Bedfordshire Council will act in the interests of Arlesey residents in this matter, to ensure they receive the improvements promised by the Masterplan as opposed to the detrimental impacts that will result from the approval of the current application in isolation.

25/01/2016 – Re-consultation comments

Arlesey Town Council hereby re-states its objections to this application as contained within the Town Council’s letter to Central Bedfordshire Council dated 17th December 2015. The Town Council is not satisfied that the latest amendments, to the application’s supporting documents, have any significant lessening affect on the objections already stated.

Other consultees:

The following table summarises the responses received which can be viewed in full on the planning application file.

Anglian Water	No comments received.
Arlesey Residents Association	No objections. Have concerns that no actions or discussions have been made by CBC with regards to the road west of the High Street. Feel that CBC should give priority to discuss the matter of compulsory purchase orders with stakeholders on the west side. Believe that the road should be started with no further delay.
Bedfordshire and River Ivel Internal Drainage Board	Prior consent of the Board is required for any storm water discharge into a watercourse under the Board’s control. Recommend a condition for storm water details to be agreed prior to commencement of development.
CBC Archaeology	No objection subject to a condition for investigation and recording of any

	archaeological deposits that may be affected by the development
CBC Rights of Way	Acknowledge the indication in this application of future plans for the A507 junction that will include a crossing of the A507. Would wish to see a pedestrian, cycle and bridle crossing of the A507 that is entirely separated from the road itself. It must be suitable for mobility vehicles, pedestrians, cyclists and horse riders.
CBC Ecologist	No objection subject to precautionary otter and water vole surveys, a Construction Environmental Management Plan (CEMP) to include species mitigation and landscaping conditions
CBC Green Infrastructure	<p>17/08/2015</p> <p>Proposals to cross the A507 are absent and should be incorporated. Greenway crossings of the relief road should be demonstrated in this application. The attenuation pond should be fenced for safety reasons. CBC's SuDS guidance requires surface conveyance over piped systems so the link between the pond to Pix Brook should be at the surface through a swale rather than a drainage sewer.</p> <p>30/11/2015</p> <p>Changes to the drainage system is welcome. The attenuation ponds should be designed to maximise ecological benefits and with safe access features in mind.</p> <p>Previous concerns about the lack of a crossing point over the A507 and need for further information about how the greenway and secondary routes will cross the relief road have not been responded to.</p>
CBC Highways	<p>21/10/2015</p> <p>Further information sought in addition to the submitted Transport Assessment to</p>

	<p>allow completion of the review of the application</p> <p>15/01/2016 No objection subject to recommended conditions on provision of crossing, CEMP and junction details</p>
CBC Landscape	<p>17/09/2015</p> <p>No objection comments made relating to detailed landscaping and suggesting reducing lighting to the eastern end of the road</p> <p>01/12/2015</p> <p>Would have expected an indicative landscaping scheme. A Landscape Design Code is required.</p> <p>Concern raised regarding the lighting for the eastern section of the road in terms of ecology and local landscape character.</p>
CBC Minerals and Waste	<p>12/08/2015</p> <p>ES should contain information relating to the amount of waste at the construction and operational phase and details of the use of natural resources for construction. No measures have been identified to offset any significant effects on the environment. No mention is made of a Waste Audit (policy W5 and SPD).</p> <p>15/02/2016</p> <p>Further information provided in the Waste Management Statement dated 12 February 2016 and the Agent's email of 15 February 2016 – it does not appear that the development will give rise to any significant volumes of waste. Detailed consideration can be left to be conditioned through a CEMP.</p>
CBC Public Protection Pollution Team	<p>No objection subject to conditions to secure the noise barrier, submission of a CEMP and ground investigation.</p>

<p>CBC SuDS Engineer / Flood Management</p>	<p>27/08/2015</p> <p>Reference should be had to the adopted drainage principles for new developments within the CBC Sustainable Drainage Guidance</p> <p>20/11/2015</p> <p>Concern raised regarding the discharge rate for the pond near to the High Street. The pond discharges into an existing system which has caused problems in the past, particularly around the White Horse PH. The existing system should be assessed to make sure it has the capacity to deal with the predicted flows.</p> <p>18/01/2016</p> <p>Revised submitted drainage plan with revised discharge rate acceptable with</p>
<p>CBC Sustainable Transport Officer</p>	<p>Framework travel plan acceptable however a full Travel Plan would be required to accompany any application for future residential development</p>
<p>CBC Trees and Landscape</p>	<p>No objection subject to full replanting and landscaping scheme and protection of all trees to be retained on site</p>
<p>Environment Agency</p>	<p>No objection - please consult the Local Lead Flood Authority on this. An informative is suggested regarding risks to controlled waters from contamination as the site is located above a Principal Aquifer.</p>
<p>Highways England</p>	<p>No objection as no new access is being proposed along the common boundary between the planning site and the Strategic Road Network.</p>
<p>Natural England</p>	<p>Refers to their Standing Advice on protected species</p>
<p>Health and Safety Executive</p>	<p>PADHI + Planning Advice for Developments near Hazardous Installations – does not advise against the proposed development</p>

Determining Issues:

The main considerations of the application are;

1. Principle of Development
2. Environmental Statement
3. Design
4. Impact on the Character and Appearance of the Area
5. The Historic Environment
6. Neighbouring Amenity
7. Access and Highway Safety
8. Flooding and drainage
9. Ecology and biodiversity
10. Ground Conditions and Contamination
11. Air quality
12. Noise and Pollution
13. Waste
14. Cumulative Impacts
15. Other Considerations
16. Planning Balance

Considerations:

1. Principle of Development

Background to site and Planning Policy position

- 1.1 The application site forms part of the allocation site MA8, allocated through the Central Bedfordshire North Site Allocations DPD (April 2011). This allocation requires the provision of a relief road running north along the west of the High Street to the north east of Arlesey and joining the A507. The application forms part of the relief road identified in policy and is not submitted together with any other applications for development.
- 1.2 The Planning Statement accompanying the application states that the reason for the road application is that the road will provide access to the wider development and enable a better understanding of the cost of this infrastructure item, which will inform future work on viability on the wider development on the land east of the High Street. It also states that it will provide a greater degree of certainty around delivery of one of the critical items of infrastructure required by Policy MA9 and the Arlesey Cross Masterplan.

MA8 & Masterplan

- 1.3 Policy MA8 makes reference to the provision of a relief road running north along the west of the High Street to the north east of Arlesey joining the A507. The current proposed application is for the section of the relief road from the A507 to the High Street. This section of the relief road is identified in the Masterplan and the proposed road follows the alignment within the Masterplan shown below:



Extract from Concept Masterplan – Arlesey Cross Masterplan (2014)

- 1.4 The proposed alignment of the road provides the required access from the A507 to the High Street through the eastern side of the allocated site in accordance with the written policy of MA8.
- 1.5 It is considered that although only part of the relief road is proposed through this application, the principle of it is in accordance with MA8 and the Masterplan. The application has been submitted within the context of these and to allow future development to be brought forward to help meet Central Bedfordshire’s housing and employment needs through the development of the Arlesey Cross allocation. The application must be determined on its own merits and with full consideration of the environmental issues and assessed for its planning balance.

Compliance with the Development Plan

- 1.6 As set out within the Planning and Compulsory Purchase Act 2004 (section 38(6)) and the Town and Country Planning Act 1990 (section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraphs 2, 11, 196 and 210 of the NPPF. The development plan is defined in section 38(3)(b) of the 2004 Act as “the development plan documents (taken as a whole) that have been adopted or approved in that area”.
- 1.7 The proposed development and alignment of the eastern road is in accordance with the concept plan which is part of the Arlesey Cross Masterplan. However the route of the proposed road does not completely align with the Proposals Map for the policy MA8 area within Arlesey (Inset 2) of the Local Development Framework

(North) Proposal Maps 2011:



Extract Plan from Site Allocations DPD Proposals Maps (2011)

- 1.8 The map shows a connection with the A507 further south than the proposed road subject to this application. The Inset map does not show any other alignment or route for the road as it is contained within the hatched development areas on the west and east of the High Street and the exact route would be determined through the Masterplan. The wording of Policy MA8 of the Site Allocations DPD (2011) states within the second bullet point that development will be subject to:
- *Provision of a relief road running north along the west of the High Street to the north east of Arlesey and joining the A507....*
- 1.9 This application is compliant with this bullet point in that it provides a relief road from the north east of Arlesey joining the A507. The changes between the proposed alignment contained within the Masterplan and that shown on the MA8 Proposals map are considered to be non material. The route of the connection to the north east of Arlesey joining the A507 was not defined within policy MA8 and the indicative route for the relief road was latterly included on the Concept Plan within the Adopted Arlesey Cross Masterplan. The Masterplan provided the detail required by Development Plan policy MA8.
- 1.10 Departures are planning applications that are not in line with one or more provisions of the development plan for the area where the application is being made. Following the initial consultation undertaken for this planning application, a representation was received that this application was a departure due to the small area of road being outside the MA8 hatched area on the Proposals Map. In order to allay the concerns raised, the application was advertised as a departure.

- 1.11 The application will not require notification to the Secretary of State for call in under the Town and Country Planning (Consultation) (England) Direction 2009.
- 1.12 The application is not considered to constitute an actual departure within the meaning in Town and Country planning law and policy as it does not 'depart from' the development plan. Notwithstanding the difference between the route of the road from the Site Allocations DPD (2011) Proposals Map and the Adopted Masterplan the application is considered to be compliant with policy MA8 of the Site Allocations DPD (2011).

Loss of agricultural land

- 1.13 The site is currently a corridor of arable field and the majority of the land is identified as grade 2 (very good) agricultural land. There is an area of Grade 3a (good) land and a small proportion of non-agricultural land. The total area of the land is approximately 4.79 hectares affecting two fields on the Chase Farm holding. The Agricultural Land Classification system classifies land into five grades. The best and most versatile land is defined as Grades 1, 2 and 3a. The NPPF within paragraph 112 states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land in preference to that of a higher quality should be sought. It is considered that the loss of this area of agricultural land would constitute only minor harm. The proposal to safeguard and reuse soil on site could be secured through imposition of an appropriately worded condition.

2. Environmental Statement

- 2.1 This planning application has been accompanied by an Environmental Statement (ES). The ES was scoped formally by the Council issuing an opinion dated 13/05/2015.
- 2.2 The ES is considered to assess each issue satisfactorily for the purposes of the 2011 Regulations. It is for the Council to consider whether it agrees or disagrees with the conclusions reached in each part of the ES and then to assess the impacts arising against planning policies and material considerations. This is undertaken under each specific issue considered in this report.

3. Design

- 3.1 The road has been designed with a 7.3m carriageway with 3m footpaths/cycleways on both sides. A 1m verge will separate the carriageway from the footpaths / cycleways.
- 3.2 At the western end of the road a mini roundabout will connect the road to the High Street. This will form the eastern part of a future double mini roundabout that will connect that will connect the route to the land west of High Street. The junction will be set in a shared surface context which is likely to include the raising of the junction. Formal pedestrian crossing facilities are proposed to accommodate more vulnerable road users.
- 3.3 At the eastern end of the relief road a new roundabout on to the A507 is proposed. The speed limit on the approaches to the roundabout will be reduced to 40mph via a Traffic Regulation Order.

- 3.4 The road and junctions have been designed in accordance with the details set out within Adopted Masterplan.
- 3.5 The design of the drainage ponds has been considered. As the proposed road (once a connection is made between the High Street and the A507) will be a desire line for both leisure users and school children, safety measures around the eastern pond are considered necessary to secure. Safe access features can be designed as part of the ponds which can preclude the need for fencing. The Agent comments that the proposed drainage strategy is a temporary solution designed to accommodate the surface water runoff from the proposed relief road in advance of the development of the wider site and that when the wider development proposals are worked up, the necessary safety measures will be put in place where appropriate. It is considered that a scheme for safe access features for the ponds is necessary for this application and a condition is therefore recommended. .
- 3.6 Detailed considerations of the highway safety of the accesses is considered below within Section 7.

4. Affect on Character and Appearance of Area

- 4.1 The ES contains a Landscape and Visual Impact Assessment. This shows that the existing landscape is not highly sensitive and is capable of accommodating change. The proposed relief road would be locally visible with the main views of the road available from properties on Lewis Lane, High Street and Lymans Road, from the Chase House Care Home and from the footpath to the south of the site.
- 4.2 The loss of agricultural land and change to the more urbanised road will be a notable permanent change in the character of the area with a limited loss of key features.
- 4.3 One mature tree is proposed to be removed (Ash tree) and a notable extent of hedgerow as part of the development. New landscape features and planting will be introduced to help compensate for this loss.
- 4.4 In isolation the road would be viewed against the existing edge of Arlesey and against the backdrop of the vegetation to the east of the A507. In the longer term the road will become incorporated into the wider planned development with associated planting.
- 4.5 The relief road will be lit and this is considered to have a local impact considered in association with the existing lights within Arlesey and around the A507 roundabout with Stoffold Road. Whilst comments have been made regarding exploring the potential to limit the lighting of the road this is required to meet Highway standards and is therefore considered acceptable.
- 4.6 It is noted that the landscape impacts of the proposed road and wider development were considered during the associated work and adoption of the Arlesey Cross Masterplan. The areas to the east of the High street between that and the A507 and to the west of the High Street up to the railway line were identified and considered to be most appropriate for development.

- 4.7 Conditions are recommended for a landscaping scheme, tree protection and landscape management strategy,
- 4.8 The proposed development is considered therefore to be in compliance with Policy DM14 of the Core Strategy and Development Management Policies DPD.

5. Historic Environment

- 5.1 The development has been considered within the ES in light of its effects on heritage assets. There are no designated assets within the development area however undesignated assets comprise of subsurface archaeological remains. There are no scheduled monuments within 1km of the development, one Grade I listed building (St Peter's Church) and a small number of Grade II listed buildings and several unlisted historic buildings of local interest. Arlesey War Memorial is considered to be of local significance. The construction and operation of the relief road has potential to adversely affect the setting of heritage assets in the vicinity through temporary signage, traffic, noise and dust. Adverse effects can be mitigated by managing construction operations and by appropriate design measures.
- 5.2 The proposed development has considerable archaeological potential. It contains a cropmark of a linear feature (HER 1767) of unknown date although it has been suggested that it may be contemporary with an area of medieval ridge and furrow field system also visible on aerial photographs. In the surrounding area there is extensive evidence for a rich archaeological landscape containing evidence of occupation from the Bronze Age onwards. This evidence includes prehistoric occupation in the surrounding area including a Late Bronze Age – Middle Iron Age settlement to the east of Etonbury (HER 17900) and Iron Age and Roman settlements west of Stotfold (HERs 20145 and 19751). There have also been a number of finds of prehistoric flint artefacts and pottery around the Pix Brook (HERs 16083 and 16095). Bronze Age and Iron Age settlement was also found in investigations at Fairfield Park (HER 16801). A number of undated cropmark sites have been identified in the area (HERs 641, 772, 15078 and 16811). On evidence from elsewhere in the county these are likely to represent later prehistoric and Roman settlement sites and other activity. HER 17900 also produced evidence of Roman occupation as did the investigations at Fairfield Park (HER 16801). There are also surface finds of Roman material from around the Pix Brook (HER 16083). To the south of Arlesey there are reports of a find of a Roman coin hoard (HER 390) and substantial quantities of early Roman pottery (HER 389).
- 5.3 Archaeological evaluation on the line of the A507 produced evidence of Saxon features along the Pix Brook (HER 16803). Arlesey is recorded in the Domesday Survey of 1086 so has its origins in the late Saxon period. Development of the settlement appears to have been complex and it may have been polyfocal in form. The original core appears to have been around Church End (HER 17108) and the manorial site at Etonbury (HER 395). Settlement appears to have expanded southwards from this core along what is now the High Street to the present centre of the settlement at the southern end of High Street (HER 17109). Immediately to the west of the railway line are the remains of a medieval moated site (HER 3382). These are heritage assets with archaeological interest as defined by the National Planning Policy Framework (NPPF).

- 5.4 The proposed development site has the potential to contain further archaeological remains relating to this archaeological landscape. The application is accompanied by an Environmental Statement which deals with Heritage Assets including Archaeology in Chapter 12 supported by Appendix 12 which includes the results of an archaeological field evaluation of the application site comprising a geophysical survey and a programme of trial trenching. This provides sufficient information to assess the impact of the proposal on archaeological remains in conformity with the requirements of paragraph 128 of the NPPF.
- 5.5 The field evaluation identified a number of archaeological features in the proposed development area including an Iron Age pit whose contents suggested the presence of a contemporary settlement in the vicinity, undated linear features and a pit which could relate to the Iron Age pit, a linear feature probably dated to the medieval period and forming part of a trackway which formed a major element in the pre-enclosure agricultural landscape, evidence of medieval ridge and furrow and a post-medieval field boundary. The Iron Age features and pre-enclosure trackway are described as being of local to regional significance.
- 5.6 Groundworks required by the construction of the Relief Road are identified as having a significant effect on the heritage assets with archaeological interest which will result in direct and adverse and permanent change to the assets (12.6.1). The ES (12.8.1) suggests that the impact of the proposed development can be mitigated through a programme of archaeological investigation and recording before the development commences or during its early stages.
- 5.7 The proposed development site has been shown to contain archaeological remains from Iron Age, Medieval and later date it also has the potential to contain as yet unidentified archaeological features and deposits. Any archaeological sites and features the site contains will relate to a wider identified archaeological landscape known to exist in the area.
- 5.8 Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance the understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publically accessible (CLG 2012).
- 5.9 The proposed development will have a negative and irreversible impact on any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing the applicant takes appropriate measures to record and advance understanding of the these assets. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development; the post excavation analysis of any archived material generated and the publication of a report on the works. A condition is therefore suggested.
- 5.10 The proposed development is therefore considered to be compliant with the NPPF and policies CS15 and DM13 of the Core Strategy and Development Management Policies (2009) and MA8 of the Site Allocations DPD (2011).

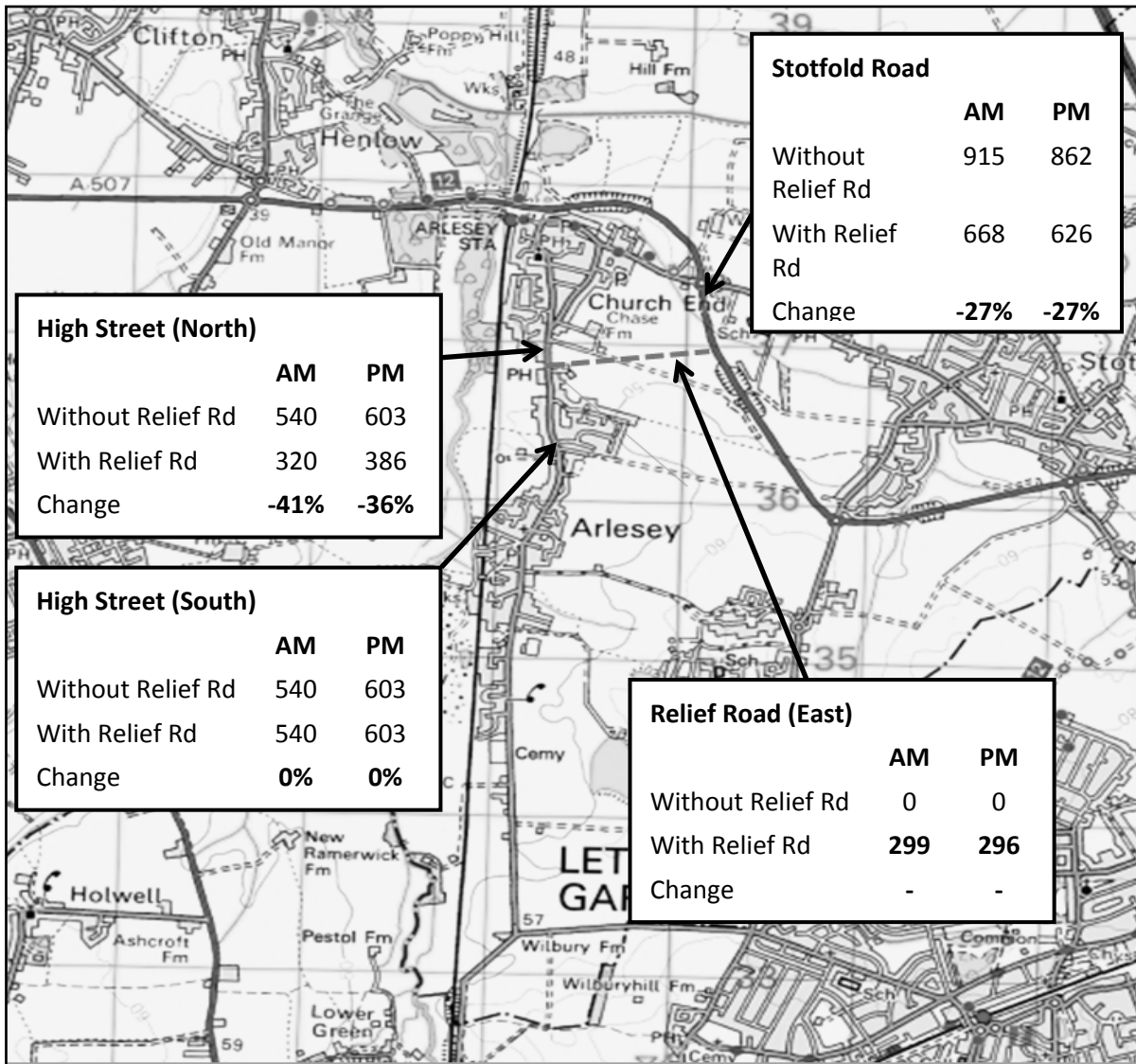
6. Neighbouring Amenity

- 6.1 The proposed road will be in proximity to properties on the High Street and Lewis Lane and will be visible from other properties which currently have a view across the land to the east of the existing built up area of Arlesey.
- 6.2 The proposed 2m noise barrier to the north of Lewis Lane is at its nearest point approximately 23m from the rear most part of the properties. This is considered an acceptable separation distance to not cause a significant detrimental impact in terms of overbearing impact.
- 6.3 There is considered to be no overlooking and loss of privacy issues caused by the proposed development. The proposed road will not create an overbearing impact on the neighbouring dwellings. There will be no loss of sunlight or daylight caused through the proposal.
- 6.4 Noise and pollution related issues are dealt with separately in this report as specific environmental impacts.
- 6.5 The proposed application is acceptable in terms of the impact on neighbouring amenity and is considered to be compliant with the NPPF and policy DM3 of the Core Strategy and Development Management Policies (2009).

7. Access and Highway Safety

- 7.1 National and local planning policy relating to transport and access promotes sustainable development which should give priority to pedestrian and cycle movements, have access to high quality public transport initiatives, create safe and secure layouts and minimising journey times.
- 7.2 Paragraph 32 of the NPPF states that where developments generate significant amounts of movement, decisions should take account of whether opportunities for sustainable transport modes have been taken up, safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. It goes on to state that: *“development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.”*
- 7.3 The original submitted application was accompanied by a Transport Assessment which forms part of the Environmental Statement.
- 7.4 The proposed road has been designed with a 7.3m wide carriageway, 3m wide footpath / cycleways on each side and a 1m verge separating the carriageway from the footpath / cycleway. This is consistent with the Arlesey Cross Masterplan Document and considered an appropriate standard for a road of this type.
- 7.5 Two scenarios have been considered in the Transport Assessment. The 2020 Do Nothing scenario models traffic generated by consented and allocated developments in Stotfold (Policies HA12, HA13, HA14 and MA7) and the western parcel of MA8 land in Arlesey. For the assessment of impacts on the A1(M) / A507 traffic related to the consented ‘Saunders Collection’ development off the A507 was also included.

- 7.6 The Do Something scenario includes all traffic from the Do Nothing scenario plus the traffic related to the eastern parcel of land in Arlesey. Although the application relates only to the eastern section of the Relief Road, and does not seek permission for any other development, an assessment of traffic conditions when the full Relief Road is complete is required in order to ensure the proposed junctions are adequate to serve the full Arlesey Masterplan development.
- 7.7 Policy MA8 sets the requirements for land uses to be provided as part of the development at Arlesey. The land uses indicated on the Arlesey Cross Masterplan include around 1,000 residential dwellings, extra care / assisted living accommodation (1.09 ha and 0.48 ha); 10 ha of employment; 1.67 ha local centre, including small supermarket, small-scale retail units and a community building; a new first school; open space and green infrastructure.
- 7.8 To estimate trip generation for the development at Arlesey, the following quantum of development has been assumed: 1,400 residential dwellings; 50 bed sheltered accommodation and 100 bed elderly care home; employment development comprising 1,700 sq.m office (B1), 24,000 sq.m industrial (B2) and 10,000 sq.m commercial warehousing (B8); a local centre comprising a supermarket (1,600 sq.m), retail units (500 sq.m), restaurant (350 sq.m), GP surgery (300 sq.m) and a community centre (300 sq.m). It has been assumed that the new first school will primarily serve residents of Arlesey and therefore will not have a significant impact on the wider network.
- 7.9 The Transport Assessment states (para 4.57) that the quantum of residential development assumed for the eastern parcel of land is likely to exceed the number of dwellings that will eventually come forward. The development assumptions are considered to provide a robust assessment of impacts on the highway network.
- 7.10 Trip generation has been based on rates obtained from the TRICS database, and trip distribution has been estimated using a gravity model, based on data obtained from the 2011 Census. This methodology is considered appropriate. Some of the sites used for calculating residential trip rates comprised mostly flats, and were not considered representative of the likely development in Arlesey. The applicant provided a revised version of the Transport Assessment with these inappropriate sites removed from the calculation. The proportion of flats in the remaining sites is approximately 30%, which is considered to provide a reasonable basis for the assessment.
- 7.11 It has been assumed that 60% of existing traffic on the High Street will divert onto the Relief Road when it is complete. Although no basis for this proportion is provided it is considered to be a reasonable assumption. Whether traffic continues to use the High Street or diverts onto the Relief Road, it will still pass through the junction at Five Ways and the Central Junction, and therefore junction capacity assessments would not be significantly affected.
- 7.12 The following diagram shows the changes in traffic flows with and without the Relief Road (East):



2020 Two-way Traffic Flows

- 7.13 The Transport Assessment identified potential capacity issues at the A507 Arlesey Road / Hitchin Road and A507 Arlesey Road / Stotfold Road junctions that would occur when the full Arlesey Masterplan development is complete. Mitigation to bring about a nil detriment solution is proposed, with the precise nature of the works and the trigger for their implementation to be determined as part of the Transport Assessments submitted in support of the future development. It is considered that the works would be achievable and the current application would not preclude this from being formally assessed under future applications and their accompanying assessments.
- 7.14 The Transport Assessment includes a Stage 1 Road Safety Audit (RSA) of the proposed section of road and the associated junctions, and also a copy of the Designer's Response. As a result of the issues highlighted in the RSA the design of the mini roundabout was amended such that the mini roundabout junction will be set on a raised table to increase driver awareness of the junction and to improve safety. Other comments will be addressed at the detailed design stage. The Designer's Response was reviewed by the Safety Auditor who confirmed that appropriate consideration had been given to the issues raised and that the Stage 1 RSA was closed out.

- 7.15 A Framework Green Travel Plan was submitted as part of the application however amendments will be required when Travel Plans are submitted to accompany future development parcels. This application for a proposed road in isolation does not trigger the requirement for a Travel Plan.
- 7.16 The proposed parking restrictions in the northern part of Arlesey would not have a significant effect on the assessment of the impact of the eastern section of the Relief Road. The implementation of the parking restrictions may reduce the number of commuters driving to Arlesey and this may result in a small reduction in traffic flows in the northern part of the town. However, the re-distribution of existing traffic onto the Relief Road would be unchanged, and parking on the Relief Road will not be permitted, thereby avoiding the potential for displaced parking from the station.
- 7.17 A high number of comments received for this application relate to access and highway safety matters. The following section of the report specifically addresses the concerns raised:

Age of traffic survey information

- 7.18 The junction capacity assessments within the Transport Assessment are based upon traffic counts undertaken on 20th June 2013 which was the date agreed with the Highways Authority outside of the local school holidays. Background traffic growth has been applied to these flows to produce baseline traffic flows for 2020, five years from the date of the application. These traffic flows are considered to provide a reasonable basis for the assessment.

Presumption of HGV ban on High Street

- 7.19 At the time the original Transport Assessment was being prepared, Arlesey Town Council had submitted a request to implement a ban on HGV's on the High Street and House Lane. The trip distribution therefore assumes that all development related HGV traffic will use the eastern access on the A507. The Town Council has subsequently withdrawn the application for the HGV ban. The majority of HGV traffic for the Arlesey Cross development will be generated by the employment uses, located adjacent to the new junction on the A507. The local centre will also generate some HGV movements. The most convenient route to these locations will be via the A507 and the Relief Road, and therefore the withdrawal of the proposed HGV ban is not considered to have a significant impact on the assessment. The withdrawal of the HGV ban initiative means that the existing conditions will be unchanged. If the eastern section of the Relief Road was to be constructed in isolation, there would be negligible impact on the High Street, and a reduction in HGV movements on House Land and Stotfold Road.

Tracking diagrams for HGV use of mini roundabout

- 7.20 The applicant provided the appropriate tracking diagrams which demonstrate that all turning movements can be undertaken safely.

Existing clay extraction consent traffic consideration

- 7.21 Baseline traffic data was used from the surveys undertaken in 2013 which considered the traffic levels at this time. The Council is aware that the previous clay

extractions on the Arlesey Landfill site have been filled and restored and that landfilling ceased in December 2007. The importation of inert materials for restoration ceased in August 2013. Regular HGV movements have therefore ceased, with only occasional isolated vehicles visiting the site in relation to the long term management of the site.

- 7.22 There are permitted unworked clay reserves to the south of the landfill site covered by a mineral planning permission. The brick / pipe works closed down and since this time there has been no demand to extract the clay. However clay could be extracted in the future and removed from the site if alternative uses were identified however the use would have to be in relatively close proximity to the site to be viable. The Council is not aware of any plans for clay extraction to recommence from the site.
- 7.23 If operations did re-start at the site, the related HGV's would be able to use the eastern section of the Relief Road therefore benefitting the northern part of Arlesey. Any future planning application would need to assess the current baseline situation with regards to traffic flows at that time which would reflect the current operations from this site.
- 7.24 Therefore the revised Transport Assessment is considered acceptable as submitted in this regard.

Impact of the proposal on existing local roads

- 7.25 After submission of the original Transport Assessment the applicant was requested to provide traffic flows for the local network to allow this to be considered.
- 7.26 An assessment has been undertaken to compare the distances from the Five Ways junction to the A507 / Hitchin Road, Fairfield (Dickens Boulevard) and Arlesey New Road / Wilbury Road junctions, with and without the eastern section of the Relief Road. The shortest route to the A507 / Hitchin Road junction would continue to be via the High Street, and the shortest route to the Arlesey New Road / Wilbury Road junction would continue to be via Hitchin Road. The shortest route to Fairfield would change from Hitchin Road to the High Street. However, the impact of this on the High Street is not considered to be significant. A similar exercise was undertaken using the High Street / Lynton Avenue junction as a starting point, and in this case the shortest route to each of the three destinations would not change with the construction of the eastern section of the relief road.
- 7.27 The suggested increases in traffic on the High Street would only occur if the eastern section of the Relief Road was constructed and the eastern parcel of land was fully development. This application relates only to the eastern section of the Relief Road. Any proposed development on the eastern parcel of land would have to be supported by a separate Transport Assessment, at which time the access strategy, phasing of the works and the impacts on Church Lane and the High Street will be considered and addressed.

ES does not quantify the impact of the development in accordance with the guidance

- 7.28 The institute of Environmental Management and Assessment (IEMA) guidelines state that any increases in traffic flows of less than 10% are generally accepted as

having no discernible environmental impact. The Transport Assessment demonstrates that construction of the eastern section of the Relief Road would not result in any increases in traffic on the High Street, and would reduce traffic flows in the northern part of Arlesey, and therefore no detailed environmental assessment is required. .

Future double mini roundabout linking with the west

- 7.29 The design of the mini roundabout was amended as a result of the issues highlighted in the Stage 1 Road Safety Audit. The amendments were to set the mini roundabout junction on a raised table to increase driver awareness of the junction and to improve safety. The amendments were reviewed by the Safety Auditor who confirmed that appropriate consideration had been given to the issues and that the Stage 1 RSA was closed out.
- 7.30 The junction design providing for the mini roundabout connection to the High Street has been designed such that it allows for the upgrading to a double mini roundabout by others. The junction design accords with the principles shown on the indicative junction plan within the Masterplan.

Nil' detriment impact

- 7.31 The development proposed through this application, the eastern relief road, once constructed would not generate any traffic on the local network and therefore does not create an adverse impact. The Transport Assessment demonstrates that re-routing of existing traffic onto the Relief Road will significantly reduce traffic on the northern section of the High Street, House Lane and Stofold Road. Construction traffic will be considered through the CEMP. Future development proposals that are traffic generating will need to be accompanied by full Transport Assessments in accordance with the Masterplan.

Trip rates and mix of flats / houses

- 7.32 As noted above the proportion of flats in the sites used in the Transport Assessment is considered to be reasonable.

Phasing / construction and build programme

- 7.33 A condition is recommended for submission and approval of a Construction Environmental Management Plan prior to the start of any work which will address the issues of construction traffic relating to the road.
- 7.34 The recommendation for this application can only be related to the development proposed which is construction of section of relief road. Any planning application for further proposed development relating to Arlesey Cross will need to be accompanied and supported by a separate Transport Assessment.

No relevant development is coming forward that necessitates the road

- 7.35 The application for only the eastern relief road has been submitted for the purpose of providing access to the wider development, to enable further development of residential, employment, extra care, retail, community and education uses on the

east side of the High Street as outlined within the Masterplan. Whilst there are no accompanying applications for further development at this time, it is recognised that the eastern relief road would provide some certainty over a key piece of infrastructure required for further development to come forward.

Crossing of A507

- 7.36 As stipulated within the Masterplan (para 5.16) a pedestrian and cycle crossing over or under the A507 is to be provided to ensure a safe and convenient crossing to Etonbury School and Etonbury Wood.
- 7.37 It is considered that the proposed development must be assessed as a standalone development comprising provision of a road. As such, it is considered that depending on construction phasing and timing, if the road were completed prior to any other development of the Arlesey Cross site this would create a desire line for pedestrians and cyclists to get out to the A507, and cross to the other side to allow access for recreation and school children accessing Etonbury School. Without a crossing in place before this completion it is considered that there could be significant safety issues associated with pedestrians and cyclists attempting to cross the road either at the new roundabout on the A507 or further north on this road to gain access across to the other side.
- 7.38 The existing crossing under the A507 at the Stotfold Road / A507 / Arlesey Road junction provides access to walk or cycle between Arlesey and Stotfold. This existing route is an unmade track and the provision of paved route along the proposed section of Relief Road would make this route more attractive for users. Whilst the school may not want to encourage pupils to use a route that crosses the A507 and leads to Etonbury Woods, it is inevitable that some will.
- 7.39 The applicants' position is that the justification for a crossing as set out within the Masterplan is created by additional traffic from the wider development. It is considered that securing the delivery of the crossing with the relief road may be premature however the recommended condition requiring the provision of the crossing is accepted. It is recognised that there needs to be a carefully considered option appraisal incorporating a risk assessment to determine the form of such a crossing involving engagement with the key stakeholders which is supported by the LPA.
- 7.40 It is accepted that there would be no increase per se in the number of people seeking to travel between Arlesey and Stotfold by foot and cycle however the proposed road will provide a shorter and more direct route to Etonbury Woods and the wider rights of way network between Arlesey, Stotfold and Fairfield. It is considered that the proposal will provide a desire line and encourage existing residents to use the route of the new road and therefore there is need for a crossing. Future development will add to this demand. The lack of footpath and cycleways right up to the A507 will not necessarily deter people from using this route.
- 7.41 A planning condition is therefore recommended to secure the submission and approval of details for such a crossing and its provision prior to completion of the road (e.g. the full connection of the road from the High Street to A507) or occupation of any development that has access to the A507 via the Relief Road,

whichever comes first. If the road is to be delivered and completed in its entirety before any development parcels come forward a crossing will be required.

Suggestion of preventing construction of the road until the western road is available

- 7.42 There are multiple owners on the western side of the High Street that would need to be party to any application for a western road and its delivery. The current application for the western road is 'suspended' awaiting completion and submission of the required Environmental Statement.
- 7.43 All conditions should meet the six 'tests' set out in para 206 of the NPPF and should only be imposed where they are necessary; relevant to planning and; to the development to be permitted; enforceable; precise and; reasonable in all other respects.
- 7.44 Such a condition as suggested (to prevent the construction of the eastern road until the western road is available) is not considered to be needed to make the development acceptable in planning terms and is therefore unnecessary. This is because the current application for part of the road itself does not generate any additional traffic on the local network and therefore does not create an adverse impact that requires the western road to be delivered. The proposed development is acceptable in highway terms without the need for any such condition.
- 7.45 The enforceability of such a condition would also be problematic as it would be concerned with matters over which the applicant has no control (e.g. land and other planning permissions that is owned by several different parties).
- 7.46 National Planning Guidance advises that conditions requiring works on land that is not controlled by the applicant often fails the tests of reasonableness and enforceability. The Guidance states that such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit of the permission.
- 7.47 The Local Planning Authority is aware that there have been many discussions over a period of years regarding bringing forward development on the west side of the High Street. There has been no consensus or agreement reached to date and given the history of discussions, there is considered to be no prospect that the west road will be delivered within the 3 year planning permission time-limit.
- 7.48 For these reasons a condition or legal agreement as suggested would not meet the 'tests' and is therefore not recommended.
- 7.49 The Transport Assessment submitted in support of the application demonstrates that the proposed section of the Relief Road between the High Street and the A507 and the associated junctions are acceptable and would be capable of supporting the amount of traffic generated from the full Arlesey Cross Masterplan development as set out in the Adopted Masterplan. The alignment and design of the eastern section of the Relief Road are consistent with the written policy of MA9 and the Arlesey Cross Masterplan Document. The proposed mini roundabout on the High Street has been designed such that it can be incorporated into a double mini roundabout arrangement, in accordance with the concept for the Central Junction identified in

the Masterplan. It should be noted that that any future proposed development on the eastern parcel of land will need to be supported by a separate Transport Assessment, which will address the phasing of the development and the associated impacts on the highway network as required within the Adopted Masterplan.

- 7.50 The proposed development is considered to comply with the NPPF and policies CS4, CS17 and DM9 of the Core Strategy and Development Management Policies (2009) and policy MA9 of the Site Allocations DPD (2011).

8. Flooding and Drainage

- 8.1 The application was submitted with a supporting Flood Risk Assessment (FRA) and Surface Water Drainage Strategy. The FRA demonstrates that the site lies within the Environment Agency Flood Zone 1 (low probability) and so not at risk of flooding from any known sources, including rivers, the sea, surrounding land, groundwater or sewers. National Guidance states that all uses of land are appropriate in this zone. As such the principle of the proposed development within this area is acceptable in flood terms.
- 8.2 The FRA demonstrates that the proposed surface water drainage strategy has been developed in accordance with the hierarchy for sustainable surface water disposal, as such the development proposals will not exacerbate the risk of flooding to third parties either upstream or downstream from the site. The FRA also establishes that the proposals will not exacerbate the risk of contaminants entering the water network either during or post construction.
- 8.3 A Geo-environmental Site Assessment was undertaken by BRD which included soakage tests and the findings were that the permeability of the site was found to be unsuitable for infiltration as the trial pits showed very little soakage. The next option pursued in accordance with the hierarchy was to discharge surface water to a ditch or watercourse.
- 8.4 The topography of the site is such that it lies within two main drainage catchments, the eastern part of the site naturally drains towards Pix Brook to the north east, while the western part of the site falls towards the High Street to the west.
- 8.5 Two onsite attenuation ponds are proposed, one at each end of the road. Water from the eastern pond will be conveyed to Pix Brook at a rate of no greater than 4 l/s/ha as prescribed by the Bedford Group of Internal Drainage Boards. This is a lower rate than the calculated greenfield run off rate and therefore is better than the existing natural drainage flows from the site.
- 8.6 At the western end of the road, the pond will be discharged into the existing sewer in High Street at 5 l/s which is again lower than the greenfield rate.
- 8.7 The ponds are of an appropriate size to accommodate the volume of water predicted during a 1 in 100 year storm event including an additional 20% allowance for climate change which is in accordance with the Environment Agency's current guidance.

- 8.8 A CEMP is recommended to be secured by condition to ensure that surface runoff from the site will not exceed the existing greenfield runoff rate and to control and prevent potential contamination to surface and/or groundwater receptors.
- 8.9 A condition to secure the surface water drainage details based on the principles set out within the Surface Water Drainage Strategy and subsequent negotiations is suggested to ensure that the control measures to manage the surface water runoff from the site are managed appropriately.
- 8.10 As such the proposed development of the road will not exacerbate the risk of flooding to third parties nor increase the risk of contaminants entering the water network. The development is therefore compliant with the NPPF, policies CM13 and DM3 of the Core Strategy and Development Management Policies (2009), MA8 of the Site Allocations DPD (2011) and the Central Bedfordshire Sustainable Drainage Guidance SPD (2014).

9. Ecology and Biodiversity

- 9.1 The ES assesses the impacts of the proposed road and associated junctions on flora and fauna. The majority of the habitats are typical of intensively managed farmland and considered to be of low ecological interest.
- 9.2 There are some proposed losses of parts of the hedgerow to permit construction of the relief road which will result in some short term impacts. To mitigate this new planting and best practice working methods through the protection of retained features is recommended to ensure that all habitats are protected.
- 9.3 Impacts to breeding birds (in particular corn buntings) have been considered which are likely to occur as a result of noise disturbance and collisions. This could have an adverse impact of local significance however it is recognised that the existing corn bunting populations already frequents either side of the A507 corridor and therefore the proposed road would not cause a significant detrimental impact on this breeding bird.
- 9.4 Overall the proposed road retains the majority of features of ecological value within the site.
- 9.5 The Council's Ecologist agrees with the ES and approves of the mitigation suggested. The Otter and Water Vole surveys were undertaken in July 2013 and evidence of otters was found on the Pix Brook in 2014. A precautionary watervole check and otter survey is recommended prior to works commencing.
- 9.6 A CEMP is recommended to ensure best work practice and include the species mitigation as detailed in the ES.
- 9.7 Landscaping should be secured by condition to ensure that the proposed ecological enhancements are undertaken. This will introduce new areas of habitat creation (along with the attenuation ponds) which will benefit biodiversity. Landscaping will be managed to ensure the value of these areas is maintained and enhanced through its retention.
- 9.8 The development is considered to be compliant with policy CS18 of the Core

Strategy and Development Management Policies (2009) and MA8 of the Site Allocations DPD (2011).

10. Ground Conditions and Contamination

- 10.1 A Phase 1 Desktop Study and Phase 2 Ground Investigation have been undertaken in relation to the site. The assessment concludes that the site, as a whole, does not pose a significant risk of significant harm to potential end users of the site or the controlled waters environment. Further ground investigation will be required in order to confirm this and allow geotechnical data be gathered for the development.
- 10.2 The Council's Public Protection team comment that the geotechnical section of the ES states that there is no likely significant risk of significant harm to site workers, groundwater or end users from the site of the relief road or the surrounding broader development but goes on to say that "ground investigation will be required in order to confirm this and allow geotechnical data to be gathered for the development". It is expected that such works adhere to the Model Procedures for the Management of Land Contamination and form part of planning conditions.
- 10.3 The Utilities Assessment included within the ES assesses the existing utility apparatus on and in the vicinity of the road. The existing utility apparatus to cross the proposed route of the road are: two gas mains running in a north to south alignment; a further gas main running east to west through the site.
- 10.4 One of the gas mains running north to south is high pressure and the other intermediate pressure. The gas mains do not preclude the construction of the proposed road subject to appropriate cover and protection being provided. A section of the east west gas main will need to be diverted due to its depth. It is concluded within the report that there is no utility apparatus on or in the vicinity of the proposed relief road which precludes its construction.
- 10.5 A planning condition is recommended for further site investigation, remediation and validation.
- 10.6 The proposed development is considered to be in accordance with the NPPF and policy DM3 of the Core Strategy and Development Management Policies (2009) in this regard.

11. Air Quality

- 11.1 The existing conditions within Arlesey show good air quality. The operational impacts of increased traffic emissions from the additional traffic on local roads, due to the development of the proposed road, have been assessed. Concentrations have been modelled relating to existing properties where impacts are expected to be greatest. The modelling shows that the new road will cause minimal affects on air quality and impacts are concluded to be insignificant.
- 11.2 Dust has been considered and the recommended condition for a CEMP will include dust management.
- 11.3 The overall air quality impacts of the development are judged to be insignificant and therefore no mitigation is recommended and this conclusion is agreed by the

Council's Public Protection team.

- 11.4 The proposed development is considered to be in accordance with the NPPF and Planning Practice Guidance and policy DM3 of the Core Strategy and Development Management Policies (2009).

12. Noise and Vibration

- 12.1 The potential noise and vibration impacts from the proposed development have been assessed as follows:
- Noise and vibration from construction work
 - Noise from the new relief road and associated changes in traffic on existing roads
 - Noise from the new relief road
 - Vibration from road traffic
- 12.2 The modelling and assessment predict short term increases in road traffic noise levels will be 'negligible' at the vast majority of existing nearby noise sensitive receptors. 'Minor' short-term adverse impacts are predicted to occur at 1-6 Lewis Lane. In the long term, impacts would be 'negligible' at the vast majority of existing nearby receptors. 'Minor' short term adverse impacts are predicted to occur at 1a, 1-3 and 7 Lewis Lane and 'moderate' short term adverse impacts are predicted to occur at 4-6 Lewis Lane.
- 12.3 'Moderate' impacts are considered to be more significant and may be perceived as a loss of amenity in the rear gardens of 4-6 Lewis Lane. Noise mitigation is proposed in the form of a 2m noise barrier along part of the southern edge of the relief road to reduce the predicted increases in road traffic noise levels affecting the rear of properties on Lewis Lane to reduce the impacts to 'minor'.
- 12.4 A noise nuisance assessment has been undertaken which identifies that for 10 dwellings the increase in noise nuisance from road traffic noise warrants further consideration. The noise barrier will reduce the nuisance at 1a and 1-7 Lewis Lane however there are no practicable noise mitigation measures available to reduce the predicted increase in noise nuisance at 15-16 House Lane.
- 12.5 Vibration assessment has been undertaken and demonstrates that the affects will be at an acceptable level.
- 12.6 Construction effects will be managed through the imposition of a CEMP recommended by condition to minimise the noise and vibration impacts on neighbouring properties.
- 12.7 The Council's Public Protection team suggested consideration of a S106 planning obligation for the developers to provide financial assistance to the occupiers of existing dwellings who cannot be adequately protected from increases in road traffic noise as a result of the relief road development (14 – 16 House Lane). Statutory tests set out in the Community Infrastructure Regulations 2010 Regulation 122) require that S106 planning obligations must be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonable related in scale and kind to the development. S106 obligations are intended to make development acceptable which would otherwise be unacceptable

in planning terms. In this case it is considered that the impact on these dwellings is not significantly adverse to result in the development being unacceptable and therefore on balance, the request does not meet the CIL regulation tests and is not sought. It is also noted that the Council cannot enter into a S106 Agreement with itself (as applicant).

- 12.8 Any assessment of the impact of noise and vibration from the Eastern section of the relief road will need to be undertaken for any subsequent development parcels once these are submitted.
- 12.9 Whilst there will be some increases in road traffic noise levels in the area and short term impacts from construction activities these impacts are not considered on balance to warrant refusal of the planning application on these grounds.
- 12.10 The application is therefore considered to be compliant with the NPPF, policy DM3 of the Core Strategy and Development Management Policies (2009).

13. Waste

- 13.1 The Environmental Statement and further clarification information outlines the aspiration that waste is reduced as much as possible in terms of this development.
- 13.2 Further information was provided by the Agents relating to amounts of waste and the re-use of surplus within the development site and the wider Arlesey Cross development. It does not appear that the development will give rise to any significant volumes of waste.
- 13.3 A condition requiring the submission and approval of a CEMP including a Site Waste Management Plan is recommended to promote the reuse and recycling of waste and reduce unnecessary landfilling.
- 13.4 The proposed development with the imposition of the conditions recommended is considered to be in accordance with the Minerals and Waste Local plan (2005) policy W4, policy WSP5 of the Bedford Borough, Central Bedfordshire and Luton Borough Council's Minerals and Waste Local Plan: Strategic Sites and Policies (2014) and the Council's SPD on Managing Waste in New Developments (2005).

14. Cumulative Impacts

- 14.1 Cumulative effects are those effects which would be likely to arise from the combination of likely significant effects from the proposed development with likely significant effects from other committed developments in the vicinity.
- 14.2 The Environmental Statement refers to the EIA Scoping Opinion issued by the Local Planning Authority that stated that there are considered to be no impacts from other planned developments that together with the proposed development that could amount to a significant cumulative impact which should be assessed. Therefore the Statement focusses on the development as set out under policy MA8.
- 14.3 Transport and traffic impacts are considered to be one of the greatest impacts of local concern. Any concurrent construction of other parcels within the Masterplan area could have a cumulative impact. Construction and Environmental Management

Plans for each permission will consider and control the vehicular movements on the network.

- 14.4 The Transport Assessment has considered the capacity of the wider Masterplan development and mitigation works are considered appropriate to bring about a nil detriment solution for each junction. The details of these works will accompany future applications for development on the parcels in due course.
- 14.5 The cumulative impacts on landscape and visual, land contamination, heritage and archaeology, drainage and flood risk, air quality, waste, noise and vibration and loss of agricultural land and soils have all been considered within the ES. There are no significant cumulative impacts identified which cannot be mitigated against.

15. Other Considerations

Response to representations –

- 15.1 The following matters were raised within the representations received and have not been addressed elsewhere in the report: -
- *Neighbourhood plan*
- 15.2 Government Planning Practice Guidance states that local planning authorities should make decisions on planning applications as quickly as possible. There is no formal mechanism to allow for deferral of a planning application by the Local Planning Authority. It is considered that this recommendation and subsequent determination of the current application would not undermine the neighbourhood plan-making process as it relates to development for Arlesey that was established by MA8 and the Adopted Masterplan. It is considered that proceeding with taking this application forward would not prejudice the views of Arlesey residents and the completion of the Neighbourhood Plan.
- 15.3 Any future planning applications for development within the Arlesey Cross area which are submitted to the Local Planning Authority will be subject to full consultation and consideration in light of the Development Plan and all other material considerations. An emerging neighbourhood plan can be given some weight as a material consideration depending on its stage of preparation.
- *Loss of community feel to town*
- 15.4 The Adopted Masterplan guides the development of Arlesey Cross and seeks to demonstrate how the allocated land can be comprehensively masterplanned to deliver coordinated development. The Masterplan was Adopted in compliance with policy MA8 of the Site Allocations DPD (2011) which established the principle of growth to Arlesey.
- *Discussions on west side*
- 15.5 Discussions regarding development of the land to the west side of the High Street have been ongoing for a considerable time. There are a high number of different owners of the land to the west of the High Street and the Council has endeavoured to facilitate discussions and work comprehensively to reach consensus and bring

forward development on this side. The current application must be regarded and considered on its own merits.

- *Do not require 1000 houses in Arlesey*

15.6 As stated above the allocation of the Arlesey Cross development area was established by the adopted of the Site Allocations DPD (2011) and underwent thorough consultation and examination by an Inspector. Central Bedfordshire Council has a duty to provide new houses and employment land and must seek to maintain a 5-year supply of housing land. The wider Arlesey Cross site is needed to meet these requirements and the Local Planning Authority seeks this to be brought forward at the earliest opportunity.

- *Reduction in property value*

15.7 The reduction in property value is not a material consideration that can be taken into account in assessing this application. Impacts on residential amenity have been considered above in the report.

Human Rights Issues –

15.8 In assessing and determining this planning application, the Council must consider the issue of Human Rights. Article 8, right to respect for private and family life, and Article 1 of Protocol 1, right to property, are engaged. However, in balancing human rights issues against residential amenity impacts, further action is not required. This planning application is not considered to present any human rights issues.

Equality Act 2010 –

15.9 In assessing and determining this planning application, the Council should have regard to the need to eliminate unlawful discrimination. This application does not present any issues of inequality or discrimination.

Crime and Disorder Act 1998 –

15.10 Section 17 of this Act places a duty on local authorities and the police to cooperate in the development and implementation of a strategy for tackling crime and disorder. Officers are satisfied that the proposed development is of a design that can assist in preventing crime and disorder in the area.

Site Selection and Consideration of Alternatives: -

15.11 Schedule 4 Part 1 (2) of the EIA Regulations requires that the ES provides an outline of the main alternatives studied by the applicant and an indication of the main reasons for the environmental effects. The application site is allocated for development under Policy MA8 of the Site Allocations DPD and is the subject of an adopted Masterplan which proposes the route of the relief road. Through this process the site was considered a suitable location for mixed use development and therefore no alternative sites have been considered by the applicants.

15.12 The consideration of environmental constraints and opportunities was undertaken in the preparation of the Site Allocations DPD.

15.13 This is considered to fulfil the requirement of Schedule 4 Part 1(2) of the Regulations.

16. Planning Balance

16.1 With regard to the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)), the proposed development is in accordance with the provisions of the development plan.

16.2 With regards to the other material considerations, the following impacts of the proposed development are considered to be adverse. The degree of impact is stated in brackets following the impact:

- Landscape and Visual (local negligible)
- Noise (local minor adverse)
- Archaeology (local slight adverse)
- Loss of agricultural land (local minor adverse)
- Ecology (local minor adverse)

16.3 These impacts have been considered within each detailed section of the report above and with the proposed mitigation and recommended conditions none of these constitute matters that would cause significant harm to warrant a refusal of the application on these grounds.

16.4 The following are considered to constitute the beneficial impacts of the proposed development:

- Provides some certainty for one of the critical pieces of infrastructure required for bringing forward wider allocation site
- Creates sustainable development
- Allows a step towards the delivery of development on this site to lead to the provision of homes and jobs for Arlesey and CBC supporting the 5 year housing supply

16.4 The Officer's conclusion is that the development is in compliance with the development plan and that no material considerations indicate that the scheme should be refused. Subject to the recognised adverse impacts of the development undergoing the recommended mitigation and the imposition of the recommended planning conditions, it is recommended that the proposed development should be supported.

17. CONCLUSIONS

17.1 In summary:

- The principle of development is acceptable in this location and in compliance with the Development Plan and the NPPF
- All material considerations have been taken into account
- The proposed road will enable residential, employment, extra care, retail, community and education development to come forward contributing to the creation of homes, jobs, services and facilities

- It will minimise pollution
- It will have minimal adverse noise and vibration impacts
- It will manage flood risk and drainage effectively
- It will have cause harm to archaeological assets that can be overcome by recording and reporting of these
- It will have no significant adverse impacts on features of landscape or ecological value
- It will generate an acceptable level of waste and promote recycling
- It will provide appropriate infrastructure to meet the needs generated by the development.

17.2 As a material consideration, the NPPF has at its heart the presumption in favour of sustainable development. To be sustainable, development must, as noted in paragraph 6 of the NPPF, strike a satisfactory balance between the applicable economic, environmental and the social considerations. Whilst it is acknowledged that there is a notable level of opposition to this development, having fully assessed all three dimensions of sustainable development; economic, social and environmental within this report it is concluded that the proposed development of the east relief road will contribute to meeting a strong and competitive economy, lead to providing a supply of housing, accessible services and local infrastructure to meet current and future generations in compliance with Policy MA8 of the Site Allocations DPD (2011) and the Adopted Masterplan.

17.3 For these reasons the proposed development is considered to constitute sustainable development and is in compliance with the Development Plan. There are no other material considerations that indicate that permission should not be granted. As stated in paragraph 14 of the NPPF, the application should therefore be approved without delay subject to the recommended conditions.

17.4 Subject to suitable mitigation, no significant environmental impacts would result from the proposed development or due to the impact on local services and facilities. In all other respects the proposal is considered to be in conformity with the adopted Development Plan policies and national policy contained within the National Planning Policy Framework.

Recommendation

That the Development Infrastructure Group Manager be authorised to GRANT planning permission subject to conditions.

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 until a detailed surface water drainage scheme for the site based on the principles set out within the FRA and submitted Surface Water Drainage Strategy has been submitted to and**

approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before any part of the development is brought into use.

Reason: The condition must be pre-commencement to prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policies CM13 and DM3 of the Core Strategy and Development Management Policies (2009) and policy MA8 of the Site Allocations DPD (2011).

- 3) **Part A:** No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority.

The written scheme of investigation shall include the following components:

- A method statement for the investigation of any archaeological remains present at the site;
- An outline strategy for post-excavation assessment, analysis and publication

Part B: The said development shall only be implemented in full accordance with the approved archaeological scheme and this condition shall only be fully discharged when the following components have been completed to the satisfaction of the Local Planning Authority:

- The completion of all elements of the archaeological fieldwork, which shall be monitored by the Archaeological Advisors to the Local Planning Authority;
- The submission within nine months of the completion of the archaeological fieldwork (unless otherwise agreed in advance in writing by the Local Planning Authority) of a Post Excavation Assessment and an Updated Project Design, which shall be approved in writing by the Local Planning Authority;
- The completion within two years of the conclusion of the archaeological fieldwork (unless otherwise agreed in writing by the Local Planning Authority) of the post-excavation analysis as specified in the approved Updated Project Design; preparation of site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of a publication report.

Reason: In accordance with paragraph 141 of the NPPF; to record and advance the understanding of the significance of the heritage assets with archaeological interest which will be unavoidable affected as a consequence of the development and to make the record of this work publicly available. This is also compliant with policy CS15 of the Core Strategy and Development Management Policies (2009) and policy MA8 of the Site Allocations DPD (2011).

- 4) No development shall take place until updated otter and water vole surveys shall be undertaken by a suitably qualified ecologist. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to and approved by the Local Planning Authority before construction works commence on site. The mitigation

measures shall be implemented in full accordance with the approved details.

Reason: To ensure the development causes no harm to protected species in accordance with policy CS18 of the Core Strategy and Development Management Policies (2009) and MA8 of the Site Allocations DPD (2011).

- 5) Prior to the completion of the construction of the road hereby approved, a landscaping scheme to include all hard and soft landscaping shall be 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 completion and/or first use of any separate part of the development (a full planting season means the period from October to March).

Reason: To ensure an acceptable standard of landscaping in the interests of visual amenity and biodiversity in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 43 and 57 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 6) **No development shall take place until full details of existing trees and hedgerows on the site indicating those to be retained and the method of their protection during development works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved.**

Reason: To ensure that existing landscape features are protected and retained in the interests of visual amenity and biodiversity in accordance with Policy DM14 of the Core Strategy and Development Management Policies DPD (2009).

- 7) Prior to the completion of the development hereby approved a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out in accordance with the approved details.

Reason: To ensure appropriate landscape management in the interests of visual amenity in accordance with policy DM14 of the Core Strategy and Development Management Policies DPD (2009).

- 8) A scheme detailing safe access relating to the ponds hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of construction of the ponds.

Reason: In the interest of public safety in accordance with policy DM3 of the Core Strategy and Development Management Policies DPD (2009).

- 9) No construction groundworks shall take place until the following has been submitted to and approved in writing by the Local Planning Authority: -

1. As shown to be necessary by the previously submitted Environmental Statement, a Phase 2 intrusive sampling investigation adhering to BS 10175

and CLR 11, incorporating all appropriate sampling, and prepared by a suitably qualified person.

2. Where shown to be necessary by the Phase 2 intrusive sampling 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).

- 10) Details of a pedestrian and cycle crossing of the A507 shall be submitted to and approved in writing by the Local Planning Authority. The approved crossing shall be provided in full prior to either:
 - a) the full connection of the road hereby approved between the High Street and the A507; or
 - b) the occupation of any development that would be directly served from any part of the road hereby approved that is accessed from the A507, whichever is the sooner.

Reason: To ensure a crossing for pedestrians and cyclists in the interests of highway safety in accordance with policies CS4 and DM9 of the Core Strategy and Development Management Policies (2009) and policy MA8 of the Site Allocations DPD (2011).

- 11) **No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of:**
 - a) **Construction Activities and Timing;**
 - b) **Plant and Equipment, including loading and unloading;**
 - c) **Soil Management Strategy including a method statement for the stripping of top soil for re-use; the raising of land levels (if required); and arrangements (including height and location of stockpiles) for temporary topsoil and subsoil storage to BS3883:2007**
 - d) **Site Waste Management Plan**
 - e) **Appropriate measures for the safeguarding of protected species and their habitats and breeding birds**
 - f) **Construction traffic routes, points of access/egress to be used by construction vehicles signage within the highway inclusive of temporary warning signs, the management of junctions to, and crossing of the public highway and other public rights of way**
 - g) **Details of site compounds, offices and areas to be used for parking for construction workers and for deliveries and storage of materials;**
 - h) **Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;**

i) Details for the monitoring and review of the construction process including traffic management (to include a review process of the CEMP during development).

The development hereby permitted shall be carried out only in accordance with the approved CEMP.

Reason: To ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period, to protect the amenity of neighbouring properties, in the interests of maximising waste re-use and recycling opportunities and in order to minimise danger, obstruction and inconvenience to users of the highway and within the site in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009). Details must be approved prior to the commencement of development to mitigate nuisance and potential damage which could occur in connection with the development.

- 12) Full details of the 2m noise barrier for protecting existing dwellings adjacent to the proposed development from increases in road traffic noise shall be submitted and approved in writing by the Local Planning Authority. The barrier shall be implemented in accordance with the approved details, and shown to be effective, prior to the relief road being brought into use, and it shall be retained in accordance with those details thereafter.

Reason: To protect the residential amenity of existing residential occupiers in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

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

100 G, 101 E, 102 F, 103 B, 104 B, 105 E, 110 A, 111 A, 112 B, 116 E, 117 D, 118 E, 119 B

Reason: For the avoidance of doubt.

Statement of reasoning for pre-commencement conditions:

In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, only conditions which are formally required to be discharged prior to works commencing on site have been suggested as pre-commencement conditions (marked in bold). These are imposed as they involve details to be approved for the arrangements of the work on site - Construction Environmental Management Plan (11), landscape protection (6), groundworks and infrastructure approval - contamination (9), archaeology (3) and drainage (2). These details are required to be submitted and approved by the Local Planning Authority prior to commencement of development.

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 Core Strategy and Development Management Policies (2009), the Site Allocations DPD (2011) and the National Planning Policy Framework.
2. This permission relates only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The 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. Notwithstanding the details shown on the plans hereby approved for planning purposes the proposed works shall be carried out in full compliance with standards contained in Design Manual for Roads and Bridges and or Manual for Streets as appropriate.
5. There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.
6. 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.
7. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

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

These requirements are as follows:

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

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

For further information on disability access contact:

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

8. Any removal of trees, scrub or hedgerow should take place outside the bird breeding season of March to August inclusive. Should any such vegetation have to be removed during, or close to this period it should first be thoroughly assessed by a suitably experienced ecologist as to whether it is in use by nesting birds. Should nests be found, a suitable area of vegetation (no less than a 5m zone around the nest) should be left intact and undisturbed until it is confirmed that any young have fledged before works in that area proceed. This process should be agreed in writing with the Local Planning Authority.

In order not to cause destruction of, or damage to, the nests of wild birds, their eggs and young. This corresponds to the protection afforded to them under the Wildlife and Countryside Act 1981 (as amended).

9. All environmental information has been taken into full consideration by the Local Planning Authority in reaching this decision.
10. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, only conditions which are formally required to be discharged prior to works commencing on site have been suggested as pre-commencement conditions (marked in bold). These are imposed as they involve details to be approved for the arrangements of the work on site - Construction Environmental Management Plan (11), landscape protection (6), groundworks and infrastructure approval - contamination (9), archaeology (3) and drainage (2). These details are required to be submitted and approved by the Local Planning Authority prior to commencement of development.

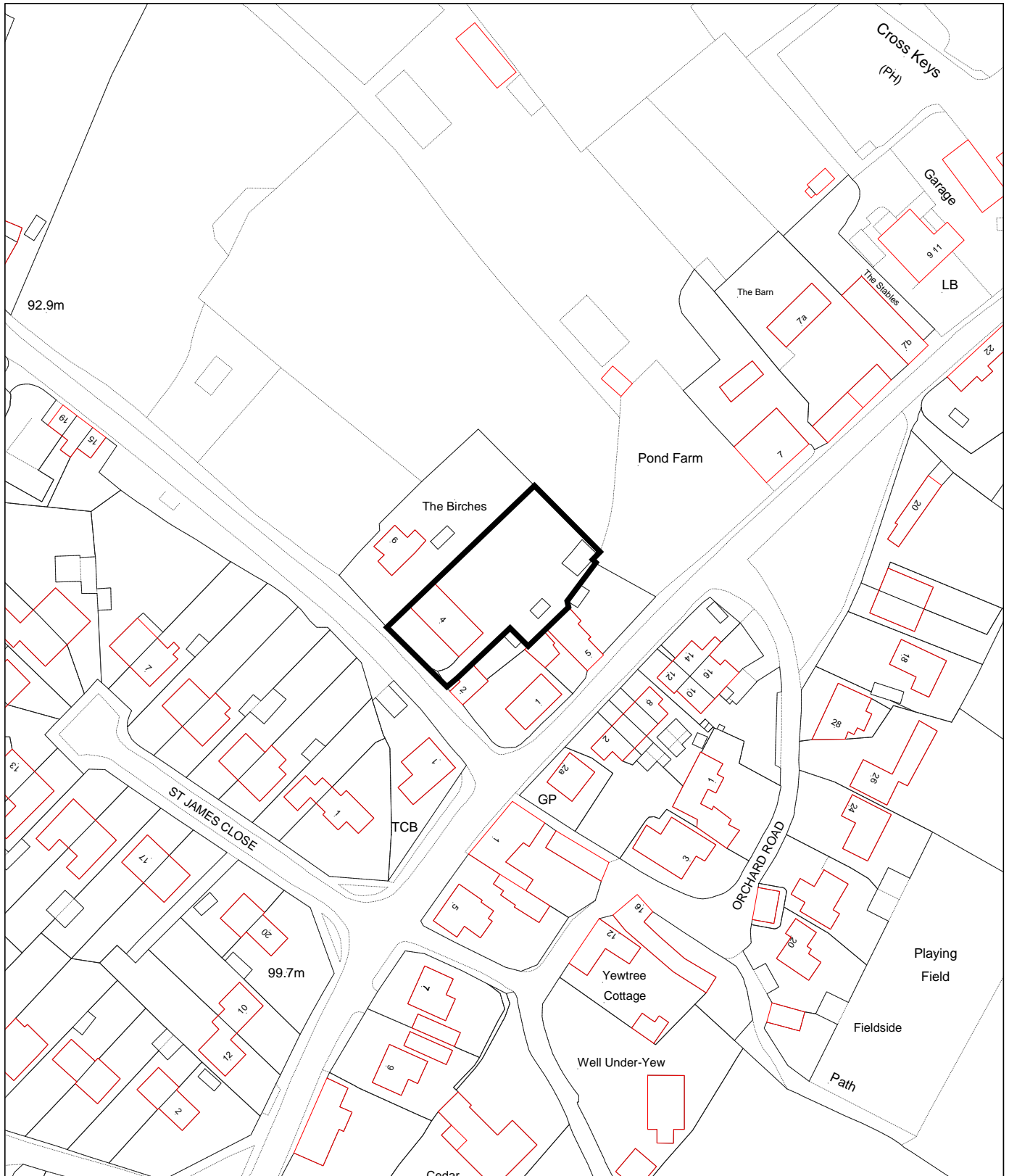
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

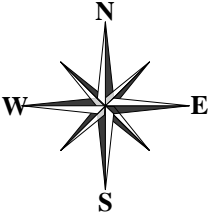
The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process regarding transport and environmental concerns resulting in the submission of amended details. The Council has therefore acted pro-actively to secure a sustainable 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/15/00038/Full
	Date: 16:February:2016 Map Sheet No	
Scale: 1:1250	Mentmore, 4 Greenfield Road, Pulloxhill, MK45 5EZ	

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Item No. 11

APPLICATION NUMBER CB/16/00038/FULL
LOCATION Mentmore, 4 Greenfield Road, Pulloxhill, Bedford,
MK45 5EZ
PROPOSAL Erection of detached barn style bungalow,
demolition of garage, proposed turning and
parking area. Three dormer windows in rear of
existing dwelling.
PARISH Pulloxhill
WARD Westoning, Flitton & Greenfield
WARD COUNCILLORS Cllr Jamieson
CASE OFFICER Judy Self
DATE REGISTERED 06 January 2016
EXPIRY DATE 02 March 2016
APPLICANT Mr & Mrs Freeman
AGENT Aragon Land & Planning Ltd
REASON FOR The Development Infrastructure Group Manager
COMMITTEE TO recommends that the application be determined at
DETERMINE Committee given the previous planning history

RECOMMENDED
DECISION Full Application - Approval recommended

Summary of Recommendation:

The proposed development would be situated within the village settlement envelope and would provide a dwellinghouse with a suitable level of amenity for future occupiers without adverse impact on the local residential amenity or prejudicial impact on highway safety or the character and appearance of the conservation area or the site and setting of the listed buildings. It is therefore in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, DM4, DM13, CS14, CB15 and Emerging Development Management Strategy Policies 1, 43, 38, 45; the Central Bedfordshire Design Guide (2014) and the National Planning Policy Framework (2012).

Site Location:

The application site is located to the northeast of Greenfield Road and comprises a three bedroom bungalow which fronts onto the main road with a detached double garage located to the rear of the site. Access to the east of the dwelling serves the garage and parking area. The access runs adjacent and along the length of no. 2 Greenfield Road. The site falls within the settlement envelope for Pulloxhill.

Whilst the host dwelling (Mentmore, 4 Greenfield Road) lies within the conservation area the rear garden and the proposed location of the detached bungalow falls outside of the conservation area.

Application CB/15/02539/Full was previously refused at Development Management Committee on the 14th October 2015 for the following reasons:

The proposed dwelling by nature of its siting, excessive size and unsatisfactory design would be harmful to the character and appearance of the conservation area. As such the proposal is contrary to the provisions of the National Planning Policy Framework (NPPF) and Policies DM3, DM13, CS14 and CS15 of the Core Strategy and Development Management Policies (2009).

The proposal by reason of its layout, excessive size, design and siting would result in an undesirable and unacceptable form of development such that it would have an adverse overbearing impact and undue loss of privacy to the occupiers of nearby residential properties. The proposal would therefore be harmful to their residential amenity. As such the proposal is contrary to Policy DM3 of the Core Strategy and Development Management Policies (2009).

The proposal would result in the intensified use of a substandard access which has inadequate visibility. The development would therefore give rise to danger and inconvenience to users of the adjoining highway.

The application varies from the previously refused scheme in as much as the proposal is wider by 3.7m but lower in height by 1.9m; the dormer window has been removed and the dwelling is now single storey in nature. A frame has been erected on site to demonstrate the impact of the development.

The applicant has drawn attention to a number of recent applications in Pulloxhill which include a single and two storey extension at the neighbouring property 6 Greenfield Rd (The Birches) which they feel demonstrate that the conservation area can accept change without the character being harmed.

The Application:

Following the removal of the garage planning permission is being sought for the following:

- Erection of a two bedroom bungalow (footprint of approximately 98sqm) with associated parking provision. The dwelling measures 14m x 7m x 4.5m in height;
- New off-road parking area in front of the property known as Mentmore (4 Greenfield Road in Pulloxhill); and
- 3 x dormer windows to the rear of Mentmore

(The previous application CB/15/02539/FULL had a footprint of some 102.9sqm and measured 10.3m x 7m x 6.4m in height with 3 x dormer windows one side and 3 x velux windows in the other).

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

Policy DM3: High Quality Development
 Policy DM4: Development Within and Beyond Settlement Envelopes
 Policy DM13: Heritage in Development
 Policy CS14: High Quality Development
 Policy CS15: Heritage

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:

Case Reference	CB/15/04252/FULL
Location	Mentmore, 4 Greenfield Road, Pulloxhill, Bedford, MK45 5EZ
Proposal	Erection of detached bungalow, proposed turning and parking area. Three dormer windows in rear of existing dwelling.
Decision	Application Withdrawn
Decision Date	06/01/2016

Case Reference	CB/15/02539/FULL
Location	Mentmore, 4 Greenfield Road, Pulloxhill, Bedford, MK45 5EZ
Proposal	Erection of detached chalet bungalow, proposed turning and parking area. Dormer windows to rear of Mentmore with parking area to front of property.
Decision	Full Application - Refused
Decision Date	03/11/2015

Consultees:

Parish Council

This response is made on behalf of Pulloxhill Parish Council and represents the unanimous view of all Councillors. Pulloxhill Parish Council note the differences between this application and the previous application CB/15/02539/FULL which was rejected. The Parish Councillors unanimously agree that the lowering of the roof height whilst welcome does not fully address our concerns and therefore we continue to object to this proposed development for the following reasons:

- 1) Detrimental effect to the street scene on the High Street - The proposed new dwelling will be clearly visible from the High Street beyond the walled garden of 5 High Street. The Parish Council welcomes the developer's attempt to amend the design of the building to be in

keeping with the surroundings, particularly the lowering of the roof line; however, this does not reduce the detrimental impact of any building taller than the existing garage on the important open aspect of the location. Furthermore, the addition of dormer windows in Mentmore will urbanise what is currently an important rural view from the village green of a plain slate roof against the skyline.

2) Detrimental effect to the conservation area - The proposed dwelling will be clearly visible from the High Street conservation area. The proposed development is within the important open area between No 5 High Street and Pond Farm both listed buildings and detrimentally impacts the character of the open rural view from the High Street, the Old Smithy (Grade II listed) and from the village green. Second line development is not in character with the conservation area.

The Parish Council is seeking to work with the Conservation Officer to update the Pulloxhill Conservation Area document, however, on review of the existing 1996 document, we agree with its fundamental assertions that the special character of the village builds from the main thoroughfare, the High Street, its listed buildings and the positioning of other buildings in relation to the road layout giving areas of enclosure and open areas. The 1996 document further states that the open areas are key to the character of the village and should be retained so there is limited opportunity for sensitive in-fill development. We therefore assert that, rather than the impact on views from Greenfield Road, the Conservation Officer's comments should predominantly address the impact on the key views from the High Street. The Conservation Officer has failed to identify this location as part of a key open space which should be retained according to the conservation area appraisal document despite the designation of this area as a key open space which is to be retained being upheld by the planning inspectorate on appeal of a previous application to build in this area.

In refusing the previous application for development on this site, the planning committee considered that second line development was not appropriate in this location. Whilst CBC has a neutral stance on the appropriateness of second line development, the Pulloxhill Conservation Area appraisal document provides support for this importance of the layout of roads and the positioning of

buildings in relation to the roads being important to the character of the village. The introduction of a second line of development would therefore be a detriment change to the character of the village and set a precedent for further second line development.

3) Impact upon highway safety – The Highways Officer's opinion from the previous application has been referenced in support of this application. The opinion is that the access is inappropriate, but acceptable based on the assumption that there will be no increase in traffic movements from this inappropriate access onto the highway. The application does not clearly state how many additional bedrooms in total will be provided by the new development and additional storey development of the existing bungalow. The application does not clearly differentiate between the number of traffic movements within the site to the proposed new building at the rear of the existing bungalow, the certain increase in traffic movements from the expansion of the existing property and therefore the increase in the overall total number of traffic movements onto the highway. It is the Parish Councils view that the proposed development will increase traffic movements onto the highway and that any increase in traffic movements from this inappropriate access to the highway perilously close to the already dangerous blind 90° bend presents an unacceptable danger to road users and pedestrians, so the Planning Committee Members should be personally assured that, as stated by the Highway Officer, there will be no increase in traffic movements onto the highway before considering approval of this application.

4) Detrimental effect to neighbouring properties – The proposed dwelling will have a negative impact on the amenity of the surrounding properties, namely 2 and 4 Greenfield Road and 1 and 5 The High Street. This is not replacing a flat roof garage with a similar sized structure but with a residential building with pitched roof. The impact on the character and amenity of the gardens of 5 High Street and 4 Greenfield Road should be seriously considered.

The Parish Council consider this application glosses over key aspects which make this development wholly unacceptable

The Parish Council would also like to highlight some inaccuracies and deficiencies in the application,

particularly the Design and Access Statement.

The design and access statement section 3.3 says Highways and Conservation Officers spoke very favourably for approval – our representatives present at the Planning Committee Meeting did not find this to be the case, the officers present found it difficult to find reasons to object, but, whilst this is a subjective matter, were certainly not speaking strongly in favour. Section 3.4 sites the Conservation Officer's comments as being strong support, however the comments are only relevant to the view from Greenfield Road. The Conservation Officer refused to elaborate or comment further on the written statement that the impact on the view from the High Street "is also not considered to be negative" thus allowing the committee members to draw their own conclusions following their site visit. There is a body of evidence showing that the Parish Council and other Pulloxhill residents differ in their assessment of the nature of the detrimental impact as did the members of the planning committee who rejected the original application and the planning inspector who upheld the refusal to allow development of a neighbouring plot.

Section 5.9 highlights the need to protect conserve and enhance the quality of the open green spaces considered to be of special local interest – this has not been considered. The Design and Access Statement does not directly address the issue of a new build in an open green space, but relies on the Conservation Officer's written submission in relation to the previous application on this site. We would like to re-iterate that that Conservation Officer's positive opinion was not upheld by the planning committee who rejected the previous application. Whilst the new design is smaller and could be described as recessive in design compared to the surrounding buildings, the proposed development is in an important open area meaning that the description recessive is not appropriately used in the context of the open view from the High Street.

Furthermore the application does not address the presence of trees on the site and the possible presence of protected wildlife. For example, bats are known to roost in the area and the existing dilapidated garages could be an important habitat for the bats.

As Chair of the Parish Council, I also personally ask the planning committee to help preserve the rural character

of the Pulloxhill whilst encouraging appropriate development. Our village Neighbourhood Plan is currently under development, but this will take time for us to complete. As the importance of the openness of this site has been recognised in the past, it would be a real travesty if this “openness” was compromised by allowing this development to go ahead whilst the Neighbourhood Plan is being developed.

CBC Conservation Officer

There were no objections to the previous scheme and this scheme lowers the roof which is welcomed.

CBC Archaeology Officer

No objections subject to the specified conditions.

CBC Highways Officer

No objections subject to the specified conditions.

CBC Ecology Officer

No objections.

CBC Tree & Landscape officer

No objection subject to additional landscape and boundary treatment.

Other Representations: 7 x objections which have been summarised as following:

Neighbours:

11 Flitton Road

Parking and highway safety.

The building would be intrusive to all of the other properties in this part of the conservation area.

The development would create a second line development in this area which I do not consider at all satisfactory.

1 High Street (The Red House)

The reduction in height has been noted and the scaffold which has been erected on site is very useful in assessing the impact. We object for the following reasons:

Harmful impact on the setting of neighbouring listed buildings, and the character and appearance of the Pulloxhill conservation area.

Inadequate/misleading information submitted with regards to existing trees and hedges on and adjacent to the proposed development and the presence of bats roosting in other outbuildings.

Harmful impact upon the amenity of neighbouring occupiers at 2,4 and 6 Greenfield Road, and 1 & 5 High Street.

The boundary fence between my house and no. 2 Greenfield Road is not as shown on the submitted plans and views into my garden can be achieved

The Birches

Amenity: impact upon neighbours (1 High Street, 5 High Street, 2 Greenfield Road, 6 Greenfield Road) by way of overlooking, overbearing impact.

As part of building regulations inspections we have been forced to remove the conifer hedge that shielded the lower floor of the new development from my property resulting in a loss of privacy.

Highways: suitability of access, parking, manoeuvring

	<p>space. Design: impact on building, site, street scene and visual impact. History of a refusal and subsequent appeal decision (APP/J0215/A/07/0239443) on a neighbouring site. Presence of bats in the discussed garage.</p>
The Old Smithy	<p>The changes are noted. However these do not address my fundamental concerns about adverse impact at the centre of a historic village and neighbouring listed buildings. Also the increase in traffic.</p>
75 Church Road	<p>Impact upon the listed buildings and the conservation area. The new dwelling would be visible from the village green/conservation area as would the proposed rear dormer windows.</p>
22 High Street	<p>Inappropriate development in a sensitive location in the heart of our village. The site is at a much higher level than the village green with regards to the potential impact. The openness of the rural view from the village green and space between no. 5 High Street and Pond Farm should be protected. Impact upon the special character of the village. Highway safety. The addition of dormers into Mentmore provides the potential for up to 3 additional bedrooms in the loft space – ie overdevelopment of the site. With regards to the introduction of dormers the planning committee should refresh their memory of enforcement action take to force removal of dormer windows and reinstatement of the “rural” roofline only a few years ago. I am not against development within the village and within the conservation area but this particular development is completely inappropriate.</p>
2a High Street	<p>It would have a negative impact on the conservation area and the surrounding listed buildings. Increased traffic on a blind corner as a result of the increased bedrooms on the site.</p>

Considerations

1. Principle

- 1.1 The proposal is a two bed detached chalet bungalow which would be located within the rear garden of the existing property (Mentmore). This property benefits from a large/long garden and the proposed dwelling would be constructed to the rear of the site.

The rear boundary of this garden represents the edge of the settlement envelope for this part of Pulloxhill. Within the defined settlement the principle of

new residential development will be found acceptable, subject to normal planning considerations. Policy CS1 defines Pulloxhill as a small village and Policy DM4 states that within small villages' development will be limited to infill residential development.

It is acknowledged that the new dwelling would not have its own frontage and as such represents a form of backland development. However in this particular location the proposed development would not be seen to extend beyond the existing built environment as the curtilage of the new dwelling would abut the side curtilage of no. 5 The High Street. It is considered that this situation is quite particular to the site and is not a form of development that could be easily replicated elsewhere within the village. This would be a small scale development utilising a plot of land, which would continue to complement the surrounding pattern of development.

It is therefore considered that the principle of development is acceptable, subject to an acceptably designed scheme. This will be assessed below.

2. Affect on the site and setting of the listed building and upon the character and appearance of the conservation area

2.1 Proposed detached bungalow

The appearance of the proposed dwelling has been revised and is of a contemporary timber (dark stained) barn design under a slate roof.

A number of the objections received from neighbours relate to the impact upon the listed buildings and upon the conservation area.

The Conservation Officer makes comment that the character of the conservation area is of "buildings which are situated at fairly regular intervals with a few spaces between"- "set close to the road giving a sense of enclosure".

The site is located on the edge of the conservation area and recessed from the street view when viewed from Greenfield Road and therefore considered not to have a negative impact on that part of the conservation area. There are already distant views of rooftops of varying heights.

The impact the new dwelling will have on the conservation area when viewed from the High Street is also considered not to be negative. This part of the High Street has several traditional houses and cottages grouped near the junction with Greenfield Road with No 5 High Street set with its gable wall adjoining pavement is listed. The proximity of the new development is some 7 metres from the rear of 5 High Street and will replace an existing and unattractive single storey modern double garage. It will be some 17 metres back from the high Street. It is considered not to have a harmful impact on the setting of the listed building at no 5 High Street or no. 7 High Street which is located some 50m from the proposed dwelling.

Given the eclectic mix of built form, age, design and their relationship to open spaces, the proposed new dwelling is not considered to make a negative impact. Walking down the High Street from Greenfield Road rooftops are visible in distant views and from those properties fronting the public highway e.g. the High

Street. The rooftop of the proposed new dwelling will therefore not introduce an alien form nor have a negative impact on the conservation area.

Whilst the objections received have been noted no objection has been raised by the Council's Conservation Officer and as such the proposal is considered to preserve both the site and setting of the listed buildings and the character and appearance of the conservation area.

Proposed dormers to rear of Mentmore

A number of the objections received from neighbours relate to the impact of the dormer windows in the rear roofslope of the existing property on the character and appearance of the conservation area.

The dormer windows are modest in scale (1.4m in width x 2m in height) and they would project out from the main roof ridge by some 2.5m. The host dwelling is not listed and is fairly bland in design and it is considered that the inclusion of the three small pitched roof dormers would add some character to rear roofslope.

Whilst the comments have been noted the dormers are to the rear of the property and no objection has been raised by the Conservation officer. As such the proposal is considered to preserve the character and appearance of the conservation area.

3. Neighbouring amenity

- 3.1 The proposed dwelling would be located to the rear of the site in a position currently occupied by a dual pitched concrete double garage. The properties which adjoin the site are nos. 2 and 6 Greenfield Road and nos. 1 and 5 Greenfield Road. The impact of the development on these adjoining neighbouring properties is assessed below. All other properties in the vicinity are considered to be adequately removed as to be unaffected by the development.

5 High Street

An objection has been raised by the occupiers of this property (overbearing impact; loss of outlook and light and sense of enclosure) and this has been noted.

This Grade II listed thatched cottage and the proposed dwelling are formed at right angles with a corner to corner separation of some 7m. A number of modern brick built outbuildings and brick walling form the boundary between the two properties. This mix of modern brick structures provide a degree of separation. Whilst there might be some visual impact as a result of the proposal given the orientation of the two dwellings and the height of the proposed development no significant harm (by way of overbearing impact, loss of light or loss of privacy) is considered to arise.

1 High Street (The Red House)

An objection has been raised by the occupiers of this property (harmful impact upon residential amenity) and this has been noted.

This property occupies a corner location with Pulloxhill Road and the High Street

and does not directly adjoin onto the site. The proposed dwelling would be some 23m from this property and is not considered to be directly affected by the development (by way of overbearing impact, loss of light or loss of privacy).

No. 6 Greenfield Road (The Birches)

An objection has been raised by the occupiers of this property (loss of privacy/loss of view) and this has been noted. This detached property is located within a fairly large plot and has been recently granted permission for a 2 storey side extension which includes a bedroom window and French doors in the bedroom closest to no. 4. The proposed dwelling would be some 25m from the rear elevation of this property and given the orientation of the two sites and the degree of separation no significant impact (by way of overbearing impact, loss of light or loss of privacy) would arise. A loss of view is not a material consideration for planning consent.

No. 2 Greenfield Road

This Victorian cottage occupies a corner location with Greenfield Road and the shared driveway into the site. This access is used by the occupiers of no. 2 Greenfield Road to access their garage and by the occupiers of Mentmore to access their detached garage and rear parking area.

The proposed dwelling would be located some 30m from the rear elevation of this property and some 18m from the end of the garden/brick built garage. Given the degree of separation no significant impact (by way of overbearing impact, loss of light or loss of privacy) is considered to arise.

4 Greenfield Road (Mentmore)

A rear garden of approximately 10m in depth would remain for the existing property which is acceptable as it accords with the Councils design guidance.

4. Highway Implications

- 4.1** The existing is a three bedroom dwelling with access to the east, between the buildings of no. 2 and no.4, serving a double garage and hardstanding area to the rear of the site. The proposal is to demolish the garage and replace this with a two bedroom dwelling and associated parking, the parking provision for no. 4, consisting of two spaces, will be replaced by a new access at the frontage of no. 4.

The existing access has no driver and pedestrian intervisibility to the east because the dwelling for no. 2 abuts the public highway. To the west pedestrian and driver intervisibility is adequate as the boundary for no. 4 is a low wall; although existing I will include a visibility splay in this direction to protect the visibility from the existing access. The new access has indicated a pedestrian visibility splay and this and the location of the new access provides adequate driver visibility.

The proposal removes the traffic generated by the existing dwelling no. 4 from the existing access with no visibility to the east. The new two bedroom dwelling which takes access from the existing access will generate similar traffic movements and even though the access is substandard the use will be 'like for like' and therefore a refusal for a substandard access can not be justified by intensification of use.

The vehicle indicated as being able to manoeuvre into/from the parking spaces measures only 3.6m x 1.4m which is below an average size vehicle and I am discounting the tracking diagrams. The Council would expect 6.0m clear in front of the parking bays to allow vehicles to access/egress from the bays, without having to drive through the adjoining bay. There is also no intervisibility between the bay immediately behind the rear boundary of no. 2 and the access. Both these issues can be dealt with by a condition.

In conclusion whilst the objections received have been duly noted no objection has been raised by the Highways Officer and as such the proposal is considered to be acceptable in this regard.

5. Other Considerations

5.1 Archaeology:

The proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of the archaeological heritage assets. This can be achieved (via condition) by the investigation and recording of any archaeological deposits that may be affected by the development; the post-excavation analysis of any archive material generated and the publication of a report on the works. As such no objection has been raised by the Archaeology Officer subject to the specified condition.

5.2 Other issues (objections) raised but not covered above

In response to the omission of the boundary fence between no. 1 High Street (The Red House) and no. 2 Greenfield Road: *any concerns regarding land ownership is a matter for the landowners involved. The granting of planning approval would not override any civil property rights which exist.*

Reference has been made to a refused planning application at 7 High Street (MB/06/02027/Full). However it must be noted that there is no planning history for the current site and that the refused scheme is different in size, height and location and is not readily comparable to the current application.

5.3 Ecology

Concern has been raised over the potential presence of bats within the site. No objection has been raised by the Ecology Officer and as such the proposal is considered to be acceptable in this regard.

5.4 Human Rights issues: There are no known Human Rights issues.

5.5 Equality Act 2010: There are no known issues under the Equality Act.

Recommendation:

That Planning Permission be Approved subject to the following:

RECOMMENDED CONDITIONS / REASONS

No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.
(Section 7, NPPF)**

- 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 until a written scheme of archaeological investigation; that includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.”**

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

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

- 3 **Before development commences a triangular vision splay shall be provided on the west side of the existing access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the highway into the site along the centre line of the anticipated vehicle path. The triangular vision splays shown either side of the new access for no. 4 shall be constructed in accordance with the**

approved drawing no. 15-030-100C, prior to the new access being brought into use. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed/existing accesses, and to make the accesses safe and convenient for the traffic which is likely to use them.

This pre-commencement condition is necessary in order to ensure that no unnecessary harm is caused by the commencement of development works.

- 4 The proposed new replacement parking and access for no. 4 shall be constructed prior to the development of the new dwelling and shall be surfaced in bituminous or other similar durable material as may be approved in writing by the Local Planning Authority for a distance of 5.0m into the site, measured from the highway boundary. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To replace the parking provision for the existing dwelling and to avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

- 5 No works for the new dwelling hereby approved shall take place until details of the on site vehicle parking provision for the new dwelling of no less than two spaces and one visitor space, measuring 2.5m x 5.0m each, inclusive of a 6.0m forecourt fronting the parking spaces have been submitted to and approved in writing by the local planning authority and the dwelling shall not be occupied until the parking spaces and forecourt have been constructed in accordance with the approved plans

Reason: To provide adequate on site parking and manoeuvring

- 6 Details of a refuse collection point located at the site frontage and outside of the public highway shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The scheme shall be fully implemented prior to occupation of any dwelling 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 and the premises.

- 7 No works for the new dwelling hereby approved shall take place until details of a pedestrian visibility splay between the rear boundary of no. 2 and the parking provision for the new dwelling shall be submitted to and approved in

writing by the local planning authority and the dwelling shall not be occupied until the visibility splay has been constructed in accordance with the approved details. The vision splay so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining access level.

Reason: To provide adequate visibility between the existing access and the proposed parking area, and to make the access safe and convenient for the traffic which is likely to use it.

- 8 Notwithstanding the provisions of Part 1, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions to the building(s) hereby permitted shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the external appearance of the building/s in the interests of the amenities of the conservation area.
(Section 7, NPPF)

- 9 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the property without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the development in the interests of the visual amenity of the area.
(Section 7, NPPF)

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 15-030-100C; 15-030-202C; 15-030-303C; 15-030-104C.

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 contact 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.

- 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, SG17 5TQ
- 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.
- The applicant is advised that 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 further details can be obtained from Bedfordshire Highways (Amey), District Manager (for the relevant area) via the Central Bedfordshire Council's Customer Contact Centre on 0300 300 8049.
- The contractor and / or client are to ensure that any building material debris such as sand, cement or concrete that is left on the public highway, or any mud arising from construction vehicular movement, shall be removed immediately and in the case of concrete, cement, mud or mortar not allowed to dry on the highway

DECISION

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