

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 19 January 2017

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 1 February 2017 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, Cllr S Dixon, F Firth, E Ghent, C C Gomm, K Janes, T Nicols, T Swain and J N Young

[Named Substitutes:

D Bowater, A D Brown, Mrs C F Chapman MBE, I Dalgarno, R W Johnstone, Ms C Maudlin and I Shingler]

All other Members of the Council - on request

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

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

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AGENDA

Welcome

1. **Apologies for Absence**

Apologies for absence and notification of substitute members

2. **Chairman's Announcements**

If any

3. **Minutes**

To approve as a correct record, the Minutes of the meeting of the Development Management Committee held on 4 January 2017.

(circulated separately)

4. **Members' Interests**

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

REPORT

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

To consider the report of the Director of Regeneration and Business providing a monthly update of planning enforcement cases where action has been taken.

Planning and Related Applications

To consider the planning applications contained in the following schedules:

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

Item	Subject	Page Nos.
6	<p>Planning Application No. CB/16/02069/OUT</p> <p>Address: Land Off Greenfield Road, Flitton</p> <p>Outline: Development of up to 13 residential units.</p> <p>Applicant: Ms Kakar</p>	15 - 34
7	<p>Planning Application No. CB/16/03249/FULL</p> <p>Address: Land East of Bedford Road, Adjacent To Woodcote, Northhill</p> <p>Erection of 9 dwellings, comprising six bungalows and three two storey dwellings with associated access, parking and amenity space and formation of a parking and picnic area.</p> <p>Applicant: Mrs K Joynes & Ms D Webster</p>	35 - 82
8	<p>Planning Application No. CB/16/04926/FULL</p> <p>Address: 21 Sandy Road, Everton, Sandy, SG19 2JU</p> <p>Redevelopment of land adjacent to and to the rear of 21 Sandy Road, Everton with 7no residential dwellings along with the refurbishment and extension of 21 Sandy Road. Demolition of existing barns and erection of new outbuildings and garage.</p> <p>Applicant: Mr J PYM</p>	83 - 104
9	<p>Planning Application No. CB/16/05293/FULL</p> <p>Address: Top Farm, Rectory Road, Campton, Shefford, SG17 5PF</p> <p>5m increase to telecommunications tower to facilitate upgrade, and associated works.</p> <p>Applicant: EE Ltd & Hutchinson 3G UK Ltd</p>	105 - 112
10	<p>Planning Application No. CB/16/05597/FULL</p>	113 -

Address: Whitestyles, 3 High Street, Gravenhurst, Bedford,
MK45 4HY

Construction of a two storey detached dwelling with integral garage. (change to siting under approval CB/15/00970).

Applicant: Mr A Burton

11 **Planning Application No CB/16/0540/FULL**

127 -
138

Address: Whitestyles, 3 High Street, Gravenhurst, Bedford,
MK45 4HY

Part single part two storey rear extension. Increase roof height to create second floor with front facing dormers. Additional windows and internal alterations.

Applicant: Mr A Burton

12 **Planning Application No. CB/16/05025/VOC**

139 -
152

Address: 11 Brook Lane, Flitton, Bedford, MK45 5EJ

Variation of Condition of Planning Permission CB/09/06233/Full dated 03/12/2009 - Condition 11 to be removed which limits the residential use to ancillary use of the main house.

Applicant: Mr M English

13 **Site Inspection Appointment(s)**

Under the provisions of the Members Planning Code of Good Practice, Members are requested to note that the next Development Management Committee will be held on **1 March 2017** and the Site Inspections will be undertaken on **Monday 30 February 2017**.

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Meeting: Development Management Committee
Date: 1st February 2017
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 1st February 2017)

	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	Further presentation to PFMT Jan 2017.
2	CB/ENC/11/0499	Land at Erin House, 171 Dunstable Road, Caddington, Luton. LU1 4AN	Enforcement Notice - unauthorised erection of a double garage.	03-Sep-13	01-Oct-13	01-Dec-13	Appeal dismissed March 2014. Magistrates Prosecution successful. Crown Court prosecution successful.	15-May-17	Not complied	Garage remains. Following outcome of prosecution action the property owner has been given until 15 May 2017 to fully comply and demolish the whole structure. Householder fast track appeal made to the Planning Inspectorate in December 2016 against the refusal of CB/16/01453 for a smaller, lower double garage in the same location.
3	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				Further presentation to PFMT Jan 2017.
4	CB/ENC/12/0508	Land at Site C, The Stables, Stanbridge Road, Great Billington, Leighton Buzzard, LU7 9JH	Enforcement Notice- Unauthorised creation of new access and erection of gates.	17-Nov-14	15-Dec-14	15-Mar-15 & 15-June-15			Not complied	Legal advice being sought as to next steps.
5	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		07-Apr-17	Appeal dismissed 07/03/16	Planning permission CB/16/02327/FULL granted 29/9/16, condition 2 requires submission of demolition scheme by 29/11/16 and demolition of unauthorised extensions by 7/4/17 as per compliance with Enforcement Notice. Appeal received 31/10/16 against Condition 2.

Planning Enforcement formal action (DM Committee 1st February 2017)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
6	CB/ENC/12/0599	Millside Nursery, Harling Road, Eaton Bray, Dunstable, LU6 1QZ	Enforcement Notice - change of use to a mixed use for horticulture and a for a ground works contractors business	01-Sep-14	02-Oct-14	02-Jan-15				Planning permission granted 01/03/16 for a replacement horticultural building (App CB/15/00727/FULL), with condition requiring removal of all skips & containers prior to the building being brought into use.
7	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	Further presentation to PFMT Jan 2017.
8	CB/ENC/13/0011	8 High Street, Biggleswade, SG18 0JL	Unauthorised advertisement							Following first court hearing the contravener has stated he will comply in relation to the unauthorised advertisements. Further visit to be made later in January 2017.
9	CB/ENC/13/0083	Land Adjacent to, Magpie Farm, Hill Lane, Upper Caldecote	Breach of Condition Notice -Condition 1 Boundary wall, Condition 2 Septic tank, outflows and soakaways	30-Jan-15	30-Jan-15	01-Mar-15		08-Dec-15		Further visit revealed wall has been reduced in height.
10	CB/ENC/13/0336	The Stables, Dunstable Road, Toddington, Dunstable, LU5 6DX	2 Enforcement Notices - 1. Change of use from agriculture to a mixed use of agriculture, residential and retail sales and 2. building works for commercial purposes	11-Jul-14	15-Aug-14	15-Oct-14	Planning appeal received 07/06	Aug-15		Residential use remains. Outcome of the appeal against the refusal of the Section 191 application for the use of a dwelling house for residential purposes (CB/15/04424) the subject of a hearing on 20 December 2016 not yet known.

Planning Enforcement formal action (DM Committee 1st February 2017)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
11	CB/ENC/13/0452	Long Yard, Dunstable Road, Studham, Dunstable, LU6 2QL	3 X Enforcement Notices - -Erection of timber building 2 - Material change of use from agriculture to storage of motor vehicles 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. 1X Enforcement Notice - Material change of use from agriculture to storage of motor vehicles and building and waste materials.	12-Aug-15 12-Aug-15 12-Aug-15 04-Feb-16	12-Sep-15 12-Sep-15 12-Sep-15 07-Mar-16	12-Nov-15 12-Nov-15 12-Nov-15 07-May 16 07-June-16			Not complied with Complied with	Enforcement Notice 1 has not been complied with. No further action needed Enforcement Notice 3 has been part complied with. Prosecution report signed and forwarded for Legal.
12	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				Works are continuing to comply with the Notice.
13	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		Informal discussions have taken place with relevant Councillors re: best way forward for the Council prior to formal submission of report to relevant Committee for consideration.
14	CB/ENC/15/0140	Springbank, Bottom Drive, Eaton Bray, LU6 2JS	Enforcement Notice - Unauthorised wall	09-Nov-15	08-Dec-15	08-Feb-16		27/09/2016	Appeal decision 27/7/16 - Enforcement Notice upheld	Prosecution report completed. Await signatures.
15	CB/ENC/15/0182	8 The Avenue, Blunham, MK44 3NY	Enforcement Notice - Unauthorised fence	22-Mar-16	22-Apr-16	22-May-16			Not complied	Further evidence sent to legal, who will now write to the contravener giving seven days to comply or prosecution action will be commenced.
16	CB/ENC/15/0258	The Coach and Horses, 95 The Green, Stotfold, SG5 4DG	Enforcement Notice - Unauthorised construction of play equipment	17-May-16	17-Jun-16	17-Jul-16	Appeal received 10/06/16			Await outcome of appeal following Inspector's site visit in late November 2016.

Planning Enforcement formal action (DM Committee 1st February 2017)

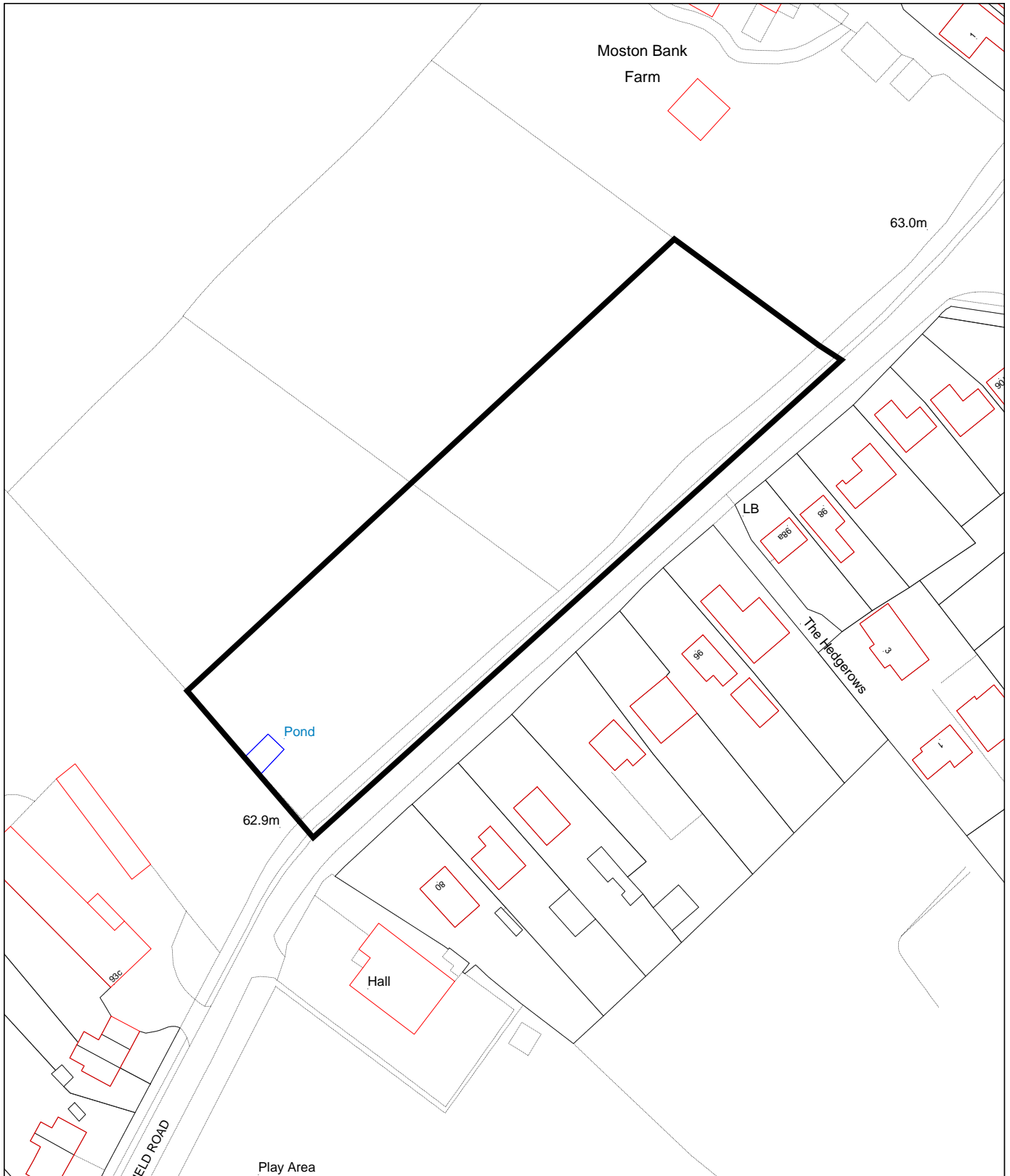
	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
17	CB/ENC/15/0260	Gravenhurst Lane/A6, Silsoe	Section 215 notice - untidy land and buildings	06-May-16	08-Jun-16	08-Jul-16				Part compliance with the Section 215 Notice. Two mobile homes remain. Internal and external alterations to the barn building carried out. Legal dispute over land ownership still with the courts. Planning Contravention Notice (PCN) served on all parties to assess the scale and nature of the planning breaches. All parties have returned the completed PCNs.
18	CB/ENC/15/0423	Land at, Astwick Road, Stotfold	Injunction served 22nd September 2015, continuation injunction served 5th October 2015 for unauthorised development for Gypsy and Traveller site. Enforcement Notice served 11/12/15	11-Dec-15	11-Jan-15	11-Jul-16 11-Oct-16		02-Mar-17 02-Jun-17	Appeal dismissed	Continuation of Injunction granted 5/10/15 to prevent further unlawful development. Planning application refused. Appeal decision - Enforcement Notice varied, enforcement appeal and planning appeal dismissed. The removal of the caravans is required by 2 March 2017, and the removal of hard standing and internal fencing by 2 June 2017. Injunction remains in place.
19	CB/ENC/15/0466	Land at 13 Icknield Street, Dunstable, LU6 3AD	Enforcement Notice - the installation of a dormer	30-Nov-16	28-Dec-16	28-Jun-17				Check compliance 28/06/17
20	CB/ENC/15/0530	47 Hitchin Road, Stotfold, SG5 4HP	Section 215 Notice - untidy land	31-Aug-16	30-Sep-16	30-Oct-16				Visit made, site vegetation cleared but vehicles need to be removed. Message left with planning agent but no response. Prosecution action now being considered.
21	CB/ENC/15/0542	Land at Honeywick Cottage, Honeywick Lane, Eaton Bray, Dunstable, LU6 2BJ	Enforcement Notice - Material change of use from agriculture to use for Class B8 storage as a scaffolding contractors yard and the laying of hardstanding.	10-Feb-16	10-Mar-16	10-Sep-16 10-Oct-16		19-Jan-17	Appeal dismissed	Planning Appeal upheld and permission granted. This supercedes the Enforcement Notice which is now not extant.

Planning Enforcement formal action (DM Committee 1st February 2017)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
22	CB/ENC/16/0001	Rear of, 2 Wrestlingworth Road, Potton, SG19 2DP	Enforcement Notice - Material change of use of the land from agricultural use to a use for the storage of materials, equipment and machinery associated with the unauthorised demolition business.	01-Jun-16	01-Jul-16	01-Aug-16	Appeal received 10/06/16		Appeal dismissed, Enforcement notice upheld subject to corrections	A site inspection to check compliance will take place in January 2017.
23	CB/ENC/16/0016	Grooms Cottage, 5 West Hill, Aspley Guise, MK17 8DP	S215 Notice - Building in state of disrepair	16-Nov-16	16-Dec-16	16-Mar-17				S.215 Untidy Site Notice served - re: poor condition of the property. Windows and door have now been replaced. The owner is in discussion with Highways regarding a method to prevent spray from the highway deteriorating the lime render. The Notice requires the property to be re-rendered and given the winter weather this will be agreed and undertaken in the Spring - although this is outside of the Notice period it makes sense to do it then in association with an agreed road closure. Current planning application submitted under CB/16/05120/FULL for change of use to residential dwelling.
24	CB/ENC/16/0025	Bottom Wood, Park Road, Moggerhanger, MK44 3RN	Enforcement Notice - Material change of use of land from agriculture to an outdoor activity centre and siting of a marquee and structures.	18-Feb-16	18-Mar-16	18-Apr-16	Appeal received 18/03/16	17/12/2016	Appeal dismissed	Appeal dismissed. Site visit to be made on 27/1/17 to check full compliance and all structures have been removed and condition of the land is acceptable.
25	CB/ENC/16/0084	Unit 22 Pulloxhill Business Park, Greenfield Road, MK45 5EU	<p>Enforcement Notice 1 (r/o Unit 14)- Material change of use of the land from amenity land to use for the storage, maintenance and cleaning of plant/machinery</p> <p>Enforcement Notice 2 (r/o Unit 22)- Material change of use of the land from amenity land to use for the storage, maintenance and cleaning of plant/machinery</p>	05-Apr-16	06-May-16	06-June-16 06-July-16	Appeal received 06/05/16		Notices withdrawn	Temporary Stop notice likely to be served if condition and use of access not resolved. Other non compliances to be the subject of a new Enforcement notice.

Planning Enforcement formal action (DM Committee 1st February 2017)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
26	CB/ENC/16/0179	Land at 81 The Rowlands, Biggleswade, SG18 8NZ	S215 Notice - Untidy land	02-Aug-16	02-Sep-16	02-Oct16				Further evidence sent to legal & letter to be sent to contravener by legal informing of pending prosecution..
27	CB/ENC/16/0214	Land at 27 Gardeners Close, Maulden, Bedford, MK45 2DY	Enforcement Notice - Unauthorised erection of an outbuilding, a raised platform and supporting frame.	22-Aug-16	22-Sep-16	22-Oct-16				Prosecution report completed and awaiting signature for further action.
28	CB/ENC/16/0237	Land at 3A Shannon Close and Land to the North, Lower Stondon, SG16 6EF	Unauthorised works to trees protected by Tree Preservation Orders							Court date confirmed as 20/03/2017.
29	CB/ENC/16/0254	Tree Tops, Heath Lane, Aspley Heath, MK17 8TN	Unauthorised felling of trees in a Conservation Area							Revised re-planting plan submitted under CB/16/05240/VOC - decision pending.
30	CB/ENC/16/0328	52 The Ridgeway, Flitwick, MK45 1DJ	Section 215 - Untidy Land	03-Oct-16	03-Nov-16	03-Dec-16				Non-compliance with S.215 Notice and so prosecution case prepared and given to Legal to action.
31	CB/ENC/16/0390	7 Lovers Walk, Dunstable, LU5 4BG	Section 215 - Untidy Land	20-Oct-16	20-Nov-16	20-Dec-16				Notice not complied with - file being prepared for Legal.
32	CB/ENC/16/0548	2 Hockliffe Road, Leighton Buzzard, LU7 3FN	Enforcement Notice - Unauthorised change of use, taxi business.	12-Jan-17	12-Feb-17	12-Mar-17				Check compliance 12/03/17



	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No: CB/16/02069/OUT
	Date: 16:January:2017	
	Map Sheet No	
Scale: 1:1250	Land Off Greenfield Road, Flitton	

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Item No. 6

APPLICATION NUMBER	CB/16/02069/OUT
LOCATION	Land Off Greenfield Road, Flitton
PROPOSAL	Outline: Development of up to 13 residential units
PARISH	Flitton/Greenfield
WARD	Westoning, Flitton & Greenfield
WARD COUNCILLORS	Cllr Jamieson
CASE OFFICER	Lisa Newlands
DATE REGISTERED	13 May 2016
EXPIRY DATE	12 August 2016
APPLICANT	Ms Kakar
AGENT	DLP Consultants
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Major application with Parish Council objection
	Outline Application - Recommended for Approval

Summary of Recommendation

The proposed development is outside of the settlement envelope for Flitton and Greenfield. In light of the recent appeal decision on the site and the reduced scale of the proposal it is considered that the proposed development would not have a significant and demonstrable harmful impact on the character of the area. It is considered that the proposal would be a sustainable form of development in terms of the NPPF and the impacts of the proposal would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole.

Site Location:

The site lies at the southern end of the village of Flitton on the western side of Greenfield Road. The site comprises open countryside, it is a roughly rectangular parcel of agricultural land. It is bound on three sides by mature hedgerow and trees.

There is an existing agricultural track access directly from Greenfield Road. There are existing residential properties opposite the site in a linear form of development. To the south of the site is an employment use - Oakley Brothers Bacon and curing and wholesale unit, to the north are several disused farm buildings and to the west is open countryside.

The Application:

Outline planning permission is sought for a residential development of up to 13 dwellings plus associated open space and landscaping. All matters are reserved except access.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

Development Strategy

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

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application:	Planning	Number:	CB/15/03958/OUT
Validated:	16/10/2015	Type:	Outline Application
Status:	Decided	Date:	14/01/2016
Summary:		Decision:	Outline Application - Refused
Description:	Residential development of up to 24 dwellings plus associated open space and landscaping		

Following a delegated refusal - application CB/15/03958/OUT was allowed at appeal subject to conditions (27th September 2016). The Inspector concluded *that whilst the proposal would encroach upon the countryside, it would not harm the character or appearance of the surrounding area. Although the proposal would encroach upon the countryside, the weight to be afforded to the settlement boundary established by policy DM4 is reduced for the reasons given above (within the report). I find that the adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. I therefore conclude that the proposal would amount to sustainable development in the terms of the Framework and that the principle of the proposal is acceptable.*

Consultees:

Parish/Town Council

Objection on the following grounds:

The Parish Council considered this outline application at the Planning Sub Committee on Weds 15th June 2016 and the meeting included local residents wishing to raise their objections. It is clear that this is a most unpopular and unwanted application and has created a strong local feeling of opposition which we expressed the last time (November 2015), when the proposal was for more houses. We will not repeat all the points made then and trust you will take these into account again for this application.

This time the number of houses is less (24 to 13), but the size of the site has reduced considerably, meaning that the actual density is higher than it was before and not in

keeping with the character of other neighbouring properties or the village as a whole.

First and foremost, the site is outside the Flitton Settlement Envelope and is within the open countryside. It creates an important open space in this linear village and reflects the farming and market gardening heritage of the village, being one of the few remaining fields along the street front. It is currently a fallow meadow site consisting of good quality agricultural land, used in the past for vegetable growing and market gardening and backing on to existing farmland. None of our former comments about the environment or ecological aspects of the site have changed and we would refer you to our letter dated November 2015 to reiterate this. Local residents felt very strongly that the natural and unaffected quiet calm of this site was integral to living in a rural area and part and parcel of a way of life many had deliberately chosen in this small village.

The site is bordered by mature hedgerows on all sides and these act as a good screen to the whole area and sanctuary for wildlife and should be retained at all costs. There is no indication from the proposal about whether a hedge would be planted or what other sympathetic treatment may be made to the rear of the site to shield a view of housing from the open countryside and these landscaping details would have been desirable at this early application stage. A lack of any landscaping details does make consideration of the proposal difficult and there would be a series of proposals and conditions which we would wish to make at any future stage of this application. In fact we cannot understand how such an important application can be considered by you or us without the landscaping and additional details to demonstrate that the principle of development is acceptable. We feel as though we are commenting on a concept and our concerns about density, design and sustainability are not addressed at all.

It is clear to the Parish Council that the development would cause harm to the character and appearance of the area by extending built development in to the countryside. The natural spaces between houses in this village are important and help to retain a country feel. This site is a particularly important feature emphasising the separation between the two villages of Flitton and Greenfield, albeit joined as one Parish, but with a strong local feeling to retain the demarcation. The new houses could overwhelm the small villages and bring about further coalescence which is opposed.

The Council also feels that the plans would be over

development of the site. Most of Flitton is built up along a linear pattern with development on one side and open space opposite. This site would break up this pattern and we still feel that the density is in excess of what we would expect in a small village environment and should be reduced. If this infilling were to be granted planning permission, there is huge concern locally that it would create a precedent for further creeping development in other gaps between existing housing. We are also concerned should permission be granted, that development may be proposed in future to the rear of the site (as was the previous application) and we would want to see some restrictions in place to prevent this.

The outline nature of the application means that the indicative access and layout of the site could change again, if the principle of development is granted, there is huge concern that a final design may differ in number and style of properties. Again we would want conditions on access, maintaining existing hedgerows and trees and be sure that this can all be fitted into the space available. There is current concern that one property is proposed in the shade of an ancient oak tree, which we would want to see preserved (along with the other trees), despite any problems with future light issues.

The land is particularly low lying and is bounded by open ditches taking overflow from the drainage systems from the Pulloxhill direction and we have experienced flooding in the vicinity on more than one occasion in the past. The field itself is susceptible to flooding and is currently very wet ground. An Anglian Water team recently could not take their vehicles onto site because of the bogginess. There are no details yet about how draining will be handled. If the ditches are piped then there will be nowhere for runoff and if they are left open, they may be a danger to pedestrians as they will have to take even more water runoff from the site. The use of tanking which is mentioned is not an environmentally friendly method of drainage and even though the attenuation ponds have been removed this time, they would have encouraged wildlife and provided a more natural habitat

The Parish has already been forced to instigate speed reduction measures as the main road through the villages is busy and fast and used as a rat run between the M1 and A6/A1. There is a 7.5 tonne HGV limit, but this is flagrantly ignored as evidenced by our own Local Speed Watch volunteers. More development, therefore more traffic is likely to make this worse. The accesses from the site onto the main road are at a particularly fast part of the road, where no traffic calming measures have been installed. The slope leading away from the site combined

with a footpath directly adjacent to the road will create a difficult and dangerous egress and The Council would be very worried about the safety of pedestrians using the footpath. The PC has made a major investment into the footpath and a safe walking route to the school, including the Village Hall and Playing Field and would want to know that pedestrians safety is protected.

The issues of village sustainability have also not changed since our last objection, we like our small village categorisation, which works well for a lowly populated area where residents are already aware of the limitations and have chosen a rural way of life. The PC would not want to see anything which changed this. As far as we are aware the school is still at capacity and the dreadful access and parking problems there have not changed at all.

The Council is aware of the position that Central Beds Council currently finds itself in regarding the Development Strategy (DS). In reality as a small village, the DS had assumed a max of 15 houses to be acceptable (windfall sites or maybe exception sites) and Flitton was not included specifically in any plans within the DS. The current application and that of another pending for Greenfield would in theory have been considered in competition to each other and one would have been excluded anyway, if not both in terms of the numbers involved.

In addition the result of the CBC Call for Sites has just been published and this contains a vast number of sites within the village which the Parish Council would all like to be seen considered on an equal footing, without this one site or the pending site in Greenfield, being treated separately. The same can be said for the ongoing work on the Neighbourhood Plan which has reached its first consultation stage and therefore we feel any decision to permit development on this site would be premature.

The Council is also concerned about the future of the long standing family run smokery next to the site, which employs 11 local people. We understand that environmental testing is taking place, but we would hate any new resident to move in to a neighbouring new property and have any grounds to object about the business. We support local businesses and would not want to put that company in jeopardy from the development in any way. In addition we cannot see any economic benefit to the villages or surrounding area as the developers of this site will not be contributing to the community in any way. With no CIL in place there will be no contribution being paid directly to the Parish to

mitigate the effects of the development. This makes this site unsustainable in terms of economic benefit.

Finally on p-18 of the Design and Access Statement there is a statement which suggests that the plans have been developed to take the PCs views into account and this is certainly not true and should be removed from the document.

In summary, this development would completely alter the character of the small village of Flitton, which is not what local residents or the Parish Council want. The density is too high for the local area and we fear even more back land development in the future. The landscaping details are inadequate at this stage for any meaningful comments and we oppose it very strongly.

LDF Team	No comments received
Landscape Officer	No objection - as much of the hedge to the front of the site needs to be retained as possible.
MANOP	No comments received
Ecology	No objection, subject to conditions
Green Infrastructure	Unacceptable as favours underground drainage rather than the use of SUDs.
Highways	No objection subject to conditions
Affordable Housing	Support as the provision is policy compliant
Leisure	No comment to make
SUDs	No objection subject to conditions
Tree and Landscape Officer	No objection subject to conditions
IDB	No objection - land drainage consent will be required from the IDB.
Anglian Water	No objection
CPRE	Objection
Public Protection	Objection - noise and odour from adjacent business.
Bedfordshire Fire and Rescue Service	Request for fire hydrants

Other Representations:

Neighbours

49 letters of objection have been received raising the following issues:

- denser scheme than previously proposed
- how would the levels work given the level change from the road to the site.
- what will happen to the remainder of the site - access is retained to the rear part of the site.
- not in-keeping with the ambience of small village
- no thought given to integration
- historical evidence of flooding is available
- neighbouring bungalows have suffered flooding in the last few years
- drainage insufficient to cope with prolonged rain
- overtopping of the open ditch that currently cross the site will exacerbate the problem

- the extra traffic will exacerbate the existing traffic issues
- implications for pedestrians - potentially 4 new accesses on to the highway network
- infrastructure not in place to accommodate an increased occupancy
- bus service limited
- local school and pre-school are full to capacity
- outside the existing settlement envelope
- Flitton is a small village - developments of this nature run counter to objective of maintaining small villages
- would set a precedent for other development
- degree of deep infill would be out of character for the whole village
- No amenities in the village - question sustainability
- Adjacent to Oakley Bros Smokehouse - significant amount of smoke generated by their day to day operations
- The Flit Valley is a recognised peat bog of historical and environmental significance and covers a much wider than the current course of the river which has been diverted in its time. The general wetness of the land means that there is little capacity to absorb surface water of any volume throughout the valley
- inappropriate scale and design - not in keeping with the character of the village
- not in keeping with the density of the surrounding properties and would be overdevelopment of the site
- it would remove an important green boundary that separates the villages of Flitton and Greenfield
- impact on the historic heart of the village
- No contribution made by this development to the local community or the local economy
- the access road would cut across the only footpath that small children travel across to get to school safely
- completely fundamental step change visually and in the landscape for Greenfield Road
- Doctors and dentists are oversubscribed
- the site is currently agricultural land and is imperative to the rural feel of the village
- the village has already had a significant amount of new housing over the past 5-10 years - with a lack of infrastructure
- This field is very close to Flitton Moor and provides a natural habitat for wild animals and other wildlife
- does not respect linear nature of the village
- infill open land between the two villages
- The employer next door employs 11 local staff - concerned that a housing estate so close could have implications for future business
- it will cause loss of views to properties along Greenfield Road; adverse impact on residential amenity - loss of light, noise, disturbance and overlooking
- loss of a good wildlife site
- no consultation with local residents
- the proposed private drives running parallel with Greenfield Road would introduce an incongruous feature
- how will visitor parking be accounted for in the proposal
- land low lying continued risk of flooding
- increased volume of traffic
- sewage system unreliable

- land is good quality agricultural land

2 letters of support has been received highlighting the following:

- it will bring much needed housing to the village and go towards meeting the Governments targets for housing growth
- excellent development within the village

Determining Issues:

The main considerations of the application are;

- 1.Principle
- 2.Affect on the Character and Appearance of the Area
- 3.Indicative Layout and Scale Parameters
- 4.Access and Transport
- 5.Trees and Landscape
- 6.Ecology and Biodiversity
- 7.Other Considerations

Considerations

1.Principle

- 1.1 At the heart of the NPPF is a presumption in favour of sustainable development. Local planning authorities should positively seek opportunities to meet the development needs of their area. Local Plans should meet objectively assessed needs. For decision making this means that planning permission should be granted where the development plan is absent, silent or out-of-date (para 14). Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing targets (para 49). There should be an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moving forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land (para 47).
- 1.2 The Council currently cannot currently demonstrate a 5 year supply of housing. Whilst we are in a position where we are getting closer to being able to demonstrate this requirement. An appeal decision for this site was issued on 14th November 2016. The proposal the subject of the appeal was for outline permission for up to 24 dwellings and associated open space and landscaping. The appeal was allowed and permission granted subject to conditions. The Inspector concluded that the proposal would deliver a high quality design and would not harm the character and appearance of the settlement and would comply with Policies CS14 and DM3. The Inspector was also of the opinion that there would be sufficient space within the site to accomodate the proposed number of dwellings and the adequate maintenance of any future drainage system. As with this application, Public Protection objected to the application on the grounds of noise and odour issues in relation to the neighbouring smokehouse. The Inspector was satisfied that the smokehouse would not have a significant effect on the living conditions of future residents.

In terms of the 5 year housing supply and paragraph 14 of the NPPF, the

Inspector gave little weight to policy DM4 and stated that whilst the proposal would encroach upon the countryside, it would not harm the character and appearance of the surrounding area. The Inspector concluded that the adverse impacts would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 1.3 The Central Bedfordshire Core Strategy and Development Management Policies (2009) form part of the Local Development Framework and development plan. It sets out the strategy for providing homes and jobs in Central Bedfordshire. At 3.3.1, it sets out the approach that will be taken to achieve these development requirements. Part of that approach is to control development within the open countryside.
- 1.4 Paragraph 3.6.1 explains that the physical boundaries of settlements in the district are defined to differentiate between the built-up part of settlements and open countryside. Settlement Envelopes are an established policy tool for determining planning applications. Settlement Envelopes are displayed on the Proposals Map which accompanies the Development Plan Document.
- 1.5 At 3.24.1 the Plan acknowledges that in many large and smaller villages in the district, the level of development which has come forward over the past 20 years has been locally significant, in order to help meet previous housing requirements. However, the scale of development in these lower order settlements is not sustainable in the longer term. The Core Strategy sets out an approach which balances the need for development to meet local needs with the overriding sustainability imperative to concentrate most development close to larger, more sustainable centres.
- 1.6 Paragraph 9.1.1 explains that the Development Management Policies are an essential part of the LDF and provide a more detailed policy framework as well as principles and standards against which planning applications will be assessed. The policies conform to Core Strategy policies and in some cases elaborate on them, to allow their practical application by the Council in its role as Local Planning Authority.
- 1.7 The supporting text to Policy DM4 (Development within and beyond settlement envelopes) sets out at 11.1.5 that outside settlement envelopes, where the countryside needs to be protected from inappropriate development, only particular types of new development will be permitted in accordance with national guidance. This includes residential development on Exception Schemes as set out by Policy CS7, or dwellings for the essential needs of those employed in agriculture or forestry, or that which reuses or replaces an existing dwelling. These criteria are reinforced by paragraph 55 of the NPPF. The main body of the policy text offers no support for development outside of the Settlement Envelopes.
- 1.8 The application site falls outside of any identified Settlement Envelope. The development would not constitute an exception scheme and would not meet any of the criteria set out in 11.1.5 of the supporting text to DM4 or paragraph 55 of the NPPF. In light of the Inspector's decision on the previous application and that the Council cannot currently demonstrate a 5 year housing supply, this is a material consideration. Whilst the Council do not agree with the Inspector's conclusions in terms of the land supply, the premise of the

decision is that the proposal would not have a significant and demonstrably harmful impact.

- 1.9 The principle, of residential development in this location can therefore be considered acceptable in this instance. The proposal would amount to sustainable development in terms of the NPPF and the principle would therefore be acceptable.

2. Affect on the Character and Appearance of the Area

- 2.1 The supporting text to Policy CS16 (Landscape and Woodland) sets out that the countryside outside settlements is a highly valued resource for agriculture, recreation, landscape and wildlife. The Council will protect the countryside for its own sake, safeguarding it from the increasing pressures of development. It will work with partners to enhance its recreational, landscape and wildlife value. Policy DM3 (High Quality Development) sets out that the development should be appropriate to its setting.
- 2.2 The site is within the open countryside, outside of the Settlement Envelope of Flitton. It has a rural, agricultural character. The site is a farmed open space within the village and open space is an important characteristic of the village.
- 2.3 The site has been reduced and the number of dwellings revised to up to 13. The illustrative plan shows a frontage development that would reduce further any encroachment into the countryside, it is therefore considered in light of the previous decision that the proposal would not have a detrimental impact on the character and appearance of the area.

3. Indicative Layout and scale parameters

- 3.1 The submitted illustrative proposed site layout demonstrates how up to 13 units could be accommodated on the site. There is a mix of dwellings proposed. It is considered that this density is relatively high for an edge of settlement location, the adjacent properties are at a lower density. The proposal would provide additional dwellings and would also provide affordable housing. Given the previous appeal decision and the comments in relation to SUDs and layout, it is considered that this application would be acceptable.
- 3.3 With consideration to residential amenity, the design of the houses and a final layout would be submitted and assessed at reserved matters stage. It is clear that there would be the potential for sensitive relationships within the site that would need to be properly managed.
- 3.4 The principles of the Design Guide should inform the layout and detailed design of the dwellings particularly with regard to parking space requirements and internal and external space standards for residential properties.

4.0 Access and Transport

- 4.1 Contrary to the previous application, this application is submitted with all matters reserved. The illustrative proposed site layout demonstrates some 4 accesses on to Greenfield Road. The Highways Officer has raised no objection to the proposal and it is considered that an appropriate design could be achieved at the reserved matters stage.
- 4.2 Internal road layouts, car parking, visitor car parking and cycle parking would be

assessed at reserved matters stage.

- 4.3 A servicing strategy for the site that would need to demonstrate that refuse collection and emergency vehicles could safely access and manoeuvre within the site could be secured by condition.
- 4.4 It has been raised by a number of concerned residents that traffic and congestion resulting from this development would be at an unacceptable level, however it is considered that the existing road network would be able to sustain the additional traffic.

5.0 Trees and Landscape

- 5.1 This outline application has now been revised. The Illustrative Masterplan shows the retention of boundary hedgelines and trees of importance identified in the supplied tree survey and has ensured that the layout will not result in problems with trees and buildings into the future, primarily by keeping buildings some distance from them and incorporating them mainly into public open space. Additional hedge and tree planting is shown on the east boundary of the site.
- 5.2 The supplied Tree Survey has identified all trees on site and the Arboricultural Constraints Plan shows the extent of the root protection areas (RPA). A condition requiring a tree protection plan and an arboricultural impact assessment would be required should planning permission be forthcoming.

6.0 Ecology and Biodiversity

- 6.1 The Councils Ecologist has not objected to this proposal but requested that a landscaping scheme be submitted, this would be covered by any reserved matters application and that given the presence of Common Lizard on the site, any vegetation clearance should follow guidelines and that there are opportunities to retain and create areas of suitable habitat for the Lizards in association with the areas of public open space on the north/ west site boundary.
- 6.2 The NPPF calls for development to deliver a net gain for biodiversity and therefore a condition is suggested that requires each dwelling to include one integral bird/ bat brick to be fitted according to BCT/RSPB guidelines - this would assist in providing a net gain on the site.

7.0 Other Considerations

7.1 Infrastructure requirements and Planning Obligations

- 7.2 Planning obligations are required to mitigate the impact of the development on existing local infrastructure. The requirements are also based on the site specific needs identified through the consultation undertaken for the application
- 7.3 Given the scale of the development proposed no contributions are sought towards local infrastructure, however, there would be a requirement for 35% affordable housing on the site and this would be secured by condition.

7.4 SUDs

- 7.5 Concerns have been raised regarding the future access and maintenance requirements of the proposed drainage scheme. In line with the appeal

decision it is considered appropriate to condition these aspects.

7.6 Adjacent business - Smokehouse

7.7 A number of representations have made reference to the adjacent smokehouse and potential for smoke/ odour to impact on the amenities of future occupiers. Consultation has taken place with Public Protection and whilst there are not aware of any complaints in relation to the business currently, it is something that should be considered. Public Protection have objected to the application and maintained their objection. However, given the conclusion drawn by the Inspector in relation to the previous application, it is considered that the smokehouse would not have a significant effect on the living conditions of future residents.

7.8 S106 - Build Rate Timetable

7.9 The issue of the build rate timetable has been discussed with the applicant. However, given that the larger scheme approved at appeal was not subject to a build rate timetable, it is not considered appropriate in this instance to insist on a build rate timetable for this proposal.

7.10 Planning Balance

7.10 It is considered that the Council cannot demonstrate a 5 year housing supply, paragraph 14 and 49 of the NPPF therefore remain a material consideration. It is considered that the proposal would not have a significant and demonstrable harmful impact on the character of the area. It is considered that the proposal would be a sustainable form of development in terms of the NPPF and the impacts of the proposal would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole.

7.11 Human Rights issues: The development has been assessed in the context of human rights and would have no relevant implications.

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

Recommendation:

That Planning Permission be approved subject to the following conditions:

RECOMMENDED CONDITIONS / REASONS

- 1 No development shall take place until approval of the details of the access, appearance, landscaping, layout and scale of the development [and any other details required i.e. the landscaping adjoining it] within that area (herein called "the reserved matters") has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

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

- 2 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

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

- 3 Any subsequent reserved matters application shall include the following;
- Vehicle accesses, vehicle parking and garaging, cycle parking and storage, refuse storage and collection day bin storage points in accordance with Design Guide requirements or in accordance with the councils standards applicable at the time of submission.
 - A 2.0m wide footway across the entire frontage of the site.

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times.

- 4 **No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:**
- i) the hours of construction work and deliveries;**
 - ii) the parking of vehicles of site operatives and visitors;**
 - iii) loading and unloading of plant and materials;**
 - iv) storage of plant and materials used in constructing the development;**
 - v) wheel washing facilities;**
 - vi) construction traffic routes; and**
 - vii) details of the responsible person who can be contacted in the event of a complaint.**

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: In the interests of highway safety.

- 5 **No development shall commence until a tree protection plan showing the location of protective fencing in accordance with the specification within BS5837 2012: Trees In Relation To Design, Demolition And Construction Recommendations has been submitted to and approved by the local planning authority. Fencing in accordance with the approved details shall be erected prior to the commencement of development and shall be retained for the duration of the construction period.**

Reason: In order to protect the existing trees on the site and ensure

adequate tree protection measures.

- 6 **No development shall commence until an arboricultural method statement has been submitted to and approved in writing by the local planning authority. The method statement shall be adhered to throughout the construction period.**

Reason: To identify all the constraints and how these will be addressed in terms of the trees on site.

- 7 **No development or any preparatory works shall commence on site until an Ecological Enhancement Scheme has been submitted to the local planning authority. The scheme should be based on the recommendations at section 15 of the Arbtech Preliminary Ecological Appraisal, submitted with the application. The development shall be implemented and maintained in accordance with the approved scheme and a programme of implementation**

Reason: To ensure the site delivers a net gain for biodiversity.

- 8 **No development shall take place until a scheme for the provision of affordable housing as part of the development shall have been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2: Glossary of National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:**

- i) the numbers, type, and location on the site of the affordable housing provision to be made which shall consist of not less than 35% of housing units;**
- ii) the tenure shall be split 63% affordable rented and 37% intermediate tenure;**
- iii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;**
- iv) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Housing Provider is involved;**
- v) the arrangements to ensure that such provision is affordable**

for both first and subsequent occupiers of the affordable housing; and

- vi) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: In the interests of meeting the affordable housing needs of the area in accordance with policy CS7 of Central Bedfordshire Council's Core Strategy and Development Management Policies.

- 9 A scheme shall be submitted for approval 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 buildings are occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Section 7, NPPF)

- 10 The proposal shall be implemented in accordance with the principles set out in paragraph 5.4 of the Flitton Ecology Reptile Survey Report dated October 2015.

Reason: For the avoidance of doubt.

- 11 No building hereby permitted shall be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to BRE digest, and the results of the assessment have been provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

i) include a timetable for its implementation; and,

ii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance, to prevent flooding.
(Section 10, NPPF)

INFORMATIVE NOTES TO APPLICANT

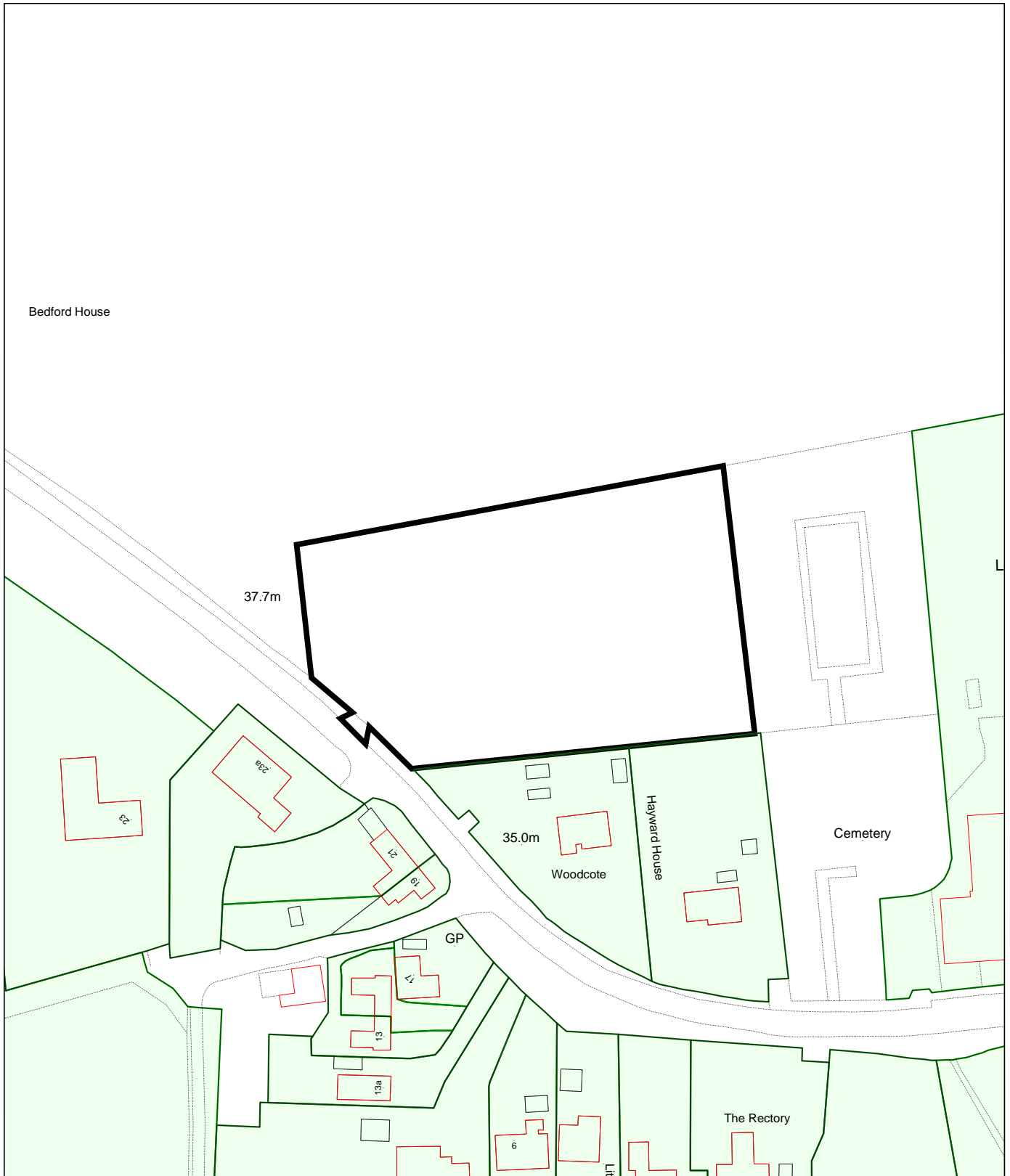
1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. In accordance 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 National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
3. 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 accesses and associated footway improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
4. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
5. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. Or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before the development can commence.

The Council acted pro-actively through positive engagement with the applicant at the 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/16/03249/FULL
	Date: 16:January:2017 Map Sheet No	
Scale: 1:1250	Land East of Bedford Road, adjacent to Woodcote Northill	

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Item No. 7

APPLICATION NUMBER	CB/16/03249/FULL
LOCATION	Land East of Bedford Road, Adjacent To Woodcote, Northill
PROPOSAL	Erection of 9 dwellings, comprising six bungalows and three two storey dwellings with associated access, parking and amenity space and formation of a parking and picnic area.
PARISH	Northill
WARD	Northill
WARD COUNCILLORS	Cllr Mr Firth
CASE OFFICER	Benjamin Tracy
DATE REGISTERED	22 July 2016
EXPIRY DATE	16 September 2016
APPLICANT	Mrs K Joynes & Ms D Webster
AGENT	DLA Town Planning Limited
REASON FOR COMMITTEE TO DETERMINE	Call in by Cllr Firth for the following reasons: <ul style="list-style-type: none">• Contrary to Policy CS7 - Affordable Housing.• Highway Safety -<ul style="list-style-type: none">• Notwithstanding that the site lies within the 30mph limit, concern over speeding traffic and the site access.• The intention is for a footpath on the opposite side of the road. Safety concern for the school children/people having to cross a busy and fast road twice in order to go to school. <p>The site lies adjacent to a conservation area and is outside the village settlement envelope. However CS8 could apply under the Rural Acceptance scheme.</p>
RECOMMENDED DECISION	Approve Planning Permission subject to Conditions.

Reason for Recommendation

The proposal for residential development is contrary to Policy DM4 of the Core Strategy and Development Management Policies (2009), however at this time the Council cannot demonstrate a 5 year housing supply and therefore developments should be considered in the context of the presumption in favour of Sustainable Development. The application site is adjacent to the existing settlement envelope of Northill which is considered to be a sustainable location for planning purposes. The development would affect the character and appearance of the area, the character and appearance of the Conservation Area, the setting of non designated heritage assets and the setting of listed buildings however subject to conditions it is considered that the significance of these assets would be preserved and any harm would be less than substantial and outweighed by the public benefits of the development, in the context of Paragraphs 132-135 of the NPPF. The proposal is also considered to be acceptable in all other respects including highway safety in accordance with the policies within the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework among

other material considerations. In the view of the above, it is considered that the negative impacts of the development would not significantly and demonstrably outweigh the benefits and no policy within the NPPF indicates that development should be restricted; as such the development should be approved planning permission in accordance with Paragraph 14 of the NPPF.

Site Location:

The site is located to the northeast of Bedford Road, Northill. The site consists of grazing farmland. The Land has a Grade 2 agricultural land classification.

The site is located wholly beyond the settlement envelope of Northill.

To the east of the site, adjoining the boundary is an extension to the Cemetery, and to the south of the site are the neighbouring dwellings known as Woodcote and Hayward House, Northill. To the Southwest separated from the site by the Highway known as Bedford Road, are the dwellings known as 19, 21, 23 and 23a Bedford Road.

No. 19 and 21 Bedford Road, Northill form a Grade II Listed Building. The Listing states:

"Pair of cottages. Late C18 and C19. Timber framed construction with colour washed brick infill, road elevation recased in colourwashed brick. C20 tile roof. 4-room plan, one storey and attics. Road elevation has 4 windows to ground floor and 2 gabled dormers, all with 2-light casements with glazing bars. Red brick central ridge stack, external stack to S gable end, integral stack to N gable. Rear elevation has entrances, exposed timber framing and C20 additions. C19 single storey, slate-roofed block to N gable end".

The site is located wholly beyond the settlement envelope of Northill. The frontage of the site (southwestern edge is located within the Conservation Area of Northill) and the southern boundary of the site adjoins the Conservation Area of Northill.

The tower of the Grade I Listed Building known as St Mary's Church Northill can be viewed over the site on the approach into the village on Bedford Road, whereby it is considered that the site lies within the wider setting of this designated heritage asset.

The Application:

The application seeks full planning permission for the erection of 9 dwellings, comprising four detached bungalows, a pair of semi detached bungalows and three detached two storey dwellinghouses, with associated access, parking and the formation of a public car parking and picnic area.

Access to the site would be taken from Bedford Road with a footpath proposed to form a continuous link from the existing footpath on the northern side of Bedford road to the south of the site along the frontage of the site.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

National Planning Practice Guidance

Core Strategy and Development Management Policies (November 2009)

CS1	Development Strategy
CS2	Developer Contributions
CS3	Healthy and Sustainable Communities
CS6	Delivery and Timing of Housing Provision
CS7	Affordable Housing
CS14	High Quality Development
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
DM10	Housing Mix
DM13	Heritage in Development
DM14	Landscape and Woodland
DM15	Biodiversity
DM16	Green Infrastructure
DM17	Accessible Greenspaces

Central Bedfordshire Design Guide (2014)

Development Strategy

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

Relevant Planning History:

None relevant to the determination of this application for planning permission.

Consultees:

Northill Parish Council The Parish Council has issued the following consultation response:

The amended planning application for 9 dwellings on land

East of Bedford Road, Adjacent to Woodcote, Northill was considered by Northill Parish Council's Planning Committee at a meeting held on 3rd January 2017 and the recommendations are the same as those to the first amended plans (see below) but Northill Parish Council wish to stress that the safety issues have not been addressed particularly regarding the positioning of the crossing points for children walking to Northill Lower School.

- It is outside the settlement boundary
- It will have a detrimental effect on the conservation area and village (plot 1, the entrance and footway are all in the conservation area)
- Highways safety – the entrance is just inside the 30mph limit. Many vehicles are still travelling above the speed limit at this point. Proposed crossing points do not provide sufficient visibility to allow pedestrians to cross safely. The amended position of the crossing has increased the danger. Children walking to Northill Lower School will have to cross the road twice.
- The amended position of the footway will mean that there will be the loss of trees in a conservation area.
- It will have a detrimental visual impact on the area. The intensity of the development at the entrance to the village is inappropriate.
- The design of the dwellings is out of character to the mix of existing buildings.
- Concerns were raised regarding the capacity of utilities particularly the foul sewer to cope with additional dwellings.

Conservation Officer

The Council's Conservation Officer has issued three consultation responses relating to the development. The first response relating to the original scheme states:

"As discussed, I have now re-visited specifically to consider the proposed development of 9 dwellings (7 no. 2-storey houses and 2 no. single storey dwellings/ bungalows and associated works) in terms of the relationship of the application site to the conservation area, the nearby listed buildings & the north-west approach to the village, including distant views to the church tower (Grade I).

The part of Bedford Road closest to the site is largely rural in character and the views at this approach to the core of the village are sensitive and important. The roadside hedge is identified in the 2004 Character Appraisal as being of importance. The context of the site is relatively sensitive, including the settings of the Grade II listed buildings (nos. 19 and 21) to the south of the site,

immediately west of Bedford Road. The proposed formation of a pedestrian footway within the roadside grass verge of nos. 19 and 21 will be damaging to this rural character, by introducing a sub-urban appearance and eroding the currently soft, informal nature of the road margin. This would be detrimental to the settings of the listed buildings and the character and appearance of this edge part of the entry to the conservation area.

The layout seems uncontroversial if rather ordinary. With close attention to landscape treatment- planting, boundary definition, kerbs and edgings and conservation area quality paving and surfacing- and perhaps a re-think of the visitor parking close to Bedford Road boundary (the 2 spaces at front boundary are ill-considered). Materials would need to meet the usual conservation area criteria- grey (concrete?) plain tiles not acceptable and roof pitch is too low for traditional proper hand-made clay plain tiles. Brick specification is vague.

All-in-all, as submitted, suggest refuse detrimental impact on character, appearance and significance of the settings of the listed buildings (nos. 19 and 21) and the conservation area by reason of harm/ impact of pedestrian footway and relationship of the dwellings (also insufficient specification detail of materials and finishes generally)".

The second response relating to an early revised scheme:

"Further to DLA/ Vicki Davies letter dated 13 October and the attached amended drawings, showing the revised footway provision etc. now accords with the recent discussions seeking to overcome my earlier concerns/ objections, so long as you/ Highways are satisfied with this arrangement. The roadside grass margin is important in defining the character of this part of the conservation area and the gravel finish and edgings need careful specification, no concrete, perhaps timber edging or clay brick pavements.

Materials generally are still vague for edge of conservation area, natural slate for the lower pitched roofs will probably be best with lead hips/ ridges (not bonnet tiles?); steeper pitches (over 48 degrees) plain clay hand-made red tile required (not grey). Some architectural detailing needs refinement- brick arches over window/ door openings- to be usual cambered arch type".

The third response relating to the final scheme states:

"The proposed pair of 2 linked/ semi-detached bungalows, plots 8 and 9, are fine in principle, although, as mentioned previously, the roof pitches are too low for plain clay tiles (48 degrees minimum required). If kept at this lower pitch then slates or clay pantiles. Otherwise raise ridge to achieve 48 degrees.

Same issue with proposed plot 3 house front canopy/ bay roof- at the low pitch, slate/ pantiles (or lead possibly).

The brick-on-edge soldier course detail for cills etc is a bit clunky and probably a proper formed stone cill would look better and create more interest and traditional feel".

Highway Authority

The Council's Highways Development Control Officer has issued the following consultation response:

"As you are aware from my previous consultation response there is no fundamental highway objection to the proposal. I note however that there have been a number of changes since that previous submission.

Firstly that the width of the off-site footway has been reduced down to 1.2m. I assume because of the impact on the surrounding verges a 2.0m wide footway would have and that the narrower width is more in keeping with the existing footways. This is acceptable to highways.

Second I note that the internal estate road still does not indicate a footway on both sides or shown to be a shared surface having an overall width of 8.8m. This does not comply with the guidance contained in the Design Guide and may preclude adoption of the estate road as a highway maintainable at public expense. I have included an advice note to that effect.

Finally, I note that the speed of traffic appears to be a concern included in the comments of many of the local population. Whilst I acknowledge that this may be the case for a proportion of the vehicles approaching the site this is an existing problem that will not be worsened by the development and the fact is that the site is within the speed limit area of the village and would be accessed by a junction of standard geometry provided with appropriate visibility splays. I consider that the speed of existing traffic is not a reason to justify and sustain an objection on highway safety grounds.

In the event that the grant of planning permission is likely to be considered, in addition to the standard "completion in accordance with approved plans" conditions I recommend inclusion of the following specific highway

conditions and advice notes.

Condition 1/. HP01 Estate Road Junction with Highway
No development shall be occupied until the junction between the proposed estate road and the highway has been constructed and provided with 2.4 x 43m visibility splays in accordance with the approved plans.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road. (Section 4, NPPF)

C2/.

No dwelling shall be occupied until the new footway within the public highway has been constructed in accordance with the approved drawing. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

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

C3/. HP17 Temporary Turning Areas

If the proposed road is not constructed to the full length and layout illustrated on the approved drawing then no building taking access from the proposed estate road shall be occupied until details of a temporary turning space for vehicles within the site have been submitted to and approved in writing by the Local Planning Authority and the temporary turning space has been provided in accordance with the approved details. The turning space shall be retained for use by vehicles until the proposed road is constructed.

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety. (Section 4, NPPF)

C4/.

All on-site vehicle areas shall be surfaced in tarmacadam or similar durable, porous but bound material and arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

Advice Note 1/.

The applicant is advised that in order to comply with conditions of this permission it will be necessary for the developer of the site to enter into an agreement with

Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highways Agreements Officer, Highways Contracts team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

AN2/.

The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the highways Agreements Officer, Highways Contracts team, Community Services, Central Bedfordshire".

Landscaping

The Council's Landscape Officer has issued three consultation responses upon each revision to the development. The original response upon the original scheme states:

"Landscape and Visual - the site lies on the edge of the village in the "Mid Greensand Ridge" Landscape |Character Area. This area has a strong sense of character, which includes features such as the mature roadside oak opposite the proposed access. I do not have objections in principle to the development of this land, but I am concerned about the visibility of the development particularly on the northern boundary, where the development would create a new built edge to open countryside. I also have concerns about the amount of the roadside hedge which would need to be removed or heavily trimmed to enable sightlines. Guidelines for development within the greensand includes the need to avoid urbanisation of the rural character of roads. The strong enclosure provided by the boundary hedge is a valuable feature highly characteristic of the area, loss of the hedge would detract from local landscape character.

The layout of the properties appears to be dominated by the access road and parking - the carpark for visitors is excessive and a poor use of the land.

The landscape strategy for the Greensand Ridge is to conserve and enhance - if this development is permitted I would want to see a substantial new landscape feature replacing the "visitor parking" eg a spinney or community orchard. This part of the site would allow for new

premium oak trees to be planted as there is space for the trees to reach full maturity - and the trees would make a true contribution to the greensand landscape.

The development framework also indicates the use of 1.8m brick walls. Sandstone detail within walls is a particular feature of the Greensand and there are local examples in Northill. These new walls should include some sandstone courses or other design detail to reflect local distinctiveness.

A full landscape scheme will be required, which will need to have a greater depth of planting along the northern boundary, without any "gaps" as at present. Native hedging will be required.

At present, I do not think the design meets the standard expected by Policies 14 and 16 - and so I cannot support the Application.

I would also like more information about the access implications for the frontage hedgerow.

Northill is within the "Greensand Country" HLF bid area - an initiative to enhance the greensand environment. It is hoped that developers will support the GC projects, which include promoting local access within new development".

The Second response upon a revised scheme states:

"Revised scheme - Landscape and Visual - I still have some concerns about the impact of development on the hedgerow and the reduction in enclosure resulting from the sightlines required. However, the revised design for the carpark is an improvement and with the additional planting will help to minimise the impact of this feature. My previous comments still stand regarding the use of some sandstone rubble within the brick walling or to make a plinth or other feature to enhance the entrance or car park area. This would help to create a sense of place at what will be a gateway to the village.

If such craft details can be incorporated, I would not object to the scheme on landscape grounds.

A full landscape specification will be required by Condition".

The third response upon the final scheme states:

"Landscape - I have no additional comments, considering the revised car parking and indicative landscaping acceptable.

A fully detailed scheme will be required by Condition".

Trees and Landscaping The Council's Trees and Landscaping Officer has raised no objection to the proposed development subject to conditions.

Ecologist The Council's Ecologist has issued the following consultation response:

"I would have no objection to the proposal based on the information submitted. The NPPF calls for development to deliver a net gain for biodiversity and so I would expect integrated bird boxes to be incorporated into the built fabric of the dwellings at a ratio of 1 per unit. The site lies within the Greensand Ridge Nature Improvement Area and hence the final landscaping scheme should ensure it supports the biodiversity objectives of the NIA in providing berry and nectar rich planting with appropriate native species".

Archaeology The Council's Archaeologists have issued the following consultation response:

"The proposed development site lies both within and adjacent to the core area of the medieval settlement of Northill (HER 17121) and under the terms of the *National Planning Policy Framework* (NPPF) this is a heritage asset with archaeological interest.

Northill has its origins in the Anglo-Saxon period with the form of the current settlement dating from the medieval period. Northill is recorded in the Domesday Survey of 1086 AD suggesting that the present village has its origins in at least the late Saxon period with the current settlement dating from the medieval period. In addition, it has been suggested that the placename of Northill is Saxon in origin deriving from the tribal name Gifle recorded in the Tribal Hidage between the 7th and 9th centuries AD. The territory of the Gifle has been identified with the area of Northill, Southill and Old Warden. Archaeological evidence for settlement of this period has been found c.3.5 kilometres to the south-east in Broom Quarry (HER 9095).

The parish church of St Mary (HER 2085, NHLE 1221856: Grade I) is around 150 metres south-west of the proposed development site, the present building dates from the 15th century, when it became a collegiate church to the College (HER 14906). The College and

Northhill Manor (HER 14910) were located close to the church.

To the south-east is a rectangular fishpond, probably medieval in origin (HER 15371). To the west, in Home Wood, are the earthworks of a medieval fishpond and warren complex (HER 429). They are believed to have been part of the Northhill Manor estate. The site is a Scheduled Monument (SM 29423 and NHLE 1018455). The land to the west of Ickwell Road/Thorncote Road formed part of Ickwell Park (HER 6995 & NHLE 1000577) which is a Registered Park. Although the house burnt down in 1937, the associated 17th-18th century walled garden, 18th-19th century pleasure grounds and landscape park survive.

Very few archaeological investigations haven been carried out in Northhill and its immediate area. These include an archaeological watching brief during works at the western and northern arm of the moat and dam of the Home Farm scheduled monument and a trial trench evaluation in advance of new development at the rear of 33-34 Ickwell Road (HER no) where a large pit or pond feature and a possible brick kiln were recorded and a quantity of brick wasters, pottery sherds and other finds dating to the late 17th/early 18th century were recovered. Elsewhere another trial trench field evaluation at the Moathouse, Sand Lane revealed one undated ditch.

Within the proposed development area a small rectangular earthwork, possibly modern in date, was identified on aerial photographs by Albion Archaeology in the Heritage Statement. Magnetometer results of a geophysical survey of the site by Museum of London Archaeology Northampton (2016) identified a small number of magnetic anomalies which may represent infilled ditches, isolated pits and burnt soil or an old pond infilled with rubbish.

The applicant has submitted a Heritage Statement that summarises the known archaeological resource for the area and concludes that there is a low to moderate potential for the survival of archaeological remains within the proposed development site (Albion Archaeology 2016). However, the proposed development site is located along the margins of the medieval core of the village and is therefore considered to have the potential

to contain archaeological deposits relating to the Saxon, medieval and post medieval development of Northill. Research into the origins and development of villages, their inter-relationships with towns and trade networks from the Saxon through to the early Post medieval periods are local and regional archaeological research objectives (Wade 2000, 23-26, Oake *et al* 2007, 87-130 and Medlycott 2011, 49-80).

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 any surviving heritage assets with archaeological interest. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development and the scheme will adopt a staged approach, beginning with a trial trench evaluation, which may be followed by further fieldwork if appropriate. The archaeological scheme will include the post-excavation analysis of any archive material generated and the publication of a report on the investigations. In order to secure this scheme of works, please attach the following condition to any permission granted in respect of this application.

No development shall take place until a written scheme of archaeological investigation; that adopts a staged approach and 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: 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 developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

This request is in line with the requirements of Chapter 12 of the NPPF”.

Affordable Housing

The Council's Housing Officer has issued the following consultation response:

On 13th May 2016 the government won a legal challenge against a High Court ruling that quashed a national planning policy intended to exempt small sites from affordable housing obligations. This ruling has been reflected in the National Planning Practice Guidance setting out the Government's position that affordable housing and tariff-style planning obligations should not be sought for certain small developments (10 dwellings or less or 1,000 square metres of gross floor space). This is a material consideration to be taken into account in decision-making on planning applications. The weight given to this material consideration will need to be considered on a case-by-case basis and in relation to the weight of the existing Development Plan policies, which remain the starting point for consideration in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004.

In light of this, we would not seek affordable housing on this site.

Bedfordshire Fire and Rescue Authority

The Bedfordshire Fire and Rescue Authority have issued the following consultation response:

Regarding the proposed erection of 9 dwellings, comprising two bungalows and seven two storey dwellings with associated access, parking and amenity space and formation of a parking and picnic area, as above, we would ask that fire hydrants are installed in number and location at the developer's cost as follows:-

On a residential site we will need one hydrant at least every 180 metres – with no property further than 90 metres from the nearest hydrant. The minimum flow should be as described in the National Guidance Document published by UK Water and the Local Government Association.

The relevant section is copied below from Appendix 5:-

1. Housing

"Housing developments with units of detached or semi-detached houses of not more than two floors, should have a water supply capable of delivering a minimum of eight litres per second through any single hydrant. Multi-occupied housing developments with units of more than two floors, should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any single hydrant on the development."

In addition to the formal guidance or requirements, I would add that where possible, consideration is given to access for the hydrants, so they are positioned on pathways/pedestrian areas, close to but not within vehicle standing areas where they are likely to be obstructed by parked cars/lorries (e.g. in an area designated for parking or loading as part of the development).

Internal Drainage Board The Board has no comments to make regarding the planning application.

Anglian Water Anglian Water has issued the following consultation response:

"The Growth and Planning Team provide comments on planning applications for major proposals of 10 dwellings or more, or if an industrial or commercial development, more than 0.5 ha.

As your query is below this threshold we will not be providing comments".

Waste Services The Council's Waste Services Team have issued the following consultation response:

Sustainable Growth and Climate Change The Council's Sustainable Growth and Climate Change Officer has issued the following consultation response:

Education No response received.

Leisure No Leisure comments upon or S106 contributions sought from, this development.

Bedfordshire Rural Communities Charity The Bedfordshire Rural Communities Charity has issued the following representation:

While neither supporting or opposing this planning application, BRCC's supporting communities team welcomes the applicant's awareness of the emerging Neighbourhood and Green Infrastructure Plans. It is particularly pleasing to see the inclusion of a priority aspiration from the GI Plan embedded within these proposals (the proposed parking/ picnic area). BRCC have recently submitted a major funding bid to the Heritage Lottery Fund for enhancing the landscape and heritage of the Greensand Ridge, and access to it; so the provision of the proposed parking and picnic area fits well with these aims.

Historic England Historic England have issued the following

representation:

Summary

The proposed development would build on land to the north west of the grade I listed St Mary's parish church and on the northern side of the Northhill conservation area. The site is part of an area of open land which plays an important role in the setting of both heritage assets. We consider that the proposed development could have a harmful impact on their significance.

Historic England Advice

This application seeks permission to erect nine new houses on land north of the Northhill conservation area, a development site which includes part of the designated area. The field in question is part of open land which wraps around the north side of the conservation area. Where the site abuts the Bedford Road it is opposite the boundary of the grade II Registered park of Ickwell Bury, a landscape with medieval origins but which is characterised by later open fields and boundary trees on this side.

When approaching the conservation area along the Bedford Road the application site is clearly visible and makes a contribution to its rural setting. The tower of the grade I listed St Mary's church can also be seen above trees around existing boundaries and properties on this side of the settlement. This is also the case if approaching it over open land to the north of the village. There is some modern building along the road, but it is low density in relatively generous gardens and features extensive planting. Also opposite the application site is the grade II listed number 19 and 21 Bedford Road, timber framed cottages dating from the late 18th century. Taken as a whole the north western side of Northhill conservation area is characterised by a sense of open countryside around it (including the historic park) and modest, low density building of both recent and historic date. The development site is part of this area and contributes to the character and significance of the conservation area. It is also part of the setting in which the tower of the church can be seen. The proposed housing would erode the agricultural quality of the conservation area and the church's setting and develop part of the conservation area which is presently open.

The National Planning Policy Framework (NPPF) identifies protection and enhancement of the historic environment as an important element of sustainable

development and establishes a presumption in favour of sustainable development in the planning system (paragraphs 6, 7 and 14). The NPPF also states that the significance of heritage assets can be harmed or lost by development in their setting (paragraph 132) and that the conservation of heritage assets is a core principle of the planning system (paragraph 17). The NPPF states that 'great weight' should be given to their conservation and that any harm to their significance requires clear and convincing justification (paragraph 132). Furthermore, paragraph 137 notes that proposals which preserve those elements of setting that make a positive contribution to, or better reveal the significance of the heritage assets should be treated favourably.

We have considered the current proposals in light of this government policy and relevant English Heritage guidance, giving particular regard to St Mary's church and the conservation area which fall within English Heritage's remit to advise the Council. The Council should also consider the effect on the grade II listed buildings and Registered park. By introducing modern development beyond the established extent of building, building on part of the conservation area and affecting views of the tower of St Mary's church the significance of these heritage assets could be harmed in terms of paragraphs 132 and 134 of the NPPF. The Council should assess this harmful impact as well as any public benefit derived from the proposed housing as required by paragraph 134 and seek the 'clear and convincing justification required by paragraph 132.

Recommendation

The application site makes a positive contribution to the significance of the Northill conservation area and setting of St Mary's church. Developing the site as proposed could result in harm to the significance of those heritage assets in terms of paragraphs 132 and 134 of the NPPF. The Council should assess this harmful impact as well as any public benefit derived from the proposed housing as required by paragraph 134 and seek the 'clear and convincing justification' required by paragraph 132.

CPRE

CPRE have issued three representations upon both the original development, a revised scheme and the final revised scheme. The first representation received states:

CPRE believes that this proposed development, which encroaches in to the Conservation Area of this historic village, would result in inappropriate and unacceptable damage to its character. The site is open on three sides:

only one detached house sits in its own grounds to the South with a cemetery and the school to the East - sitting back from this site with no buildings adjacent to it and this area is designated as an Important Open Space. The view to the North and North West is extensive and open. The Greensand Ridge Walk passes by to the South of the site.

This development is proposed for an agricultural site currently used for pasture, in open countryside with long reaching views, which sits outside of the village envelope. It impinges upon a Conservation Area and is adjacent to the historic core of the village of Northill. This Conservation area includes the Grade 1 listed, fourteenth century Church of St Mary the Virgin and the 13 Grade 11 listed properties around it and along Bedford Road. The stated aims of the Conservation Area, which was established in 1971 and updated in 2004, are to preserve this historic centre and also to maintain the rural and picturesque approach along Bedford Road into the village, including the ancient hedge and trees. Therefore, there is no path or street lighting in this vicinity.

Proposals for development, including removing trees at the entrance to the site and parts of the ancient hedge, creating a footpath along Bedford road and building modern houses – one of which would lie within the Conservation area - would urbanise the historic centre of the Town and be destructive of its setting. The introduction of a ‘clump’ of housing on the edge of the open countryside would result in light and noise pollution and be out of character.

The developer appears to believe that the presumption in favour of sustainable development would override the need to respect these conservation aims. However, the NPPF makes it very clear that protections are offered to heritage assets. NPPF guidance para 131 states: -

In determining planning applications, local planning authorities should take account of:
the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

This application would offer no positive contribution to the local character and distinctiveness of this area and would harm the setting of the heritage assets of Northill, by

introducing urban elements such as the proposed pathway, enlarged entrance to the site involving removal of trees and part of the ancient hedge, and the development of modern housing within and adjacent to the Conservation Area. The proximity of the Greensand Walk is of economic benefit to the village pub within Northill and the suggested provision of a picnic area with a car park within the development is inappropriate and the car park would be used as visitor parking for the development.

Within the CBC Landscape Character Assessment 2015 (LCA) Northill falls within 6B – Mid Greensand Ridge but is also shown as falling within the Lower level Clay Valley and at 4.B.7 The historic villages of Northill and Southill lie on the western edge of the valley. 6B.21 also refers to Northill's historic character with reference to the Manorial fishponds in Home Wood.

Within the Planning Statement, arguments are brought forward in relation to the Henlow appeal case. However, CBC have since been successful in ensuring that 95% of the 5 year land supply requirement has been met. Therefore, the building of 9 houses on such a site would not contribute in any meaningful way to any remaining shortfall, and the weight given to this argument is much reduced.

The more recent and very relevant as to its similarity to the site being considered here, Wrestlingworth Appeal Case APP/P0240/W/16/3150607, was dismissed as the Inspector supported CBC's refusal of Planning permission stating:

At 8 - The Council states that it can demonstrate a 4.76 year supply of housing land thus just short of its requirement, which the appellant does not dispute. In these circumstances, I find Core Strategy policy DM4 should be afforded some weight in my Decision.

At 21 – However, the Council is not significantly short in meeting its five year housing target and in light of the Hopkins Judgement referred to above I have attached some weight to this position. Moreover, and for the reasons set out above, I find the proposed development would harm the character and appearance of the area, and would amount to an isolated and unsustainable location in terms of its distance and lack of accessibility of local services and facilities. This would amount to environmental harm which would in my judgement significantly and demonstrably outweigh the benefits of the scheme, such that the balance lies against the scheme.

Within his Judgement the Inspector found that: The proposed development would not accord with Core Strategy Policies CS14, CS16 and DM3. These state that the Council will require development to be of the highest quality by respecting local context and distinctiveness, and conserve and enhance the varied countryside character and local distinctiveness.

The Planning Statement supplied seeks to justify that building outside of the village envelope, against the CS and DM policies of CBC, would meet the stated needs of the residents of Northill. However, existing policies for Exception Sites outside of the village envelope, are intended to address such stated needs and do not apply to market housing. The site would not be contributing any affordable housing - as stated by the developer.

In this case the Inspector also refers to Policy DM4
The proposal would also not accord with Core Strategy policy DM4

Likewise the earlier Henlow planning appeal decision (ref: APP/P0240/W/15/3003634) established Central Bedfordshire Council does not have a 5 year land supply and the development policies the Council used to refuse planning permission to this site were out of date. However, the Council's decision not to grant the Henlow site planning permission was upheld because the development of the site was incompatible with paragraph 49 of the National Planning Policy Framework (NPPF) on environmental grounds. Additionally, although the Council's Development Management and Core Strategy policies were out of date their content was similar in meaning to paragraph 49 and the other NPPF environmental policies.

The following quotes are taken from the Henlow planning appeal decision. They refer to the Council's Development Management and Core Strategy policies. The quotes show the similarity between these policies and the policy intent of paragraph 49 of the NPPF.

DM4 deals with developments within settlement envelopeswhere no land is available within the settlement a site adjacent to the settlement may be granted planning permission. Nonetheless, the fixed settlement envelopes would have the effect of constraining development, including housing, within these settlements.

CS 16 recognises the countryside outside of settlement as being a highly valued resource and should be

protected for its own sake, safeguarding it from the increasing pressures of development.

DM14 goes on to identify that any development that has an unacceptable impact will be resisted. Their overall objective is to protect the character and amenity of the countryside of which the appeal site forms a part.

Therefore I (the inspector) consider CS Policies DM4, DM14 and CS16 are relevant policies for the supply of housing within the meaning of Para 49 of the Framework..... To the extent that the policies are concerned with the supply of housing, they must be regarded as out of date. However, the objectives of CS Policies DM4, DM14 and CS16 remain broadly consistent with those in the Framework which requires decision makers to recognise the intrinsic character and beauty of the countryside. To the extent that the policies are concerned with these matters I consider that they continue to attract due weight.

... landscape is about the relationship between people and place. It provides the setting of our day to day lives. This is a landscape in which people spend their leisure time. They experience it up close and at a distance..... (overall conclusion re environmental sustainability) on balance the adverse harm identified within the environmental role relating to character and appearance outweighs environmental, social and economic advantages of the scheme, these adverse effects would result in considerable environmental detriment.

These quotes are very relevant in relation to the proposed Northhill site, therefore CPRE would argue there would be no environmental, social or economic benefits if this site were to be given planning permission – as expanded upon below.

CPRE Objections in Relation to Core Strategy & Development Management Policies – November 2009

Policy DM3: High Quality Development

The policy requires developments to be appropriate in scale to their setting; the proposed development would be destructive of the setting of Northhill as alluded to above and not a natural extension to the Village.

Policy DM4: Development within and beyond settlement envelopes. The proposed site sits outside of the Village Envelope and would not be allocated for Market Housing as under policy DM4 – only Exception sites would be considered.

Policy CS8 Exception Schemes refers.

Policy DM14 Landscape and Woodland
CBC Development Strategy Policy 56 had expanded and updated those policies requiring landscapes to be conserved and enhanced.

.... the landscapes will be conserved and enhanced in accordance with the Landscape Character Assessment. Proposals that have an unacceptable impact on the landscape quality of an area will normally be refused. Central Bedfordshire LCA 2015 was published earlier this year. As this LCA sits outside of the Development Strategy, we believe its use when considering planning applications, is not affected by the withdrawal of the DS. LCA 4B and 6B applies

CS16 Landscape and Woodland
Preserve and enhance the varied countryside character and local distinctiveness in accordance with the findings of the Mid Bedfordshire Landscape Character Assessment (now LCA 2015 applies)

- Resist development where it will have an adverse affect on important landscape features or highly sensitive landscapes.

DM16 Green Infrastructure
CPRE feels that the development will have significant impact on the environment and the visual view of the countryside landscape – DM16 seeks to ensure that development that adversely affects green infrastructure assets will not be permitted. Such assets include natural green spaces.

In a similar way in the Henlow Appeal Case, the Inspector found the terms of CS Policy CS16, DM4 and DM14 would be unacceptably compromised, in so far as they relate to taking account of impacts on the character and quality of landscape.

Paragraph 49 of the National Planning Policy Framework is being heavily relied upon to justify this development but the presumption is only valid for sustainable development. CPRE believes this site is not sustainable on environmental grounds as outlined above and states the Government's core planning principals including:

- Taking account of the different character of different areas. And recognising the intrinsic character and beauty of the countryside.....

We believe this site is not sustainable on grounds of Transport – Policy TP1A which requires developers to

show how developments will reduce the need to travel and reduce reliance on cars: the proposal fails on both counts and should be refused accordingly.

The majority of working residents of Northill commute by car to work and to access other services. The number of car journeys made to employment, schools, GPs and major shopping centres will increase in line with the number of new homes. Policy DPS19 requires developments to be 'readily accessible by public transport, cycle and on foot'. There is no footpath or street lighting in keeping with the area concerned.

CPRE believes this site is not sustainable on economic grounds. With no Community Infrastructure Levy in place, there will be no contribution being paid directly to the area to mitigate the effects of the development. Currently for economic reasons, it is the policy of CBC to use the New Homes Bonus to support the provision of front line services across Central Bedfordshire and not directly in support of areas affected by development.

CPRE believes this application should be refused as the detriments to the local area clearly outweigh any perceived benefits and it conflicts with the sustainability objectives of National Planning Policy, as illustrated in the final conclusion of the Inspector in both the Wretlingworth and Henlow Appeal Cases as quoted above".

The Second representation received states:

"Thank you for contacting CPRE with regards to the revisions made to this planning application and we welcome the opportunity to make further comment. We find that there are no significant changes to the application overriding the objections already submitted. However, in respect of them we would make the following additional comments.

We are aware that this site was submitted during the call for sites and as such would be subject to the site selection process. The results of this process (involving over 800 sites) will be used to formulate the Draft Local Plan, which is due to be published shortly for consultation.

It would appear that the developer has no confidence in this site being selected through that process and is therefore relying on the NPPF presumption in favour of sustainable development to override it. CBC is at an important stage of the development of its Local Plan, there is a progressing Neighbourhood Plan for Northill – where more suitable sites for development have been broadly identified.

Policies currently being relied upon by CBC have been found in recent cases to be in line with the intentions of the NPPF – which include the protection of the countryside for its own sake and the protection of land outside of settlement envelopes. Unless and until settlement boundaries are changed as part of the Local Plan process, they fall within the protection of policies within the NPPF as they are intended to restrain the development of housing outside of those boundaries. Recent appeal cases have given weight to CBC Policies with and without a 5 year supply of land for these reasons.

It is not possible for this development to go ahead without damaging the important rural and picturesque approach to the village, which it is acknowledged contributes greatly to the setting of the Conservation Area, as it requires removing parts of the ancient hedging, trees and installing a hard footpath – currently this is grassed. The modern encroachment into the open countryside offers no mitigating benefits to outweigh these lasting damaging changes to a scene that has existed for many years and continues to be of importance to the character and appearance of the area.

Other similar sites have been refused for reasons including their detrimental impact on their surroundings – such as this one in Shillington. CPRE supports the reasons given by the Officer for refusal of this site.

The site is outside of the Shillington Settlement Envelope, is within the conservation area and is within the open countryside. The proposed development would, by virtue of its open countryside location and its relationship with the existing settlement, result in the loss of an area of valued open space and the introduction of built form would have a harmful impact on character of the area and local amenity and would fail to either preserve or enhance the character and appearance of the Conservation Area at this edge of settlement location. The adverse impacts of the scheme would significantly and demonstrably outweigh the benefits and the proposal would not amount to sustainable development. The development is therefore contrary to the objectives of the National Planning Policy Framework (2012) and policies CS2 (Developer Contributions), CS14 (High Quality Development), CS15 (Heritage), CS16 (Landscape and Woodland), DM3 (High Quality Development), DM4 (Development Within and Beyond Settlement Envelope), DM13 (Heritage in Development) and DM14 (Landscape and Woodland) of the Central Bedfordshire Core Strategy and Development Management Policies (2009)".

Local Plan where sites will already have been assessed and selected, there is a progressing Neighbourhood Plan for Northhill – where more suitable sites for development have been broadly identified.

CPRE are aware of the 5 year land supply issues raised within this application and these numbers continue to ebb and flow within appeal decisions. However, each site must still be considered on its merits and the NPPF requires that the three conditions of sustainability are met – importantly this includes environmental sustainability. It is not the intention of the NPPF to give an automatic green light to development in respect of a lack of 5 year land supply.

A recent High Court Judicial Review (December 2016) has led to significant changes in the way the 5 year land supply issue is assessed - in terms of where housing should be permitted and rural areas - East Bergholt Parish Council Suffolk vs Babergh District Council. The judge decided that Babergh had misrepresented “what ‘local housing needs’ meant in the context of the local plan” – the court also agreed with East Bergholt’s interpretation that the needs of the local area differed from those of the wider district. This is obviously very significant in terms of this application as there is no identified need for housing within this area of Northhill and other more suitable areas have been identified within their Neighbourhood Plan – which is at an advanced stage of preparation.

In August 2016 Appeal Ref: APP/P0240/W/16/3150607 Brook Farm, 94 High Street, Wrestlingworth, Bedfordshire SG19 2EJ, identified the housing supply as 4.76 years – a more recent one for a development at Flitton at 4.66 years - not significantly reduced at 0.10 years. Since the Flitton decision CBC has given planning permission to sites of significant size, so altering the land supply once again. In the Wrestlingworth case the main issues were identified as

- *The effect of the proposed development on the character and appearance of the area; and*
- *Whether the location of the proposed development is acceptable having regard to policies to promote sustainable patterns of growth, and whether any circumstances exist to justify the proposed development.*

In making his decision the Inspector found that some weight could be given to CBC Policies in respect of the fact they were not significantly short of meeting the 5 year land supply and these Policies reflected the intentions of

the NPPF.

In rejecting the Appeal the Inspector stated

For these reasons, I find the proposed development would fail to respect and would cause significant harm to the character and appearance of the village the countryside surroundings. The proposed development would not accord with Core Strategy policies CS14, CS16 and DM3. These state that the Council will require development to be of the highest quality by respecting local context and distinctiveness, and conserve and enhance the varied countryside character and local distinctiveness.

Policies currently being relied upon by CBC have been found in recent cases to be in line with the intentions of the NPPF – which include the protection of the countryside for its own sake and the protection of land outside of settlement envelopes. Unless and until settlement boundaries are changed as part of the Local Plan process, they fall within the protection of policies within the NPPF as they are intended to restrain the development of housing outside of those boundaries.

Recent appeal cases have given weight to CBC Policies with and without a 5 year supply of land. This application site has been put forward in the call for sites and is relying on the NPPF presumption in favour of sustainable development, to force an unacceptable change to the existing settlement boundary in this location. At this point in its production, this is a decision made within the process of developing the Local Plan and would be subject to the consultation and Inspection process before adoption. Over 800 sites having been put forward, it is unlikely that this one has been selected for the reasons given for the previous refusal.

It is not possible for this development to go ahead without damaging the important rural and picturesque approach to the village, which it is acknowledged contributes greatly to the setting of the Conservation Area, as it requires removing parts of the ancient hedging, trees and installing a hard footpath – currently this is grassed. The development encroachment into the open countryside offers no mitigating benefits to outweigh these lasting damaging changes to a scene that has existed for many years and continues to be of importance to the character and appearance of the area.

CPRE believe the reasons for previous refusal of this site

remain and are aware of other similar sites that have been refused for reasons including their detrimental impact on their surroundings – such as this one in Shillington.

The site is outside of the Shillington Settlement Envelope, is within the conservation area and is within the open countryside. The proposed development would, by virtue of its open countryside location and its relationship with the existing settlement, result in the loss of an area of valued open space and the introduction of built form would have a harmful impact on character of the area and local amenity and would fail to either preserve or enhance the character and appearance of the Conservation Area at this edge of settlement location. The adverse impacts of the scheme would significantly and demonstrably outweigh the benefits and the proposal would not amount to sustainable development. The development is therefore contrary to the objectives of the National Planning Policy Framework (2012) and policies CS2 (Developer Contributions), CS14 (High Quality Development), CS15 (Heritage), CS16 (Landscape and Woodland), DM3 (High Quality Development), DM4 (Development Within and Beyond Settlement Envelope), DM13 (Heritage in Development) and DM14 (Landscape and Woodland) of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

Other Representations:

Neighbours

138 representations received relating to the following dwellings: Woodcote Corner (x8), Bedford Road, Northill; Nos. 30, 32 (x3) Northill Road, Ickwell; No. 21 Dene, Way, Upper Caldecote; Well Cottage (x5), Bedford Road, Northill; Yeoman's Cottage (x5), Bedford Road, Northill; Rest Harrow, Warden Road, Ickwell; Nos. 3 (x2), 5 (x6), 7 (x4), 9 (x5), 13, 15 (x4), 17, 19 (x8), 21 (x8), 23, 23a (x8) Bedford Road, Northill; No. 3 The Rectory, Northill; No. 34 Ickwell Road, Northill; Greenways (x3), Warden Road, Ickwell; No. 8 Warden Road, Ickwell; Whitethorn, Warden Road, Ickwell; Nos. 10 (x5), 14 (x3), 30 Northill Road; No. 28 (x5) Ickwell Green; No. 17 The Green, Northill; Nos. 17 (x2), 26 (x4) The Green, Ickwell; Nos. 9 (x2), 11 (x3), 17a (x2), 30, 39, 41, 43(x5) Thorncote Road, Northill; The Old Brewhouse, Thorncote Road, Northill; Nos. 2a (x4), 4 (x7), 9a (x2), 34 (x2) Ickwell Road, Northill; No. 43 Caldecote Road, Northill; Fasgadh (x5) Sand Lane, Northill; Nos. 3, 27(x4) Sand Lane, Northill; Nos. 8, 11 (x2) Garner Close, Northill; Nos. 2 and 43 Caldecote Road, Ickwell; No. 2a The Leys, Langford; No. 14 Humber Road, Blackheath,

The comments and objections received have been summarised as:

- the harm of the development does not outweigh the benefits;
- The development would set a precedent for development beyond the northern settlement envelope boundary of the village;
- the development does not conform to the requirements of policy 12 of the NPPF;
- The development does not conform to Policy 14 of the NPPF;
- Contrary to Policy Dm4, CS15, and CS16 of the Development Plan;
- The development is not infill;
- the development does not conform to the Bedfordshire Design Guide;
- previous proposals beyond the settlement envelope boundary have been refused, due to the location beyond the settlement envelope;
- The development is located within the Northhill Conservation Area and the development would cause a detrimental impact upon the character and appearance of this Conservation Area;
- Detrimental to the setting of Listed Buildings;
- The development is located beyond the defined/agreed settlement area of the village;
- the development is backland development;
- The development includes a 2 metre wide footpath running from the Church Yard for the St Mary's Parish Church (Grade I Listed Building) and past the Barracks (19 Bedford Road, a Grade II Listed Building). The footpath is incompatible with the Northhill Conservation Area, whereby it would deface a view from the Barracks to the Church Yard. This view is identified as an Important View on the Northhill Conservation Area Appraisal dated 2004;
- The proposed footpath could damage the foundations of the historic brick Rectory boundary wall along Bedford Road, this wall extends to No. 5 Bedford Road and is a feature of the view along Bedford Road, which is described in the Northhill Conservation Area Appraisal;
- Concern in relation to visibility splays involving cutting an Important Hedge as described in the Northhill Conservation Area Appraisal;
- Concern has been raised in relation to the removal of a section of the hedge at the front of the site that is identified in the Conservation Area Appraisal;
- Highway Safety concerns relating to the proposed

access to the site relating to speeding vehicles along this stretch of road, and visibility at the junction both to the south of the access due to the bend and to the north in respect of vehicle speeds;

- Highway Safety concerns in relation to recreational users of the highway as well as agricultural vehicles;
- Highway Safety concerns relating to increased numbers of pedestrians crossing the road, in the context of lack of street lighting, the walking pace of elderly persons who may occupy the proposed development when crossing and young children crossing on the way to school;
- access and road does not appear to be of sufficient size or standard;
- The provision of a footpath along Bedford Road will lead to on street car parking;
- The housing proposed are out of character with the Conservation Area including neighbouring houses and the rural setting of the site. The houses are more suited to an urban housing estate;
- the existing buildings along Bedford Road all have a unique and different appearance to each other and the construction of 9 dwellings of the same uniform architectural design will detract from this distinctive character;
- the large scale of development proposed would destroy the gentle transformation from the rural environment to the built environment that Bedford Road currently enjoys;
- The development would cause a negative visual impact upon the rural approach into the historic centre of Northill;
- the density of development and amount of development would be out of character with the character of the existing surrounding properties, the development would increase the dwellings upon Bedford Road by 50%, changing the rural aspect of the road;
- The statement that the Council has a Lack of five year housing land supply is false;
- The proposed 9 dwellings is not a significant contribution to a five year housing supply and there are other more appropriate locations for development both within other areas and elsewhere within Northill;
- Other building sites within the Northill Parish are better suited to Development, the Northill Parish Neighbourhood Plan is being worked on by the Parish Council and will show where development is envisaged in the Parish and does not include this field;
- Applicant's agent has undertaken a consultation event where it was promised for a further consultation event which has not been honoured by the agent of the

- application;
- The documents submitted do not include:
 - land drainage systems needed
 - accommodation of safe delivery of goods and services
 - water services including sewage provided by Anglian Water
 - Electric supply services
 - Telephone and enhancement of existing poor broadband services
 - siting of black and green wheelie bins for household waste
 - impact on wild live survey
 - public transport services
 - survey of type of traffic, volumes and speeds on Bedford Road
 - Felling of and planting of trees
 - adequate car parking for residents and visitors compliant with national design guidelines
 - locations and details of sheds
 - The development is major development not minor development as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015;
 - There is no requirement for a Greensand Ridge Walk Picnic area in Northhill;
 - The use of TRICS output methodology data - it is unreasonable to compare Northhill "a small village" with suburban areas in Peterborough, Crewe, Chester, Lincoln, Liverpool, York, North Allerton, Lowestoft, Shrewsbury, Stoke on Trent and Doncaster;
 - No plan for services - no information has been included in relation to the capacity of the existing services, such as electricity supply, drainage sewage, broadband, flooding on thorncote road because of additional run-off. An assessment cannot be made until studies have been undertaken;
 - There is no gas in the village, where are the oil storage tanks?
 - no toilets or disabled parking at the picnic area;
 - the picnic area will likely need to be illuminated and as such would cause light pollution and disturbance;
 - the picnic area will likely result in litter and would decline and become deteriorated, becoming a visual blight on the area;
 - Who will clean up the litter and police the picnic area;
 - the picnic area would be used as a meeting area for less desirable groups;
 - impact on wildlife;
 - insufficient car parking;
 - loss of mature trees and shrubs;

- loss of good quality agricultural land;
- Parish Housing Needs Survey did not allocate this site for residential development;
- lack of infrastructure, no shops within walking distance;
- bus service runs 9 am to 5 pm Monday to Saturday, whereby a car is needed to travel to schools, shops and work;
- increased traffic in a rural environment would result in disruption to flora and fauna;
- no garages;
- picnic area would cause traffic demands;
- people do not drive to the Greensand Ridge Walk, they live locally;
- No detail of social housing;
- The footpath would result in rainwater run off that would undermine the foundations of neighbouring listed buildings;
- the development would have a detrimental effect on the standard of living for the inhabitants of the local area including, 19 Bedford Road, 21 Bedford Road and Woodcote, along with Bedford Road and the village as a whole;
- The development would have a detrimental visual impact on its neighbours;
- the north of the site is open to the countryside and the development would be visible from public footpaths to the northwest of the site;
- The proposed development would not be in accordance with the development plan contrary to paragraph 150;
- the development in respect of its design, layout and landscaping would not form good design contrary to paragraph 56 et al of the NPPF and patently does not relate to the character of the village and the landscape within the conservation area;
- the development would utilise land which falls within the best and most versatile agricultural land and will adversely affect the landscape both the approaches to the village and the landscape within the conservation area contrary to paragraph 109 of the NPPF;
- The development including the highway works and footpath proposed would cause harm to the conservation area and the historic environment, let alone enhance the conservation area, contrary to Paragraph 126 of the NPPF;
- the development is contrary to policies CS1, CS14, CS15, CS17, DM3 and DM13 of the Core Strategy and Development Management Policies;
- the development is contrary to policies 4, 38, 43 and 45 of the Development Strategy;
- Bedford Road is used as a Rat run, the development would further increase congestion at peak hours;

- Boundary treatments would not be in accordance with the character and appearance of the area;
- noise and disturbance to 23A Bedford Road, by vehicular headlights and activity at the proposed picnic area;
- vehicular parking at the picnic area to the front of the site would be detrimental to the character and appearance of the conservation area;
- the picnic area would not be suitable for playing children due to seclusion, hardstanding and car movements;
- The development is not suitable in a transport perspective due to distance from services;
- affordable housing should be provided due to the floorspace of the development exceeding 1000 sq metres;
- the development would affect a barn owl;
- develop brownfield land before greenfield;
- Loss of privacy to No. 21 Bedford Road due to views from footpath;
- Development would be contrary to Protocol 1, article 1 of the human rights act;
- loss of view across open farmland;
- a section of the hedge of the western boundary of Woodcote Corner is marked as being maintained for visibility, how and who will be maintaining the hedge?
- Concern in relation trees on land within the ownership of Woodcote Corner;
- Concern relating to visitors to the cemetery;
- traffic calming measures will destroy the rural identity of the village;
- revised dwellings would be more visible on entrance to the village due to chimneys and change of roof slope;
- traffic calming measures to affect driver behaviour will not work and will require maintenance by CBC;
- the development should be refused as it does not comply to the Council's SuD's requirements for major development; and
- poor visibility at proposed pedestrian crossing points.

One representation in support of the application received relating to No. 70 High Street, Great Barford. The response makes the following comments:

- the village has a declining and elderly population and is in desperate need of new housing;
- the school is in decline;
- the pub is in terminal decline;
- the village shop and post office closed years ago;
- The wonderful church is almost empty; and
- the developer has responded to local concerns and if

the development is considered sustainable it should be approved.

Full consultation responses are available to view.

Considerations

1. Principle of Development

- 1.1 The application seeks full planning permission for the construction of 9 dwellings including the provision of a public car park and picnic area, in close proximity to the Greensand Ridge Walk.
- 1.2 The site is located beyond the settlement envelope of Northhill as defined by the Proposal Maps. Policy CS1 defines Northhill as a Small Village for the purposes of the Development Plan. Policy DM4 seeks to safeguard to the Open Countryside from inappropriate development. It is considered that the proposed development would be contrary to Policy DM4 of the Development Plan.
- 1.3 At the date of this letter the Council cannot demonstrate a robust five year supply of deliverable housing Paragraph 49 of the NPPF indicates that under such circumstances the policies with respect to the supply of housing within the development plan (including Policies DM4, DM14 and CS16) are deemed to be out of date and the presumption in favour of sustainable development applies. The presumption in favour of sustainable development as outlined by paragraph 14 of the NPPF for decision taking, 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 planning 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.
- 1.4 However, recent case law (Crane v SOSCLG (2015) EWHC 425 (Admin, 4th May 2015) indicates that policies DM4, DM14 and CS16 should not be disregarded. On the contrary, 'out of date' policies remain part of the development plan, and the weight attributed to them will vary according to the circumstances, including for example, the extent of the five year supply shortfall, and the prospect of development coming forward to make up this shortfall.
- 1.5 At the time of writing the Council can demonstrate a housing supply of 4.89 years, this is equivalent to 97.76% of the five year requirement. The Council is confident that there is sufficient development coming forward in the short term to make up this shortfall. In these circumstances, Policy DM4 is afforded some weight.
- 1.6 In addition, it is considered that Policy DM4 is out of date for purposes relating

to housing supply however this policy is broadly consistent with those in the framework which requires decision makers to recognise the intrinsic character and beauty of the countryside and as such the extent that the policies are concerned with these matters continue to attract due weight.

- 1.7 The proposed development is to be considered against the three strands of sustainability, social, environmental and economic, to determine whether any adverse impacts of granting outline planning permission for residential development on this site would significantly and demonstrably outweigh the benefits of the proposal. Other up to date local policies will also apply.
- 1.8 Whether the adverse impacts of the development would significantly and demonstrably outweigh the benefits has been outlined within the report below.
2. **Impact upon the setting of Listed Buildings, the character and appearance of the Conservation Area and the character and appearance of the area more generally, including the intrinsic character and beauty of the countryside.**
 - 2.1 The frontage of the site is located within Northill Conservation Area. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of a Conservation Area.
 - 2.2 It is considered that the site is within the wider setting of the Grade II Listed Building known as No. 19 and 21 Bedford Road, Northill and the Grade I Listed St Mary's Church, whereby the tower of the Grade I Listed St Mary's church can be seen above trees around existing boundaries and properties on this side of the settlement. This view is also achieved when approaching the site from the north over open land to the north of the village. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the local planning authority, in determining applications for planning permission, to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interests which it possesses.
 - 2.3 Applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The adopted development plan is the Core Strategy and Development Management Policies (2009). The National Planning Policy Framework (NPPF) forms a material consideration in planning decisions.
 - 2.4 Policy DM3 seeks to ensure that all new development is appropriate in design that respects and complements the context of the site including the setting of all heritage assets, particularly those that are designated. Policy CS15 seeks to protect, conserve and enhance the district's Heritage including Conservation Areas and their setting. Policy DM13 states: the Council will ensure that planning applications for development within Conservation Areas are assessed against the Conservation Area appraisals and inappropriate development will be refused.
 - 2.5 The Conservation Area Appraisal comments broadly upon the importance of the Church forming the dominant feature within the Conservation Area which

can be glimpsed from all entrances into the conservation Area including the western approach to the village of which the site forms part; "the western approach provides glimpses of the church tower upon the brow of the hill".

- 2.6 The Conservation Area Appraisal provides guidance and commentary upon the importance of features on Bedford Road. On entering the Conservation Area, the road gently descends into the village, via a bend celebrated by a close ring of mature oak trees in front of properties No. 7 and 9 Bedford Road. The Barracks (a non designated heritage asset) and the adjacent group of listed buildings contribute to the transiting between the open countryside and the more enclosed built environment of the village.
- 2.7 The Conservation Area Appraisal identifies boundary walls and hedgerows which make a important contribution to the village scene. The Northill Conservation Area Appraisal (2004) identifies the hedgerow within the frontage of the site as an important hedgerow, and provides the following conservation area guidance: "where necessary, seek to retain important walls and hedgerows".
- 2.8 Paragraph 17 of the National Planning Policy Framework places importance on the conservation of heritage assets.
- 2.9 Paragraph 132-135 of the NPPF specifically deal with the requirements for developments that affect designated and non designated heritage assets and their setting. Paragraph 132 states the following:
- 2.10 "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification".
- 2.11 The tower of the Grade I Listed St Mary's church can be seen above trees around existing boundaries and properties on this side of the settlement. This view is also achieved when approaching the site from the north over open land to the north of the village. There is some modern building along the road, but it is low density in relatively generous gardens and features extensive planting.
- 2.12 Taken as a whole the north western side of Northill Conservation Area is characterised by a sense of open countryside around it (including the historic park) and modest, low density building of both recent and historic date. The development site is part of this area and contributes to the character and significance of the conservation area. It is also part of the setting in which the tower of the church can be seen. It is considered that the proposed housing would form a incursion of built development into the open countryside, which would be visible on the approach to Northill.
- 2.13 However it is considered that the design and appearance of the buildings proposed would be sensitive to the historic context of the site, subject to conditions relating to materials and detailing. Furthermore it is considered that the scale of development, mostly single storey would preserve a sense of

transition between the village and the open countryside, that currently characterises the western approach to the village and this part of the Conservation Area, whilst preserving the views of St Mary's Church from its wider setting including the features of special architectural or historic interests which it possesses.

- 2.14 Concern in relation to the density of development has been raised. It is noted that the density of the development on plan is greater than that featured by the dwellings within the immediate context of the site which benefit from generous plots. However sustainable development includes the efficient use of land and it is not considered that the density of development would be high in respect of edge of settlement development by current day standards. The scale of the dwellings within the site are mostly single storey, respecting important views, whilst respecting the historic and the edge of countryside location of the site.
- 2.15 The development would result in the loss of a section of an important hedgerow for the creation to the access to the site. The revised proposal seeks to retain the remaining hedgerow and increase planting at the frontage of the site which would include the closure of the existing access and planting the existing opening in the hedgerow. It is considered that the retention of the hedgerow to the front of the site would accord with the Guidance within the Conservation Area Appraisal.
- 2.16 In addition to the latter the indicative landscaping plan illustrates significant soft landscaping to the northern boundary of the site and the retention of soft landscaping to the eastern and southern boundaries which would retain the sense of transition between the village and the open countryside. In this respect the Council's Landscape Officer and Trees and Landscape Officer, have raised no objection in the context of the visual impact of the development upon the landscape or the loss of hedgerows or trees identified for removal. Therefore subject to conditions relating to tree protection fencing and landscaping schemes, it is considered that the development would be acceptable within this context.
- 2.17 Concern has been raised in relation to the provision of a footpath upon the existing green verges within the Conservation Area which are identified on the western/southern side of Bedford Road as Important Green Space within the Conservation Area Appraisal. However the revised development includes a reduced footpath width that would retain a greater percentage of these Green Spaces in the interest of preserving soft landscaping within the Conservation Area within important viewpoints and the setting of Listed Buildings.
- 2.18 Concern has been raised in relation to the proposed car park and picnic area, in the context of external lighting and the character of the area. No external lighting has been proposed by the development and any lighting columns or bollards that would fall within the definition of development would require a separate application for planning permission.
- 2.19 Concern has been raised in relation to the management of the proposed picnic and car parking area in the context of the visual amenities of the locality. It is considered necessary, relevant and reasonable to impose a condition that would ensure a maintenance and management scheme is in place for this public area, to safeguard the visual amenities of the locality.

- 2.20 It is considered that the proposed development including the provision of 9 dwellings, a car parking and picnic area and a footpath would result in a degree of harm to designated heritage assets as identified above, however when considering the limited harm caused by the development it is considered that such impacts would be less than substantial in the context of paragraphs 132-134 of the NPPF.
- 2.21 In accordance with Paragraph 134 "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use".
- 2.22 It is considered that the provision of nine dwellinghouses, a public footpath to serve existing and future residents and the provision of a car park and picnic area in close proximity to the greensand ridge walk would form public benefits that weigh in favour of the development. It is considered that the benefits of the development would outweigh the identified harm in the context of paragraph 134 of the NPPF.
- 2.23 Paragraph 135 of the National Planning Policy Framework states: "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".
- 2.24 The proposed development site would be within the setting of the Barracks, a non designated heritage asset, however when considering the harm and the significance of the heritage asset in relation to the benefits of the proposal it is considered that the development would be acceptable within the context of paragraph 135 of the NPPF.
- 2.25 For the reasons outlined above, it is considered that the proposed development would not cause a unacceptable impact upon the significance of the Barracks as a non-designated heritage asset and would preserve the Character and Appearance of the Conservation Area and the significance of listed buildings including their settings. It is considered that the development would cause less than substantial harm to designated heritage assets which would be outweighed by public benefit, in accordance with Policies DM3, CS15 and DM13 of the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework.
- 2.26 Furthermore, for the reasons outlined above, subject to conditions it is considered that the proposed development would not cause significant and demonstrable harm to the character and appearance of the area, including the intrinsic character and beauty of the countryside, in accordance with Policy CS14, CS16, DM3 and DM14 of the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework.
- 3. Impact upon the amenity and living conditions of occupiers of neighbouring dwellings and the future occupiers of dwellings within the development**

- 3.1 When considering the layout, landscaping and scale of buildings in relation to neighbouring residential dwellings, it is considered that the proposed development would not cause an unacceptable impact in relation to loss of light, outlook or overbearing impacts, upon any neighbouring dwelling. Furthermore; when considering the proposed location of fenestration and the location of the private amenity space of and the windows serving neighbouring dwellings both within and neighbouring the site, it is considered that the proposed development would not cause an unacceptable impact upon the privacy of neighbouring dwellings and would provide an acceptable standard of amenity for future occupiers of the dwellings within the site.

- 3.2 Concern has been raised in relation to the impact of the proposed footpath upon Bedford Road, upon the privacy of neighbouring dwellings, however it is considered that the area of which the proposed footpath would be located forms part of the public highway and as such the footpath would not provide a materially different view than that which can already be achieved from the public highway. Therefore it is not considered that the proposed footpath would cause an unacceptable impact upon the privacy of any neighbouring dwelling, that would warrant the refusal of planning permission.

- 3.3 Concern has been raised in relation to the impact of the proposed picnic and car parking area, upon the amenity and living conditions of neighbouring dwellings, in the context of noise and disturbance and light intrusion caused by vehicular headlights and the use of the area at unsociable hours. It is not considered that the level of use including the associated noise and the level of illumination from vehicular headlights would result in unacceptable impacts upon any neighbouring dwellinghouse, that would warrant the refusal of planning permission.

- 3.4 The proposed external private amenity spaces to serve the proposed dwellinghouses are considered to be in accordance with the guidance within the Central Bedfordshire Design Guide, whereby it is considered that the proposed development would provide dwellings with an acceptable standard of amenity for future occupiers. It is however considered to be necessary, relevant and reasonable to impose a condition that would ensure the provision of boundary treatments to provide privacy to such amenity areas.

- 3.5 For the reasons outlined above it is considered that the proposed development would not cause harm to the amenity or the living conditions of the occupiers of any neighbouring dwelling and would provide an acceptable standard of amenity for the future occupiers of the proposed dwellings, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework.

4. Housing Mix and Affordable Housing

- 4.1 The proposed development would be in excess of 4 dwellings, whereby Policy CS7 of the Core Strategy and Development Management Policies indicates that affordable housing contributions will be required. However on 13th May 2016 the government won a legal challenge against a High Court ruling that quashed a national planning policy intended to exempt small sites from affordable housing obligations. This ruling has been reflected in the National Planning Practice Guidance setting out the Government's position that affordable housing and tariff-style planning obligations should not be sought for

certain small developments (10 dwellings or less or 1,000 square metres of gross floor space). This is a material consideration to be taken into account in decision-making on planning applications. The weight given to this material consideration will need to be considered on a case-by-case basis and in relation to the weight of the existing Development Plan policies, which remain the starting point for consideration in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004.

4.2 In light of this, the Council have not sought affordable housing on this site.

5. Highway Safety and Car Parking

5.1 Concern is raised in relation to existing traffic speeds, types of movements and volumes of traffic along Bedford Road and the Highway Safety implications of the development. The Highway Authority have acknowledged that excessive speed may be the case for a proportion of the vehicles approaching the site, however this is an existing problem that will not be worsened by the development. The fact remains that the site is within a 30mph speed limit area of the village and the proposed junction is of standard geometry and would have appropriate visibility splays. As such the Highway Authority consider that the speed of existing traffic is not a reason to justify and sustain an objection on highway safety grounds.

5.2 It is noted that the proposed access road, due to the lack of a footway on both sides or being shown to be a shared surface having an overall width of 8.8 metres, would not be designed in accordance with the guidance contained within the Design Guide, whereby the proposed access road would not be designed to an adoptable standard to be maintainable at public expense. However it is considered that the road would be acceptable within the context of highway safety, allowing vehicles to egress and pull clear of the highway, and turn within the site, thereby leaving the site in a forward gear. Therefore it is considered that the development is acceptable in highway safety terms. It is considered necessary, relevant and reasonable to impose a condition that would ensure the road would be provided as approved prior to the occupation of any dwelling.

5.3 The application indicates the provision of a pedestrian footway along Bedford Road, which includes two pedestrian crossings to link to the existing footpath network upon Bedford Road. The footpath would not only connect the development and existing dwellings to the existing footpath network but also would provide a connection between the existing network and the Greensand Ridge Walk. It is not only considered necessary, relevant and reasonable to impose a condition, to ensure the provision of the footway, to serve the development, but also that the footpath would form a public benefit which weighs in favour of the scheme.

5.4 Concern has been raised in relation to the location of pedestrian crossings and the width of pedestrian crossing in the context of highway safety. It is noted that the width of the off-site footway has been reduced down to 1.2m to mitigate the impact on the surrounding verges and hedgerow a 2.0m wide footway would have had and that the narrower width is more in keeping with the existing footways. The Highway Authority have confirmed that the footway is acceptable.

- 5.5 For the reasons outlined above it is considered, subject to conditions, that the proposal would not be prejudicial to highway safety and would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire and section 4 of the NPPF in this respect.

6. Archaeology

- 6.1 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 any surviving heritage assets with archaeological interest. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development and the scheme will adopt a staged approach, beginning with a trial trench evaluation, which may be followed by further fieldwork if appropriate. The archaeological scheme will include the post-excavation analysis of any archive material generated and the publication of a report on the investigations. In order to secure this scheme of works, please attach the following condition to any permission granted in respect of this application.

7. Biodiversity

- 7.1 The Council's Ecologist has raised no concern in relation to the impact to protected species which are not expected from this development. Furthermore the Council's Ecologist has raised no objection to the removal of the existing hedgerow.
- 7.2 Subject to conditions that would ensure a net gain for biodiversity, it is considered that the proposed development is acceptable in this context, in accordance with the National Planning Policy Framework.

8. Flood Risk and SUD's

- 8.1 Concern has been raised in relation to flood risk and the lack of sustainable urban drainage as part of the proposal. The proposed development is for nine dwellinghouses with an internal floorspace of less than 1000 square metres, whereby the development does not constitute major development for planning purposes as outlined by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). Furthermore; the site is located within Flood Zone Area 1 whereby the probability of flooding is identified as being low. As such, no representation has been received from the Environment Agency and there is no requirement for the provision of Sustainable Urban Drainage for this development.
- 8.2 For the reasons outlined above it is considered that the proposed development is acceptable within this context in accordance with the NPPF and the NPPG.

9. Fire Hydrants

- 9.1 The Bedfordshire Fire Service has identified that new residential developments should allow for the provision of fire hydrants and appropriate access. This is a matter that could be controlled by condition.

10. Foul Drainage

10.1 Anglian Water have been consulted upon this development, following local concerns raised relating to foul water drainage. However due to the scale of the development forming less than 10 dwellings and less than 1000 square metres of floorspace, Anglian Water have confirmed they have no comment. Therefore no evidence has been provided to demonstrate foul drainage infrastructure would not be able to cope with this non major development and as such a refusal of planning permission for such a reason would not be justified.

10.2 For the reasons outlined above it is considered that the development is acceptable within this context.

11. Loss of agricultural land

11.1 The development site would result in the loss of Grade 2 good quality agricultural land whereby paragraph 112 of the NPPF states "*Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality*".

11.2 It is considered that the loss of this high quality land is a negative impact of the development that weighs against the scheme, however when considering the planning policy context of a lack of five year housing land supply, and in the context that some weight can be given the Council's position of nearing its supply, it is not considered that the loss of this relatively small parcel of Grade 2 agricultural land is of such significance as to warrant the refusal of planning permission individually or collectively with the other dis-benefits identified within this report that cannot be mitigated by conditions or obligations.

12. Equality and Human Rights

12.1 Local Planning Authority when deciding applications for planning permission need to have regard to the Human Rights Act 1998 which incorporated the provisions of the European Convention on Human Rights (ECHR) into UK law. Of particular relevance in this context are Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property) and Article 8 (Right to respect for private and family life). The rights are not absolute but are subject to limitations, and interference with human rights can be outweighed by other interests and considerations. Provided proper consideration is given to the issue of human rights, the courts are unlikely to interfere in decision making. For the reasons outlined within this delegated report the proposal is not considered to contravene either Article 1 of Protocol 1 or Article 8.

12.2 In addition; based on information submitted there are no known issues raised in the context of The Equalities Act 2010 and as such there would be no relevant implications.

13. Planning Obligations - Build Rate

13.1 The applicant will be required to agree to a build rate timetable which would be controlled by a legal agreement. As result, this would reaffirm that the development would contribute to the councils 5 year housing supply and as such significant weight can be applied to the provision of housing towards that

supply.

- 13.2 It is considered that these obligations are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. The developer has agreed to these obligations.

14. The Planning Balance and Conclusions

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

- 14.2 This application has also been determined in accordance with Section 66 (1) and Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 14.3 The Council cannot currently demonstrate an ability to meet its housing need for the next five-year period. As such, Policy DM4, insofar as it prevents development outside of the Settlement Envelope, is out of date. That said, appropriate weight can be afforded to 'out of date' policies because the Council can demonstrate an ability meet a large proportion of its housing need.

- 14.4 There is a presumption in favour of sustainable development set out in the NPPF. Where an ability to meet identified housing need cannot be demonstrated, the development would be sustainable if the dis-benefits of the development would not significantly and demonstrably outweigh the benefits.

- 14.5 Significant weight must be given to the delivery of nine homes at the site over the next five-year period. Weight is also given in favour of development in relation to the provision of jobs during construction, the provision of a public footpath and the provision of a public car parking and picnic area for the greensand ridge walk.

- 14.6 Subject to Conditions and planning obligations outlined it is considered that there are no harmful impacts associated with the development that individually or collectively that would significantly and demonstrably outweigh the benefits of the development or that any policies within the NPPF indicate development should be restricted.

Recommendation:

That Outline Planning Permission be **GRANTED** subject to a S106 agreement and the following Conditions:

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

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

- 2 **Notwithstanding the details submitted with the application, no development shall take place until a landscaping scheme to include all**

soft landscaping have been submitted to and approved in writing by the Local Planning Authority. The approved soft landscaping 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: Details are required prior to the commencement of development to ensure an acceptable standard of soft landscaping and to provide a net gain for biodiversity, in accordance with Policies DM3, CS15, CS16, DM13 and DM14 of the Core Strategy and Development Management Policies and the NPPF.

- 3 Notwithstanding the details submitted with the application, no development shall take place until a hard landscaping scheme to include details of all boundary walls, fences, gates, hard surfaces, edging and kerbing within the site as well as details of the interception and drainage of surface water within the site, have been submitted to and approved in writing by the Local Planning Authority. No development shall take place until a hard landscaping implementation and completion timetable for all hard landscaping within the site has been submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping scheme shall be implemented and completed in full accordance with the approved implementation and completion timetable.

Reason: Details are required prior to the commencement of development in the interest of Highway Safety, residential amenity and to safeguard the visual amenities of the locality including the character and appearance of the Conservation Area and the Setting of Heritage Assets in accordance with Policy DM3, CS15, and DM13 of the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework.

- 4 No development shall take place until a Maintenance and Management Plan for all hard and soft landscaping beyond the curtilages of dwellings, as well as the approved public car parking and picnic area have 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 maintenance and management plan. All landscaping and the public car parking and picnic area shall be maintained and managed in accordance with the approved maintenance and management plan following its implementation.

Reason: Details are required prior to the commencement of development to ensure that the appearance of the site would be acceptable in accordance with Policy DM3, DM13 and CS15 of the Core

Strategy and Development Management Policies 2009 and the harm of Page 79
the development would not outweigh the benefits in accordance with
the NPPF.

- 5 **No equipment, machinery or materials shall be brought on to the site for the purposes of development until substantial protective fencing that accords with BS5837 for the protection of any retained tree(s), have been erected in the locations indicated on Drawing Number TPP/LNBRNB/010 A, unless otherwise approved in writing by the Local Planning Authority. The 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: In the interest of tree protection and to protect the character and appearance of the area and the setting of the listed building in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document.

- 6 **All works to or affecting trees on or adjoining the site shall be carried out in accordance with the recommendations within the document: Arboricultural Report dated September 2016 and the relevant recommendations of BS3998 2010.**

Reason: To safeguard the existing trees on the site in the interests of visual amenity, in accordance with the NPPF.

- 7 **Notwithstanding the details submitted with the application, no development shall commence until details of surfacing, kerbing and edging of the 1.2 metre wide footway illustrated on drawing number: 160308-02 Revision A, as well as the details of the construction methods of the footpath within the root protection area of trees has been submitted to and approved in writing by the Local Planning Authority. The dwellings hereby approved shall not be occupied until such time as the footway has been constructed and completed in full accordance with the approved details.**

Reason: The details are required prior to commencement to safeguard the character and appearance of the area, and preserve the character and appearance of the conservation area and the setting of listed buildings, in accordance with Policy DM3, DM13 and CS15 of the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework.

- 8 **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, the adjoining highway and buildings. Thereafter the site shall be developed in accordance with the approved details.**

Reason: Details are required prior to the commencement of

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

- 9 No development hereby permitted shall be first occupied or brought into use until the junction between the proposed estate road and the highway has been constructed and provided with 2.4 x 43m visibility splays in accordance with the approved plans.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road, in accordance with the National Planning Policy Framework.

- 10 If the proposed road is not constructed to the full length and layout illustrated on the approved drawing then no building taking access from the proposed estate road shall be occupied until details of a temporary turning space for vehicles within the site have been submitted to and approved in writing by the Local Planning Authority and the temporary turning space has been provided in accordance with the approved details. The turning space shall be retained for use by vehicles until the proposed road is constructed.

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety, in accordance with the National Planning Policy Framework.

- 11 **No development shall commence, 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 including rainwater goods, windows, doors, brick detailing and sills 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 and the historically sensitive context of the site, in accordance with Policy CS15, DM3 and DM13 of the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework.

- 12 **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: Details are required prior to the commencement of development to ensure the development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework.

- 13 **No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of fire hydrants at the development. Prior to the first occupation of the dwellings the fire hydrants serving that development shall be installed as approved. Thereafter the fire hydrants shall be retained as approved in perpetuity.**

Reason: Details are required prior to the commencement of development in order to ensure appropriate access to fire hydrants for use in the event of emergency in accordance with policy DM3 of Central Bedfordshire Core Strategy for the North and Section 7 of the NPPF.

- 14 **No development shall take place until a written scheme of archaeological investigation; that adopts a staged approach and 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: 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 developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development, in accordance with Chapter 12 of the NPPF.

- 15 **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: PL01a; PL02d; PL03b; PL04b; PL05c; PL06c; PL08; PL09; 160308-02 Revision A; Arboricultural Report dated September 2016; and TPP/LNBRNB/010 A (insofar as it relates to works protecting trees and measures for the protection of trees during construction).**

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 in order to comply with conditions of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highways Agreements Officer, Highways Contracts team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ
- 3. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the highways Agreements Officer, Highways Contracts team, Community Services, Central Bedfordshire".

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

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

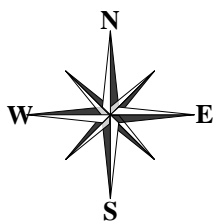
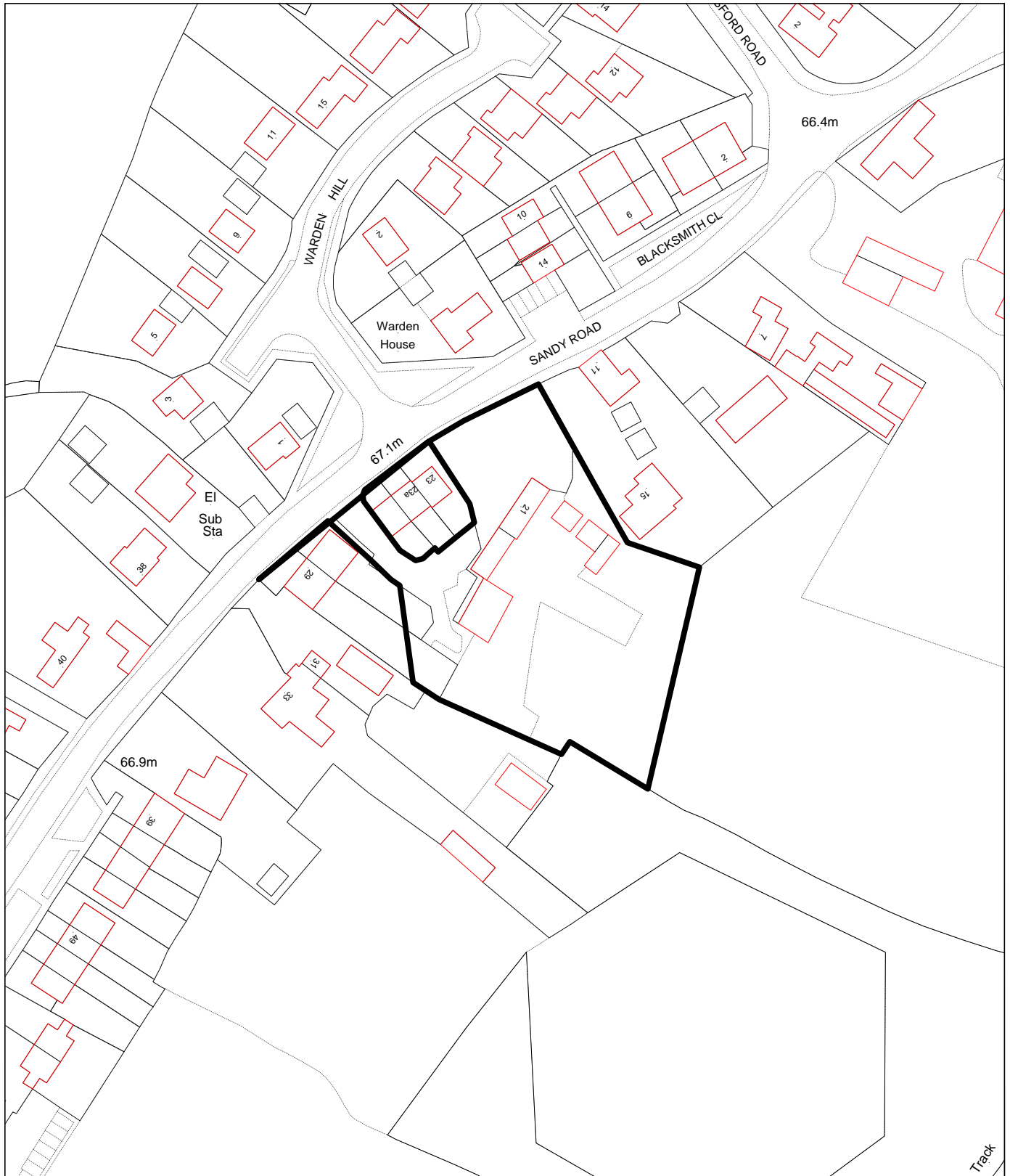
DECISION

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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 17:January:2017
Map Sheet No

Application No. 16/04926

Scale: 1:1250

21 Sandy Road, Everton, Sandy, SG19 2JU

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Item No. 8

APPLICATION NUMBER	CB/16/04926/FULL
LOCATION	21 Sandy Road, Everton, Sandy, SG19 2JU
PROPOSAL	Redevelopment of land adjacent to and to the rear of 21 Sandy Road, Everton with 7no residential dwellings along with the refurbishment and extension of 21 Sandy Road. Demolition of existing barns and erection of new outbuildings and garage.
PARISH	Everton
WARD	Potton
WARD COUNCILLORS	Cllrs Mrs Gurney & Zerny
CASE OFFICER	Donna Lavender
DATE REGISTERED	03 November 2016
EXPIRY DATE	29 December 2016
APPLICANT	Mr J Pym
AGENT	Robinson and Hall LLP
REASON FOR COMMITTEE TO DETERMINE	Ward Councillor Call in (Cllr A Zerny) on the following grounds: <ul style="list-style-type: none">• Larger site area than site allocation• Cramped form of development• Narrow access and exits on a bend
RECOMMENDED DECISION	Full Application - Recommended for Approval subject to a 106 agreement to secure off site highway works.

Site Location:

The site consists of an existing residential dwelling house known as "The Bakehouse" along with a front and rear yard and a number of sheds ancillary to the main house which is located on Sandy Road within the village of Everton. The site is flanked to the east by 11 & 15 Sandy Road, to the west by 23 Sandy Road and to the south by open countryside. The Bakehouse is an attractive red brick and slate building indicative of the more traditional design present throughout the village and whilst not listed, is considered to be a non -designated heritage asset which requires protection.

The site is partially outside the Everton Settlement Envelope; however the entirety of the site is allocated for residential development within the Councils Adopted Site Allocation Document. The site is not located within any other designation.

The Application:

Permission is sought in full for the erection of 7 additional dwelling houses alongside the retention of the existing bakehouse including access, parking and landscaping.

Two four bedroom detached dwelling houses are proposed and identifiable as units

1 and 4 on the proposed layout. A pair of three bed semi detached dwelling houses are proposed and identifiable as units 2 & 3 on the layout and lastly a row of 2 bed terraced houses are proposed and identifiable as units 5-7. Parking provision for these units are provided on plot and visitor and parking for existing properties (23-29 Sandy Road) are proposed within parking courts or bays to the rear of these dwelling houses.

A single storey rear extension is proposed to "The Bakehouse" measuring 4.4 metres in depth, 4 metres in width and 4.3 metres in height incorporating a gable roof design. In addition a detached garage is proposed measuring 7.3 metres in depth, 4 metres in width and 4.3 metres in height to providing parking provision for "The Bakehouse".

Two access points would be utilised. 1 access from Sandy Road adjacent 23 Sandy Road would provide access for Unit 1 and "The Bakehouse". The additional access would utilise an existing access between 25 and 27 Sandy Road and would provide access for the remainder proposed units and existing properties (23-29 Sandy Road).

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced most of the previous national planning policy documents, PPGs and PPSs. The following sections of the NPPF would be considered relevant to this application.

- Section 1 - Delivering Sustainable Development
- Section 4 – Promoting Sustainable Transport
- Section 6 – Delivering a wide choice of high quality homes
- Section 7 - Requiring Good Design
- Section 8 – Promoting healthy communities
- Section 11- Conserving and enhancing the Natural Environment
- Section 12 - Conserving and enhancing the historic environment

Core Strategy and Development Management Policies - North 2009

- CS2 - Developer Contributions
- CS14 - High Quality Design
- CS15 - Heritage
- DM3 - High Quality Design
- DM4 - Development Within and Beyond Settlement Envelopes
- DM13 - Heritage in Development
- DM14 - Landscape and Woodland
- DM15 - Biodiversity

Site Allocations DPD (April 2011)

Policy HA20: Allocation Land at Sandy Road, Everton (Minimum 7 dwellings)

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

1. Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application Number CB/16/00220/PAPC

Description Pre-Application Advice - Non-Householder: development of land for up to 9 dwellings

Decision Pre-App Charging Fee Advice Released

Decision Date 12/02/2016

Parish Council:

Everton Parish Council Demolition of existing barns and erection of new outbuildings and garage at 21 Sandy Road, Everton, Sandy, SG19 2JU
(*Verbatim*) (16/12/16 & 21/12/16)-

- At its recent meeting, Everton Parish Council resolved to object to the above application and have the following comments to make:
- Everton enjoys 'Small Village Status' and, as such, planning should only be approved if a need for additional housing is identified.
- Traffic calming measures are inadequate – the site access is opposite the junction of Warden Hill onto Sandy Road, and in an area which already experiences a high volume of traffic and difficult intersections with Tempsford Hill and Potton Road. Everton suffers from a high incidence of speeding which is already documented by CBC who report that 62% of vehicles travelling towards Potton exceed the speed limit in addition to 47% of vehicles travelling westwards. This will mean the 43m splay will be insufficient.
- We fully agree with Central Bedfordshire Council's Highway Department's concerns including that the access road will require a 2m service strip on each side.
- There is a lack of pedestrian access included which will mean pedestrians' safety will be compromised.
- Loss of refuse collection point – how will residents safely move their refuse to a collection point? Where will residents put their bins for collection?
- Access to the site is via a private road and, according to CBC policy, a private road can only service up to 5 dwellings – there are already 5 dwellings at the site

and any additional dwellings serviced by this road will contradict CBC policy.

- The existing service road is inadequate for two way traffic
- Nearby properties will suffer from a loss of privacy and light.
- There is no provision for street lighting at the proposed development.
- The current infrastructure is inadequate for further development.
- There is a colony of bats in the building scheduled for demolition. All bat species, their breeding sites and resting places are fully protected by law in Europe.

Internal Consultees:

1. CBC Pollution Officer (17/11/16) & (16/12/16) & (12/01/17)- No Objection, subject to the imposition of conditions to investigate and remediate the presence of any identified contamination.

2. CBC Archaeology (28/11/16) - No Objection, subject to the imposition of a condition to secure investigation and recording of any archaeological deposits during construction.

3. CBC Ecology (28/11/16) & (09/12/16) - No Objection, subject to the imposition of a condition to secure compliance with the ecological measures contained within the ecological appraisal dated Oct 2016.

Welcomes the additional reference to bat and bird boxes in the interest of net gain.

4. CBC Housing Development Officer (29/11/16) - No Objection, below the threshold requirement for the provision of affordable housing.

5. CBC Trees and Landscape Officer (29/11/16) & (13/12/16) & (13/01/17) - No Objection, subject to the imposition of conditions to secure landscaping and associated boundary treatment.

6. CBC Highways Officer (01/12/16) - Recommends alterations to the existing layout to improve parking, visibility and pedestrian access.

7. CBC Waste Services (08/12/16) - No Objection, however if road unadoptable bin collection points must be within 15 metres of the main highway which can be controlled by condition.

8. CBC Strategic No Objection, subject to the imposition of a condition to

Landscape Officer (20/12/16) & (09/01/16)- secure appropriate planting and densities for landscaping buffer and landscaping within the site.

9. CBC Conservation Officer (11/01/16) - Welcomes the retention of the non designated heritage asset. Recommends materials are secured through condition.

External Consultees:

1. Internal Drainage Board (10/11/16) & (01/12/16) & (03/01/17) - No Comments

2. Environment Agency (09/11/16) - No Objection

3. Anglian Water (30/11/16) & (30/12/16) - No Comments, below the threshold for providing comments.

Other Representations:

1. 18 Sandy Road (13/11/16) & (18/11/16) & (06/12/16) & (11/01/17)-

Objects on the following grounds (in summary):

- Unsustainable, lack of village facilities and services
- Construction noise and occupation noise
- Highway safety and traffic concerns
- Overdevelopment
- Impact on the rural character and setting of the village

2. 33 Sandy Road (29/11/16) & (16/12/16) -

Objects on the following grounds (in summary):

- Area larger than allocation without wider benefits
- Inappropriate access
- Cramped form of development
- Out of character with the village setting
- Highway safety concerns
- Loss of landscaping to provide visibility would result in privacy concerns for 27 & 29 Sandy Road
- Contrary to policy DM4
- Creeping development
- Ecological impact (existing barns)
- Imposing, due to ground levels
- Impact on services (i.e. Water & sewage)
- Amendments to layout fails to address original concerns expressed

3. 17 Warden Hill (29/11/16) -

Objects on the following grounds (in summary):

- Overdevelopment & inappropriate density
- Unsustainable, lack of infrastructure to support the growth
- Loss of agricultural land
- Impact on the rural character

4. 15 Sandy Road

Objects on the following grounds (in summary):

(23/11/16) & (16/12/16)

-

- Privacy concerns
- Impact on the rural character and setting
- Unsustainable development - lack of infrastructure to support growth
- Increased traffic generation
- Amendments to layout fails to address original concerns expressed

5. 27 Sandy Road
(28/11/16) -

Objects on the following grounds (in summary):

- Loss of external amenity space
- Loss of privacy
- Loss of planting which provides privacy and buffer to highway
- Increased traffic generation and associated noise
- Inappropriate access to parking provision

6. 11 Sandy Road
(27/11/16) (x2)-

Objects on the following grounds (in summary):

- Loss of privacy
- Loss of light
- Highway safety concerns
- Unsustainable development - lack of infrastructure to support growth
- Impact on the rural character and setting
- Previous permission refused in 2008

7. 11 Warden Hill
(28/11/16) -

Objects on the following grounds (in summary):

- Inadequate vehicular access
- Reduction of external amenity provision
- Inadequate parking provision

Determining Issues:

The main considerations of the application are;

- 1. Principle**
- 2. Affect on the Character and Appearance of the Area**
- 3. The Historic Environment**
- 4. Neighbouring Amenity**
- 5. Highway Considerations**
- 6. Other Considerations**

Considerations

1. Principle

- 1.1 The application site is located within the village of Everton. Everton is allocated as a small village within policy CS1 of the Core Strategy which states that the village can support small scale allocations for housing or employment which

would reflect the size and character of the area and regard should be had to the Site Allocations DPD.

- 1.2 The site has specifically been allocated as a site for housing development within the adopted Site Allocations DPD under policy HA20 which states: "Land at Sandy Road, as identified on the proposals map, is allocated for residential development, providing a minimum of 7 dwellings."
- 1.3 The proposal extends beyond the boundaries of the site allocation by approximately 19 sqm of triangular space (measuring 2 metres in width by 9 metres in depth) along the south-east boundary which would be contrary to Policy DM4 which seeks to resist further encroachment into the open countryside. However at the time of writing the Council cannot demonstrate a five year supply of deliverable housing land. This means that under the provisions made in paragraph 49 of the National Planning Policy Framework 2012, policies concerned with the supply of housing (including DM4, DM14, and CS16 of the North Core Strategy) must be regarded as 'out-of-date', and that permission should be granted unless the harm caused "significantly and demonstrably" outweighs the benefits.
- 1.4 However regard should be had to fact that DM4 states that "limited extensions to gardens will be permitted provided they do not harm the character of the area. In this instance, the extended area would allow for a 3 metre wide landscape buffer to be provided along the (south-east) rear boundary of the site to sufficiently demarcate the development for the prevailing countryside and in addition would allow for greater flexibility within the site for appropriate turning provision and external amenity space for future occupiers. Whilst it is considered that the proposal would have some visual implications as a result of the further extension into the open countryside, this is outweighed by the benefits to the layout of the development as indicated.
- 1.5 The National Planning Policy Framework carries a presumption in favour of Sustainable Development. There are three dimensions to sustainable development which require consideration such as economic, social and environmental roles. Paragraph 9 of the NPPF states that these roles are mutually inclusive and as such in order to achieve sustainable development all three of the dimensions should be sought simultaneously.
- 1.6 Economic
The NPPF makes it clear that planning policies should aim to minimise journey lengths for employment, shopping and other activities, therefore planning decisions should ensure developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes maximised. It is acknowledged that the construction of 7 dwellings would support a limited level of employment, with associated benefits to the local economy, within the local area on a temporary basis during the construction period which could be expected to last no longer than one year. Everton is classified as a Small village within policy CS1 of the Core Strategy for the North and therefore has limited access to employment opportunities however Everton is in close proximity to Sandy which constitutes a Major Service Area and Potton as a Minor Service Centre which has access to a range of facilities and services which would provide local employment opportunities.

On the basis of this the village is considered to be a sustainable location.

1.7 Social

The provision of housing is a benefit of the scheme and for the most part within the allocated site for residential development which should be given significant weight. As mentioned above, Everton is classified as a small village with limited access to services or facilities, however the site is allocated for a minimum of 7 dwellings and therefore it was considered at the time of the allocation that the village could accommodate this small scale growth without an adverse impact on existing services and as explored in the previous paragraph, the village is located within close proximity to Major and Minor Service Areas which have access to a range of facilities for use by future residents. The village is also served by a bus service which stops on Sandy Road which is accessible from this site. Recent case law identifies that we are unable to seek contributions for local infrastructure such as schools and services, however due to its small scale nature is not considered to impact on local infrastructure to a degree which would require financial contributions and on this basis the village is considered to be a sustainable location in this regard.

1.8 Environmental

The NPPF states that opportunities should be taken to protect and enhance the natural environment and to improve biodiversity. The Councils Ecologist is satisfied that the proposal would not adversely affect protected species and appropriate enhancement is proposed. The development site would result in the partial loss of Grade 3 good quality agricultural land and paragraph 112 of the NPPF recommends that Local authorities consider the long term implication of the loss of good quality agricultural land in the interest of sustainable growth. The small parcel of land would not constitute significant development or loss of agricultural land and in any event the site is already allocated for development. Furthermore whilst the proposal would see the encroachment of built development beyond the allocation and this results in a loss of open countryside which is a negative impact of the proposal, the site abuts built form on two sides and is not considered to be an isolated site. Furthermore the site would be demarcated by an appropriate landscape buffer without wider impact on the prevailing flat topography landscaping directly adjacent to the site which is agricultural land. The impact of developing this site adjacent the settlement envelope is therefore not considered to result in significant and demonstrable harm.

1.9 As such it is considered that the proposal broadly accords to the site allocation DPD and the presumption in favour of Sustainable Development outweighs any identified visual harm to the character of the area by way of the minimal incursion into the open countryside given that the proposal would provide for a reinforced landscape buffer which would appropriately demarcate the built form with the prevailing landscape. The proposal therefore would accord with the Section 1 and 6 of the NPPF and the principle of development the site is acceptable.

2. Affect on the Character and Appearance of the Area

2.1 Local Plan Policy DM3 & CS14 states that proposals should take full account of the need for, or opportunities to enhance or reinforce the character and local distinctiveness of the area; and that the size, scale, density, massing,

orientation, materials and overall appearance of the development should complement and harmonise with the local surroundings, particularly in terms of adjoining buildings and spaces and longer views.

- 2.2 The site has existing built form on two sides and the south east side of the site overlooks an area of agricultural land. As part of this current proposal it is suggested that the south eastern boundary will be improved through the planting of a 3 metre wide buffer of additional tree and landscaping which will continue the full length of the boundary and would provide a suitable buffer and distinction from the built form and prevailing landscape.
- 2.3 Despite concerns raised in respect of density, the proposed development would result in a density per hectare of approximately 21 when including the retention of the bakehouse, which does not constitute high density and is representative of the density levels within Everton.
- 2.4 Consideration has been given to retaining established building lines of adjacent buildings in the interest of reinforcing the established pattern of development. In addition the scale and design of the proposed dwelling houses are reflective of the designs of dwelling houses within the village providing an appropriate mix of cottage style attached dwelling houses and detached two storey family homes. In addition, the proposed layout seeks to provide an appropriate vantage point into the site to enhance the visual presence of the non designated heritage asset The Bakehouse.
- 2.5 Some minor alterations were advised by the Council and reflected in revised elevations for some on the unit types to provide effective detailing on the dwelling house and symmetrical designs in the interest of the conforming to the principles of good design. Whilst materials have been indicated on the plans supplied for consideration, the external treatment of the proposed dwelling houses would be controlled through condition to ensure that consideration can be given to the samples of materials to ensure that the proposal would be sympathetic to its immediate setting to the non designated heritage asset. Concerns were expressed by local residents about the minor level differences between the site and existing development and the visual impact of those differences, however finished floor levels have been conditioned to ensure an appropriate transition between existing and new development.
- 2.6 The tree survey and Arboricultural impact assessment supplied in support of the application demonstrates that the proposal would not unduly impact good quality trees and the Councils Tree and Landscape Officer is satisfied with the proposal subject to the imposition of conditions to secure appropriate planting and densities of the landscaping proposed and boundary treatment. This approach is supported by the Councils Strategic Landscape Officer. As such it is considered that the proposal would conform with policies CS14 & DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and Section 7 of the NPPF.

3. Neighbouring Amenity

3.1 Existing Occupiers

Unit 1 is proposed to be located some 11 metres from the side elevation of 11 Sandy Road. Due to this adequate separation, the proposal would not be

considered to result in an overbearing impact on the existing occupiers of this adjacent dwelling house. Windows are present on the side elevation of 11 Sandy Road which would directly face unit 1 and only a low level fence exists and is proposed to be retained. Two 1 pane windows are proposed to be installed at the ground floor side elevation of Unit 1 however they would be secondary windows and as such, notwithstanding the plans supplied, it can be conditioned that these windows will be obscurely glazed and non opening below 1.7 metres in height from floor level in the interest of amenity protection from mutual overlooking.

- 3.2 A 4.5 metre separation is proposed at its nearest point between unit 1 and the extended bakehouse dwelling house. However due to the siting of the bakehouse in relation to this proposed unit only angled views would be possible from the proposed unit 1 overlooking the Bakehouse. Furthermore, the closest part of the Bakehouse likely to be affected by the proposal serves the utility room and downstairs bathroom and these windows can be conditioned to be obscurely glazed in the interest of retaining adequate privacy for existing occupiers.
- 3.3 A proposed garage to serve the Bakehouse would be located 11 metres to the rear of 23 Sandy Road and as such, the proposal would not give rise to an overbearing impact on the existing occupiers of this dwelling house. The Bakehouse remains in its current position and no alterations are proposed to the external appearance which would be in close proximity to 23 Sandy Road and as such, the proposal would not give rise to any greater overlooking concerns than existing.
- 3.4 The bakehouse would be situated 17 metres from the side elevation of unit 2. A first floor side window is proposed to unit 2 to serve the hallway. Given the adequate separation and the room in which the window would serve being a non habitable room, it is considered that the proposal would not result in an unacceptable level of mutual overlooking between unit 2 and the bakehouse. Whilst there is no prescriptive design guidance for separations side to back or front to front, a separation of 20 metres is proposed between the side elevation of the Bakehouse and the proposed units 5-7 and this is considered adequate to prevent mutual overlooking.
- 3.5 An adequate distance of 30 metres or more is proposed between properties 27, 29 and 31 Sandy Road and the closest dwelling, unit 7 which is also an acceptable distance to prevent mutual overlooking. It is acknowledged that the garden spaces of 27 & 29 Sandy Road would be reduced in depth to accommodate the parking court for the development. However the garden depths and coverage accords to the Councils external amenity standards contained within the Councils technical design guidance and is not dissimilar to amenity spaces within the close vicinity and therefore it is considered that the external amenity space proposed would be acceptable. It is acknowledged that the proposal includes a parking court to the rear of these existing units; however the parking area is proposed a sufficient distance from the existing units to not result in unacceptable amenity impact in terms of overshadowing. The access is already in use for vehicular access to turning and parking provision and the level of noise and disturbance as a result of the increase vehicle movements would not be to a degree that would warrant refusal of

planning permission.

- 3.6 Units 5-7 are proposed to back onto the garden space of 33 Sandy Road and only outbuildings and the furthest most part of the garden space would be potentially overlooked which is not considered unacceptable in planning terms.
- 3.7 And lastly, a distance of 11 metres is proposed between 15 Sandy Road and units 2 & 3. Due to this adequate separation the proposal would not give rise to overbearing impact on the existing occupiers of 15 Sandy Road. No windows only a chimney breast is present on the side elevation of the existing dwelling house facing the proposed units. As such, no windows on the rear elevation of either unit 2 or 3 would give rise to mutual overlooking concerns of habitable rooms. The larger window proposed on the rear elevation of unit 3 could be perceived to give rise to potential overlooking concerns of the back garden of the existing dwelling house, however due to the adequate distances and position of the window, only angled views would be possible and it is not considered therefore that the proposal would give rise to overlooking of the garden space to an unacceptable degree which would warrant refusal of planning application.
- 3.8 Whilst concerns have been expressed about the additional noise as result of increased residential occupation on this site, no concerns have been expressed in this regard by the Councils Pollution Officer. In addition, the number of movements anticipated as a result of this development, would not be to a degree that would warrant refusal on these amenity grounds.
- 3.9 Future Occupiers
A distance of 12 metres is proposed between unit 3 and 4 and in excess of this between unit 2 and 5-7. Due to this appropriate separation and the positioning of the units at an angle to one another, the proposal would not give rise to mutual overlooking concerns for future occupiers.
- 3.10 The proposal accords to the council's internal and external amenity standards contained within the Councils technical guidance. In addition, pedestrian access to the rear gardens of the proposed units and existing units where applicable have been provided or retained in the interest of providing access for storage.
- 3.11 As appropriate external amenity provision is proposed and due to the adequate separations of the units in relation to existing and future occupiers it is not considered necessary to restrict permitted development rights for extensions or alterations to the proposed dwelling houses.
- 3.12 Bin storage and cycle storage facilities have been indicated on the layout plan and are considered appropriate in terms of size and siting. Whilst collection point have not been identified on the layout plan, the Councils waste officer is satisfied that there is sufficient space within the site to accommodate such facilities and as such is satisfied that this could be secured by condition if the committee are minded to approve. Therefore the proposal in this regard, would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 7 of the

NPPF.

4. Highway Considerations

4.1 Access

The proposal is for 3 x 2 bedroom, 2 x 3 bedroom, 2 x 4 bedroom dwellings, extension to the 'Bakehouse' and new access/closure of the existing, and replacement parking provision for properties 23 to 29, a widened footway and adjacent verge to be dedicated as public highway.

4.2 The visibility at the access points has been a matter for lengthy discussion with the Councils Highways Officer. Amendments have been made in accordance with their advice. Access is taken from a 30mph road where visibility splays of 2.4m x 43.0m will be required. Visibility from the Bakehouse access is acceptable. Visibility from the access between no. 25 and no. 27 Sandy Road is acceptable to the east, but to the west only 34.0m can be achieved to the nearside channel of the road.

4.3 Vehicles should be at a slower speed because of the bend in the road, although no speed survey has been submitted to support this. The required 43.0m splay also transects through the adjacent property access (no. 31), although this is third party land and can not be secured free from obstruction. The advice from the Councils Highways Officer is that mitigation of the substandard access for this level of intensification can be resolved through speed reduction measures (speed activated signage) along Sandy Road, which can be delivered through a section 106 agreement.

4.4 Parking and Turning

The internal access arrangements throughout the site will remain unadopted as footpaths are not proposed all around the internal access and the turning head does not accord with adoptable standards in terms of refuse collection vehicles.

4.5 Concerns have been expressed by the Parish Council that the private road should not exceed 5 units. The Councils Technical Design Guidance refers to a limiting 5 houses from a shared driveway with a shared surface and does not prevent developers from retaining private ownership of roads and accesses for larger developments to be managed by a private company providing that they enter into an agreement with the highway authority separate of the planning application.

4.6 Adequate turning provision has been provided for delivery vehicles and the Councils Highways Officer is satisfied that an appropriate collection point for bins can be realised by condition to ensure appropriate refuse collection.

4.7 Sufficient parking in accordance with the Councils parking standards has been proposed including the retention of parking spaces for existing properties along Sandy Road.

4.8 As such it is considered that the proposal would not be prejudicial to highway safety and would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 4 of the NPPF in this respect.

5. Other Considerations

5.1 Archaeology

The proposed development site is located within the medieval core of the village of Everton (HER 17153) and is consequently considered to have the potential to contain archaeological deposits relating to the Saxon, medieval and post medieval development of the village. Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (CLG 2012).

The proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of any surviving heritage assets with archaeological interest. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development and the scheme will adopt a staged approach, beginning with a trial trench evaluation, which may be followed by further fieldwork if appropriate. The archaeological scheme will include the post-excavation analysis of any archive material generated and the publication of a report on the investigations. In order to secure this scheme of works, the Councils Archaeologist has recommended a condition be imposed to secure this. As such, it is considered to conform with policy DM13 of the Core Strategy for the North and Section 12 of the NPPF.

5.2 Contamination

The Councils Pollution Officer recognises that features potentially present at the application site could pose theoretical contamination risks to the human health of site workers and end users, so it is advised that a contaminated land survey be undertaken to assess and mitigate any risks from, for example, asbestos or historic fuel leaks. As such, has recommended that conditions be imposed to ensure investigation and appropriate remediation where contamination is found to be present.

5.3 Ecology

Despite concerns expressed by local residents and the Parish Council, the Preliminary Ecological Appraisal (PEA) did not find any evidence of bats using the buildings. The site lies in the Greensand Ridge Nature Improvement Area and the PEA proposes a number of enhancement measures which will ensure the development delivers a net gain for biodiversity in line with NPPF and NIA expectations which can be secured through condition. In addition, a number of bird and bat boxes have been proposed in the interest of enhancement which also can be secured through condition. As such, no objections have been raised by the Councils Ecologist. Therefore the proposal is considered to accord with policies CS18 & DM15 of the Core Strategy for the North and Section 11 of the NPPF.

5.4 Financial Contributions & Affordable Housing

Current advice contained within the National Planning Practice Guidance (NPPG) sets out the Government's position that tariff-style planning obligations and

affordable housing provision should not be sought for certain small developments (10 dwellings or less or 1,000 square metres of gross floor space)

5.5 **Pre-application Advice**

Advice was sought prior to the application for the erection of 9 dwelling houses however due to constraints in terms of access, appropriate standards for amenity and the retention of the Bakehouse; it was advised that the reduction in units would be necessary in order to facilitate all necessary infrastructure. The advice given has been reflected in the submission herein.

5.6 **Human Rights issues**

The proposal raises no Human Rights issues.

Equality Act 2010

The proposal raises no issues under the Equality Act.

Recommendation:

That Planning Permission be APPROVED subject to the Completion of a Section 106 Planning Obligation and 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 development shall take place until samples of the materials to be used in the construction of the external surfaces of the development and details of the proposed bird and bat boxes hereby permitted 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: Building materials are required to be ordered in advance of the construction phase and to ensure that the materials proposed would reflect the envisaged appearance of the development. (Policy DM3 of the Core Strategy for the North & Section 7, NPPF)

- 3 **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. (Policy DM3 of the Core Strategy for the North & Section 7, NPPF)

- 4 Notwithstanding the plans approved, the ground floor windows in the principal (North-west) elevation of the single storey side element of the Bakehouse shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the windows which can be opened are more than 1.7m above the floor of the rooms in which the windows is installed. No further windows or other openings shall be formed in the principal (North-west) elevation of the single storey side element of the Bakehouse.

Reason: To safeguard the privacy of occupiers of adjoining properties (Policy DM3 of the Core Strategy and Section 7, NPPF)

- 5 Notwithstanding the plans supplied, the ground floor windows in the side (north-east) elevation of unit 1 the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the windows which can be opened are more than 1.7m above the floor of the room in which the windows are installed. No further windows or other openings shall be formed in the side (north-east) elevation.

Reason: To safeguard the privacy of occupiers of adjoining properties (Policy DM3 of the Core Strategy for the North and Section 7, NPPF)

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

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development. 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 developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

- 7 Prior to first occupation, all ecological measures and/or works shall be carried out in accordance with the details contained in part 6 of the October 2016 Preliminary Ecological Appraisal.

Reason: To ensure all impacts from development are taken into account and mitigated and the development delivers a net gain in biodiversity. (Section 11, NPPF)

- 8 **No development shall take place until details of hard and soft landscaping (which shall include the 3 metre landscape buffer along the edge of the site and proposed boundary treatment), together with a timetable for its implementation and a scheme for its maintenance for a**

period of 5 years 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 an acceptable standard of landscaping.
(Policy DM14 of the Core Strategy for the North and Sections 7 & 11, NPPF)**

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

A Phase 1 Desk Study report adhering to BS 10175 documenting the ground and material conditions of the site with regard to potential contamination.

**Reason: To ensure that any contamination which exists on the site is identified and properly dealt with in the interests of the residential amenity of the future occupiers of the site and of the surrounding area.
(Section 11, NPPF)**

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

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

Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 remediation scheme with measures to be taken to mitigate any risks to human health, groundwater and the wider environment. Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied.

The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009). (Section 11, NPPF)

- 11 **No building shall be occupied until the junction of the proposed vehicular access with the highway and the modified junction of the vehicle 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)**

- 12 The visibility splays indicated on the approved drawing no. 1736-01 shall be provided at the junctions of the accesses with the public highway before the development is brought into use. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them. (Section 4, NPPF)

- 13 No dwelling shall be occupied until the footway fronting the site has been widened to 2.0m, the property boundaries realigned to provide the visibility splays and dedicated as public highway, and a verge constructed in accordance with details/annotation of the drawing no. 1736-01. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement.
(Section 4, NPPF)

- 14 Before the new access is first brought into use, the existing access serving 'The Bakehouse' and south-east of the proposed access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval and constructed in accordance with the approved details.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.
(Section 4, NPPF)

- 15 Before the premises are occupied all on site vehicular areas shall be surfaced in a stable and durable materials in accordance with details to be approved in writing by the Local Planning Authority. 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 acceptable parking of vehicles outside highway limits .
(Section 4, NPPF)

- 16 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users. (Section 4, NPPF)

- 17 Before the development is brought into use, the proposal shall be carried out

and completed in all respects in accordance with the access siting and layout, parking provision inclusive of replacement parking and visitor parking, turning areas, cycle parking provision in sheds and access thereto and refuse collection point illustrated on the approved drawing no. A/43206/07F and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 2015, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority. The cycle parking provision, vehicle parking provision, turning areas and refuse collection point shall thereafter be retained for its purpose.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.
(Section 4, NPPF)

- 18 Details of a refuse collection point located at the site frontage and outside of the public highway and any visibility splays for The Bakehouse and plot 1 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.
(Policy DM3 of the Core Strategy for the North and Section 7, NPPF)

- 19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers A 43206 1B (Site Location Plan), A 43206 07F (Proposed Site Layout), A 43206 08A (Garden Areas), A 43206 09 (Garage Plans), A 43206 10B (Proposed Unit 1 & 4), A43206 11A (Proposed Units 2 & 3), A 43206 12B (Proposed Units 5-7), A 43206 13 (Existing Bakehouse), A 43206 14 (Existing outbuildings), A 43206 15A (Proposed Bakehouse), Arboricultural Implications Assessment and Method Statement (12th Oct 2016), 2976.TPP (Tree Protection Plan), 2976.AIP (Arboricultural Implications Plan), Design and Access Statement (Sept 2016), Heritage Statement (Version 1.0), Ecological Appraisal (Oct 2016), Planning Statement (Sept 2016), Highways Statement (Oct 2016), 1736-03 (Tracking Access) & 1736-01 (Dedicated Highway Plan).

Reason: To identify the approved plan/s 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 National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
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. 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.

4. The applicant is advised that in order to comply with highways condition attached to this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Highways Help Desk tel: 0300 300 8049

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

Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all vehicles leaving the site

The applicant is advised that Central Bedfordshire Council as highway authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.

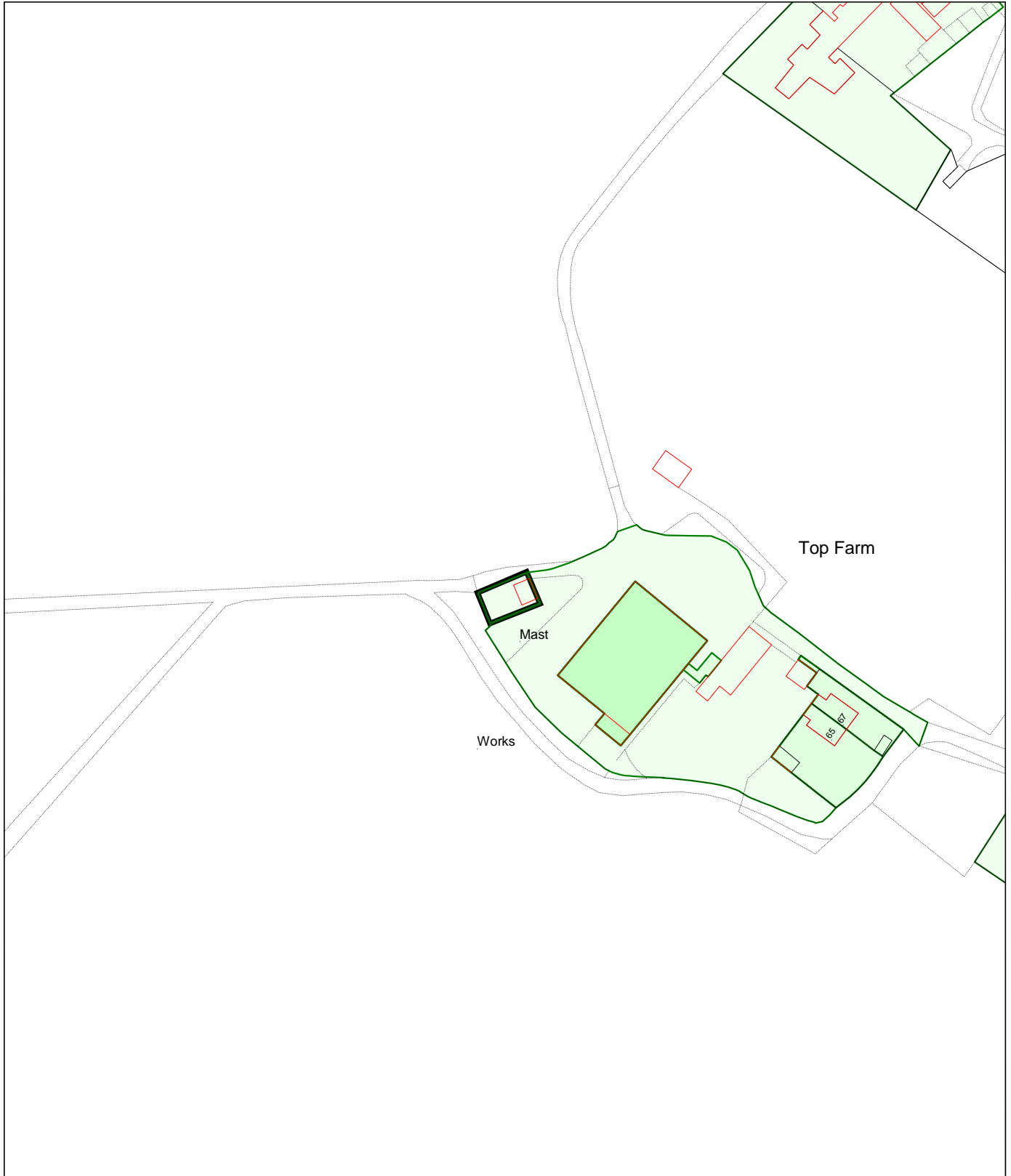
The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

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

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

DECISION

.....
.....



	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No. CB/16/05293/FULL
	Date: 16:January:2017	
	Map Sheet No	
Scale: 1:1250	Top Farm Rectory Road, Campton, Shefford, SG17 5PF	

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Item No. 9

APPLICATION NUMBER	CB/16/05293/FULL
LOCATION	Top Farm, Rectory Road, Campton, Shefford, SG17 5PF
PROPOSAL	5m increase to telecommunications tower to facilitate upgrade, and associated works.
PARISH	Campton/Chicksands
WARD	Shefford
WARD COUNCILLORS	Cllrs Birt & Brown
CASE OFFICER	Mark Spragg
DATE REGISTERED	14 November 2016
EXPIRY DATE	09 January 2017
APPLICANT	ee Ltd & Hutchinson 3G UK Ltd
AGENT	WHP Telecoms Ltd
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Referred to Committee by the Development Infrastructure Group Manager due to the level of public interest.
	Full Application - Approval Recommended

Summary of Recommendation

The planning application is recommended for approval, as it would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1 and DM4 and the design is in accordance with the Central Bedfordshire Design Guide and National Planning Policy Framework.

It would appear in keeping with the character of the locality, would not have a significant impact upon the residential amenity of any adjacent properties, would not cause any significant highway safety issues, and would not, as revised, exacerbate any flood risks.

Site Location:

The site is located approximately 150m from the corner of Priory Road/Rectory Road, accessed off a track serving Top Farm, and a number of properties including 59, 65 and 67 Rectory Road.

The site currently comprises a 15m high lattice tower with six, 2m high antennas on top, resulting in a maximum height of 17m. On the ground are four ancillary cabinets within a compound enclosed by 2.1m close boarded fencing.

The existing tower was originally erected under permitted telecommunications development in 1997 and currently serves the EE network (a company previously Talk Mobile and Orange) and H3G.

The site is located within the open countryside, next to the village of Campton.

The Application:

The application seeks planning permission to extend the lattice tower by 5m, enable the addition of additional antennas to facilitate 4G coverage for 02 on the same mast and to provide improved coverage for EE and H3G. In addition 3 new ancillary cabinets are proposed to be sited within the enclosed compound.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

National Planning Practice Guidance

Core Strategy and Development Management Policies (November 2009)

- CS1 Development Strategy
- CS14 High Quality Development
- DM3 High Quality Development
- DM4 Development Within and Beyond Settlement Envelopes

Central Bedfordshire Design Guide (2014)

Development Strategy

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

Relevant Planning History:

Case Reference	MB/03/01940/FULL
Location	Top Farm
Proposal	Full: 5 metre extension to existing 15 metre tower including six additional antennae, two 600mm dishes and two cabinets.
Decision	Withdrawn.
Decision Date	31/12/2003

Case Reference	MB/01/00031/TD
Location	Top Farm
Proposal	Telecommunication Determination: Replacement equipment cabinets.
Decision	Granted
Decision Date	26/01/2001

Case Reference	MB/97/00270/TDM
Location	Top Farm
Proposal	Telecommunications Determination: Erection of freestanding lattice tower and ancillary equipment.
Decision	Granted
Decision Date	20/03/2007

Consultees:

Campton and -Concerns relating to health.
Chicksands Parish -Consider view of Civil Aviation Authority should be sought.

Other Representations:

Neighbours 18 letters of objection have been received from the occupants of 13 properties. The comments made are summarised as follows:

- Health issues from radiation.
- Proximity to a school (approximately 350m).
- Errors in the submission relating to the proximity of an airfield and school.
- Visual impact to surrounding area including public footpath.
- An alternative site should be found.
- Unclear as to whether the extension is necessary.

One Petition received with 166 signatures objecting to the following reasons.

- Ugly structure.
- Impact on views.
- Lack of consultation.
- There is an airfield and school nearby.

Considerations

1. Principle of development

Applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. There are no specific policies in the Core Strategy relating to telecommunications development and as such the National Planning Policy Framework forms the main consideration in respect of the principle.

The NPPF is in general support of providing communication infrastructure and the economic and social benefits it provides.

Paragraph 42-44 of the NPPF support the economic benefits of enhanced communication networks in principle. However LPA's should aim to keep the numbers of radio and telecommunication masts and the sites for such installations to a minimum, consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.

The application seeks planning permission to extend an existing 15m lattice mast by an additional 5m to allow 4G use by O2 and to provide enhanced coverage for EE and H3G.

The increase in the height of the mast to facilitate an additional user and to improve the telecommunications coverage therefore meets the objectives of the NPPF (para 42-44) and the economic and social benefits of improving communications infrastructure.

Therefore, the principle of such development is acceptable, subject to it not causing undue harm to the character and appearance of the area or to the amenity and living conditions of occupiers of neighbouring dwellings.

2. Impact upon the Character and Appearance of the Area

The existing 15m high mast (with 2m high antennas on top) is visible to distant views from the A507 Ampthill Road, Priory Road and Rectory Road. It does have an impact on the appearance of the area, though it is accepted that such a telecommunications mast will always have an impact by virtue of its design and requirement for height to serve its telecommunications function.

The addition of 5m to the existing height of the mast would clearly have some additional impact however it would not in the opinion of Officers result in an unacceptable degree of harm to the character of the surrounding area. The alternative of providing a second mast, which is not an option supported by the NPPF, would be likely to have a greater impact.

For the reasons outlined above, it is considered that the proposed development would not cause harm to the character and appearance of the area to the extent that would justify refusal. As such, the proposal is considered to be in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

3. Impact upon the Amenity and Living Conditions of the Occupiers of Neighbouring Dwellings.

The closest properties to the mast are No's 65 and 67 Rectory Road which are located approximately 65m to the south east and are sited behind the barn beyond which the existing mast is sited.

The current mast is already visible from the neighbouring properties and the proposal would make a further 5m of the structure visible as a result. However, it is not considered that the added height would cause any significant additional harm in terms of amenity to the occupants of those properties, given the height and siting of the existing mast.

As such the proposal is in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

4. Health Issues

Concern has been raised in relation to health implications as a result of the development being a distance of approximately 350m to a school. However, Paragraph 46 of the NPPF states Local Planning Authorities must determine applications on planning grounds. The NPPF states that Authorities should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure. It has been confirmed that the proposal would meet International Commission guidelines for public exposure with the application being accompanied by an ICNIRP compliance declaration. Therefore it is considered that the proposed development is acceptable within this context.

5. Equality and Human Rights

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

Recommendation:

That Planning Permission be **APPROVED** subject to the following Conditions:

RECOMMENDED CONDITIONS / REASONS

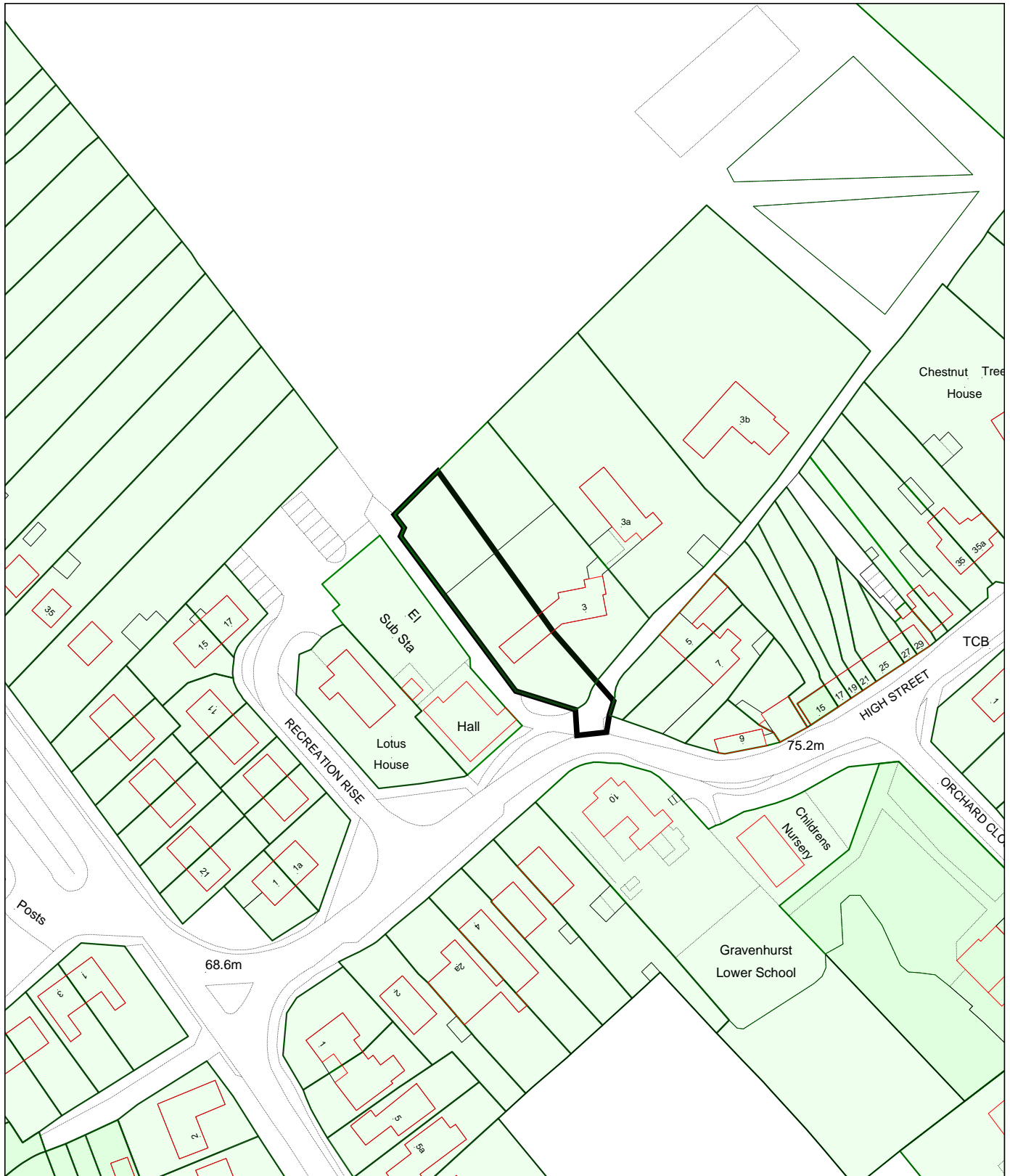
- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing mast.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing mast in the interests of the visual amenities of the locality. (Section 7, NPPF)
- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 200, 201, 301.

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

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.



	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No. CB/16/05597/FULL
	Date: 16:January:2017 Map Sheet No	
Scale: 1:1250	Whitestyles 3 High Street, Gravenhurst, Bedford, MK45 4HY	

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Item No. 10

APPLICATION NUMBER	CB/16/05597/FULL
LOCATION	Whitestyles, 3 High Street, Gravenhurst, Bedford, MK45 4HY
PROPOSAL	Construction of a two storey detached dwelling with integral garage. (change to siting under approval CB/15/00970)
PARISH	Gravenhurst
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Julia Ward
DATE REGISTERED	05 December 2016
EXPIRY DATE	30 January 2017
APPLICANT	Mr A Burton
AGENT	Peter J Farmer RIBA
REASON FOR COMMITTEE TO DETERMINE	Call-in by Councillor Graham (Silsoe and Shillington) on the following grounds:
	<ul style="list-style-type: none">* Overbearing impact;* Impact on landscape
RECOMMENDED DECISION	Recommendation - Approval

Reason for Recommendation:

The principle of a new dwellinghouse on the application site is considered acceptable. The re-siting of the development would not result in an unacceptable impact on the character of the area, an adverse impact on the residential amenity of neighbouring properties or highway safety. Therefore subject to conditions, the proposed development is in conformity with Policy DM3 of the Core Strategy and Development Management Policies (2009) and The National Planning Policy Framework (2012).

Site Location:

The application site is located to the south-west of No.3 High Street, known as Whitestyles which is an existing two storey detached dwelling on a large rectangular plot. The dwelling is accessed from a spur off of the High Street to the south which serves neighbouring Nos. 3a, 3 and 5. To the south west is the village hall and associated car parking and to the northwest is the village recreation/sports playing fields.

The site is located within the Settlement Envelope of the village. It is not located within a designated conservation area.

The Application:

The application site has planning permission for the erection of a dwellinghouse with associated parking (ref: CB/15/00970/FULL, approved 20/05/15). Construction of the approved dwelling has started on-site and is currently up to roof level. However, the dwelling has been constructed in the wrong position being set 2 metres further forward towards High Street than the approved drawings. This application is seeking planning permission for this amended position.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

7: Requiring good design

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy
CS14 High Quality Development
DM3 High Quality Development
DM4 Development Within & Beyond Settlement Envelopes

Development Strategy

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

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application Number	CB/15/00970/FULL
Description	Detached house with integral garage
Decision	Granted
Decision Date	20/05/15
Application Number	CB/14/04915/RM
Description	Reserved matters following outline application ref: CB/12/03648
Decision	Granted
Decision Date	27/02/15
Application Number	CB/12/03648/OUT
Description	Outline application: Detached dwelling (all matters reserved except for means of access)
Decision	Granted
Decision Date	06/12/12

Application Number MB/95/00319/OA
Description Outline: Erection of one, two storey house (all matters reserved except for means of access)
Decision Granted
Decision Date 13/06/95

Consultees:

Parish/Town Council Gravenhurst Parish Council - Objects to the application for the following reasons:

1. The submitted design and access statement submitted for this application appears to be out of date as it refers to a single storey to be demolished which has already been implemented. There is also a significant slope on the site requiring the front corner of the new dwelling to be raised 1 metre to maintain a level floor, despite the statement referring to the site being predominantly level;
2. The planning history section of the Design and Access Statement has not been updated to include reference to the most recent approval on the site (CB/15/00970/FULL);
3. The standard of the drawn 1:500 section of all plans derived from the original location plan is very poor. The 1:1250 section is an OS extract and it appears that the front line of the front wall of no. 3 was originally drawn rotated approximately 4 degrees clockwise relative to the Northing in the 1:500 extract;
4. The "as shown" position of the newly erected property is shown rotated approximately 4 degrees anti-clockwise relative to the Northing on earlier versions of the plan and site boundary;
5. The Design and Access Statement acknowledges that the new building has been erected 2 metres south-east of the approved line. It does not state the datum used for establishing this;
6. The Design and Access Statement states that the Village Hall was "...originally plotted in line with the OS extract. However, from dimensions taken on site this would also appear to be too far to the south-east". It is noted that the dimensions refer to on-site measurements. The rotated position of no. 3 on the plan as compared to the Northing datum might explain the apparent misplacement of the Village Hall if the position of no. 3 on the site (the only pre-existing point on site) has been

taken as the datum;

7. The applicant states that he believes the submitted revised plan (ref: 1768/1A) to be correct;

8. The rotational errors in the position of no. 3 on the 1:500 plan relative to the Northing and OS extract appear to remain on the submitted revised plan ref: 1768/1A;

9. The applicant feels that this change does not have any impact on the surroundings, neighbouring properties, privacy or overlooking. However, the applicant is non-resident and whilst he does apparently own the adjacent no.3, this has remained unoccupied for at least 10 years and still remains unoccupied whilst alterations are being made;

10. The applicant has allowed building works to continue, including the installation of roof trusses, following the Planning Enforcement team alerting him to the fact that the position of the new dwelling is inaccurate;

11. The applicant elected not to attend the Parish Council meeting;

12. Several members of the village community have raised concerns with the Parish Council about the siting of the newly built property and the impact it is already making on the village surroundings even in its current unfinished state;

13. The errors in the drawn plans and siting of the building were within the control and responsibility of the applicant, there are no grounds to approve the application on the basis of potential financial loss, there are no grounds to approve the revised siting on the basis of need, the accuracy of the previously approved plans is not accepted, and the demolition and re-building of the property to correct the error in siting cannot be achieved due to the inaccuracy in the plan drawings;

14. The as-built frontage of the dwelling is already presenting a more overbearing impact on the surroundings and adjoining properties than would have been the case if it had been erected in the correct location relative to the Village Hall;

15. The positioning of the property further forward and rotated slightly anti-clockwise from the approved position relative to the existing number 3 results in the windows of bedroom 5, above the garage, facing directly towards the frontage of number 3. This is considered to be an

unacceptable intrusion of the privacy of that property. Conversely the proposed window will be overlooked by no. 3;

16. The new building is very close to the village hall. The activities associated with the hall generate noise. The rotation of the "as-built" now places the first floor window of the bedroom en-suite directly in line with the window of the village hall rather than behind and at an angle to it. This change in position increases the possibility of noise nuisance for future occupants and would be prejudicial to the use of the village hall;

17. The forward position of the building aggravated by the apparent rotation has a significant impact on the daylight falling on the frontage of no. 3;

18. The proximity of the frontage to the front boundary fence coupled with the elevated position already presents an imposing and overbearing facade;

19. The recent improvement works to the village hall established the village hall as the dominant property along this part of the High Street, reinforcing the importance of the village hall as the principle community building in the village. The two storey frontage of the application property is almost in line with it and already detracts from the dominance of the village hall. The application site is not in keeping with the surrounding area. Placing the building so far forward on the building plot and elevated relative to the existing ground level at the front has already had a significant and detrimental impact on the streetscene at this corner of the High Street. There was previously an open vista to the frontage of no. 3 which should have remained relatively open. All nearby dwellings between 7 High Street and the junction of the High Street with Clophill and Barton roads are set back from the front boundary;

20. Notwithstanding the above comments, the Parish Council wishes to move towards an acceptable solution with two options put forward - first, the front wall of the garage section of the property should be demolished and moved a similar distance to the north-west reducing it to a single garage. This would place the front wall of the garage where it should have been and the bulk of the property would remain as-built, provided the overlooking issues of the bedroom window are addressed. The second option is to retain the double garage but reducing the size to a single storey with a hipped roof. This would result in a less imposing frontage onto the High Street and would remove the overlooking issues associated with

the bedrooms and restore the light to no. 3 and reduce the effects of noise nuisance from the village hall.

Archaeology Officer	The proposed development site lies adjacent to the historic core of the settlement of Upper Gravenhurst (HER 17104) and under the terms of the National Planning Policy Framework (NPPF) this is a heritage asset with archaeological interest. However, the archaeological potential of this area is at present considered to be low. Given the planning history of the site, its location and the nature of the proposals, I have no objection to this application on archaeological grounds.
Internal Drainage Board	No comments to make on application
Pollution Officer	It is considered that the minimal relocation will not have a material change on the impact of the village hall on the proposed development
Highways Officer	This application for re-siting of an approved dwelling is acceptable in a highway context.

Other Representations:

Neighbours One letter of objection has been received from the occupier of 36 High Street raising the following concerns:

This property has not been constructed in accordance with the original approved plans. It is approximately 4 metres forward of the original plans. If this application is approved, it will set a precedent for any future developments in the local area. The first precedent was set with the redevelopment of the Green Dragon in the High Street. The owner of this property owns several of the existing dwellings along the High Street but does not reside in any of the properties in the village and therefore has no interest in the area apart for profit. They have continued to develop the property despite receiving an enforcement notice. If the application is granted, it will make a mockery of the planning system as there are a vast number of villagers opposed to the current siting of the development.

Determining Issues:

The main considerations of the application are;

1. Principle of the development
2. Impact of the proposal on the Character and Appearance of the Area

3. Impact of the proposal on the residential amenities of adjoining occupiers
4. Other considerations

Considerations

1. Principle of the development

- 1.1 NPPF paragraph 49 states that 'housing applications should be considered in the context of the presumption in favour of sustainable development'. In the local context, the site falls within the Gravenhurst Settlement Envelope. Gravenhurst is defined as a Small Village by Policy CS1 of the Central Bedfordshire Adopted Core Strategy and Development Management Policies 2009. Policy DM4 states that small scale housing will be permitted within settlement envelopes of large and small villages. The preamble for DM4 goes further to state that the scale of any type of new development should reflect the scale of the settlement in which it is located.
- 1.2 The proposal is for a two storey detached dwelling located to the south west of No. 3 High Street, named Whitestyles. The proposal is considered to be a small scale housing development and as such in accordance with Policy DM4.
- 1.3 The application site benefits from an extant planning permission for a single dwelling approved under planning application reference CB/15/00970/FULL, approved 20/05/15. This accepted the principle of sub-dividing the garden land within the curtilage of no. 3 High Street and providing a new dwelling and is considered material in the determination of this application.
- 1.4 The erection of a dwelling house on the plot is therefore generally supported in principle by both national and local policies. However the proposed dwelling must complement the surrounding pattern of development, particularly in terms of scale, massing and plot coverage, and the design of the proposed building and its relationship with neighbouring buildings. These matters are addressed within the following sections of the main body of the report below.

2. Impact of the proposal on the character and appearance of the area

- 2.1 The application site, owing to its position at the top of the hill known as High Street, is highly prominent both within the streetscene and from the existing public footpath between the village hall and the application site. It is noted that condition 5 attached to planning permission ref: CB/15/00970/FULL related to the levels of the new house has been discharged. Whilst the setting forward of the building line together with the approved levels of the dwelling result in the building appearing more prominent in this part of the streetscene, it is considered that the proposal would not result in such a detrimental impact on the character and appearance of this part of the streetscene to warrant refusal of the application.
- 2.2 The design of the dwelling remains unchanged to that approved under CB/15/00970/FULL. Whilst it is acknowledged that the proposed development is at a greater height than the adjacent village hall, it is considered that this

relationship is not so detrimental to the character and appearance of the streetscene to warrant refusal of the application.

3. Impact of the proposal on the residential amenities of adjoining occupiers

- 3.1 The existing property at no. 3 High Street, known as Whitestyles, has planning permission for various extensions including a part two storey and part first floor rear extension and new front bay windows and garage (approved 02/04/15). It is noted that there is a current planning application under consideration for the construction of a two storey rear extension, a single storey front extension including 2 no. bay windows and a roof extension raising the height of the roof by 0.7 metres (ref: CB/16/05040/FULL). That application is also before the Committee on this agenda.
- 3.2 The proposed new dwelling has a habitable room dormer window facing the existing dwelling at no.3. It is considered that owing to the siting and positioning of the new dwelling in relation to the existing dwellinghouse, this dormer window, and the dwelling as a whole, would not result in such a greater impact to the occupiers of this property in terms of overbearing impact, overlooking and loss of privacy than the position of the house previously approved under CB/15/00970/FULL.
- 3.3 It is therefore considered that the proposal would not result in any significant harm to the amenity and living conditions for occupiers of no. 3 High Street, in accordance with policy DM3 of the Core Strategy (2009), Section 7 of the NPPF and the Central Bedfordshire Design Guide (2014).

4. Other Considerations

4.1 Highways issues

The proposal does not result in any amendments to the access or parking arrangements approved under CB/15/00970/FULL. The proposal is therefore considered acceptable in a highways context and would not result in a detrimental impact on highways or pedestrian safety in the area.

4.2 Concerns raised by objectors

1. Inaccuracy of plans - The applicant has stated in the design and access statement that the submitted plan ref: 1768/1A is accurately drawn. The applicant has been asked to clarify the accuracy of the submitted plans. In any event, it is considered that the impact of the development can clearly be assessed given that the new dwellinghouse is partially constructed on site;

2. The planning enforcement team have not issued a stop notice on the applicant to stop work immediately. However, the team have been made aware that the unauthorised construction work is on-going. Any unauthorised development would be carried out at the applicant's risk;

3. The address of the applicant and whether or not he attended the Parish Council meeting to discuss the proposal is not considered to be a material consideration;

4. Impact of the village hall on the new dwelling - It is considered that the re-siting will not have a material impact on activities at the village hall on the new dwellinghouse;

5. Options put forward by the Parish Council - Whilst it is acknowledged that the Parish Council have suggested two options for amendments to the proposal to reduce the impact of the dwellinghouse on the streetscene, the planning authority is required to assess the application on its own merits as submitted. For the reasons discussed above, it is considered that the setting forward of the dwelling by 2 metres closer towards High Street would not have such a detrimental impact on the character and appearance of this part of the streetscene, nor on the residential amenities of adjoining occupiers to warrant refusal of the application. It is therefore considered that amendments are not required in this instance to make the proposal acceptable.

4.3 **Human Rights/ Equality issues**

Based on the information submitted, there are no known issues raised in the context of Human Rights legislation/ The Equality Act 2010 and, as such, there would be no relevant implications.

Recommendation:

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby approved shall be finished in external materials as specified on approved drawing number 1768.3 unless agreed otherwise, in writing, with the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with appropriate materials in the interests of the visual amenities of the locality (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 2 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any amendments thereto, all garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience

of road users (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 3 In addition to the garage accommodation hereby approved, on site car parking provision for at least two additional cars to serve the dwelling hereby approved shall be constructed and surfaced in permeable block paving with arrangements made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway. This provision shall be implemented in accordance with the Council's current car parking and access standards as set out in the Central Bedfordshire Design Guide (2014) unless agreed otherwise in writing with the local planning authority and made available for use before the development hereby permitted is first occupied. Thereafter this area shall be maintained and not be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 4 The planting and landscaping scheme shown on approved Drawing No. 1768.4 dated 20 October 2014 shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season shall mean the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season with others of a similar size and species.

Reason: To ensure an acceptable standard of landscaping (Policies DM3 of the Core Strategy and Development Management Policies 2009)

- 5 A scheme shall be submitted for approval 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 prior to the first occupation of the dwelling hereby approved and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 1768.1A; 1768.2; 1768.3A

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. **Will a new extension affect your Council Tax Charge?**

The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991.

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax.

If however you add an annexe to your property, the Valuation Office Agency may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.

The website link is:

<http://www.centralbedfordshire.gov.uk/council-tax/bands/find.aspx>

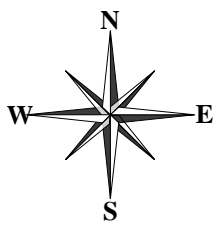
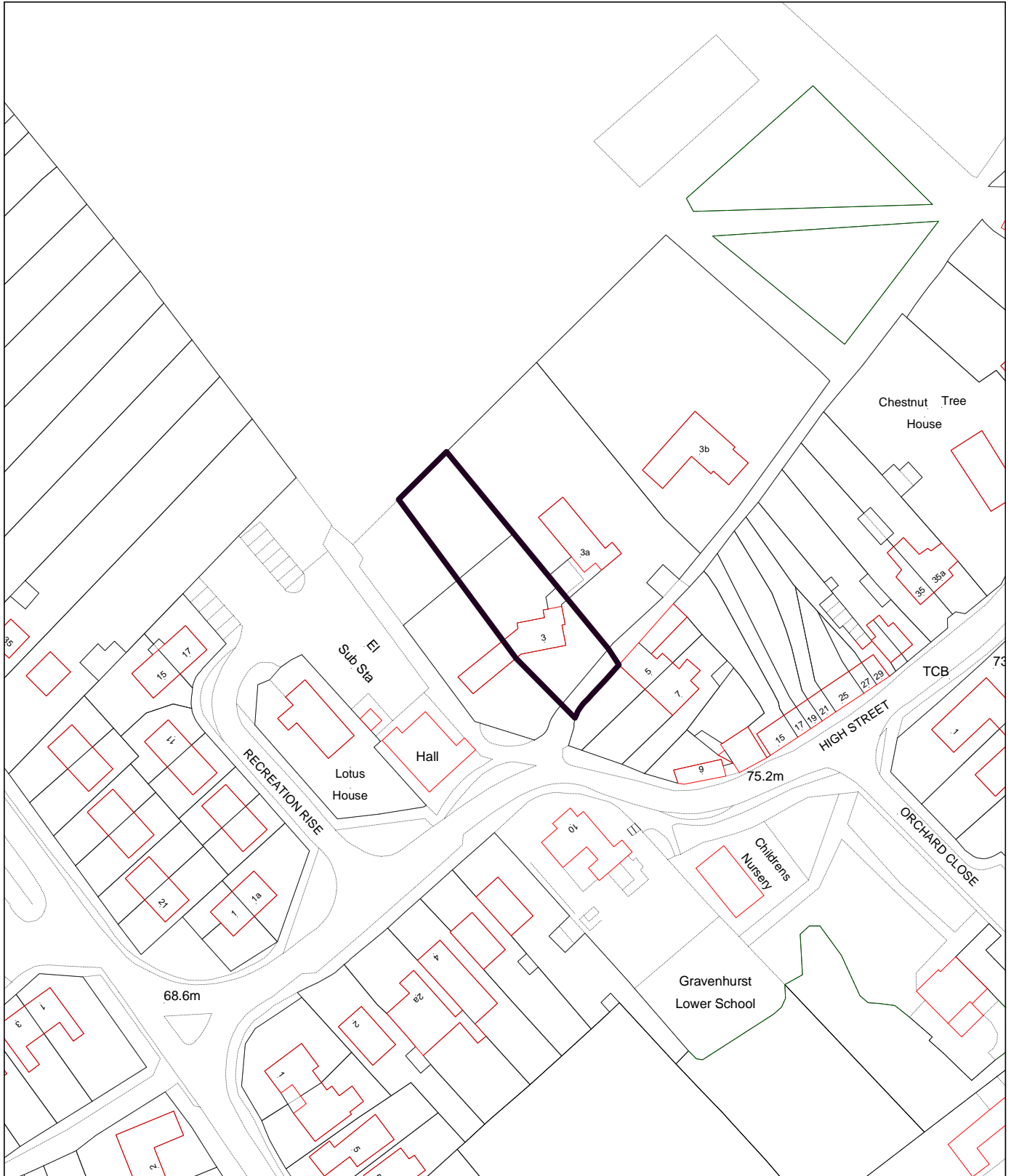
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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Date: 16:January:2017

Map Sheet No

Application No. CB/16/05450/FULL

Scale: 1:1250

Whitestyles, 3 High Street, Gravenhurst, Bedford, MK45 4HY

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Item No. 11

APPLICATION NUMBER	CB/16/05450/FULL
LOCATION	Whitestyles, 3 High Street, Gravenhurst, Bedford, MK45 4HY
PROPOSAL	Part single part two storey rear extension. Increase roof height to create second floor with front facing dormers. Additional windows and internal alterations.
PARISH	Gravenhurst
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Thomas Mead
DATE REGISTERED	21 November 2016
EXPIRY DATE	16 January 2017
APPLICANT	Mr A Burton
AGENT	Peter J Farmer RIBA
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Graham on grounds of 'The 3 storey facade on a high elevation, as you enter the village from the south, will be overbearing, with regards to the skyline. It also dominates the Village Hall which was the focal point of this elevation. It sets a very unacceptable precedent, within a predominantly traditional streetscene/environment'
RECOMMENDED DECISION	Recommended for Approval

Reason for Recommendation:

The principle of enlargements and alterations of an existing residential dwelling are acceptable. The development would not result in an unacceptable impact on the character of the area, an adverse impact on the residential amenity of neighbouring properties or highway safety. Therefore subject to conditions, the proposed development is in conformity with Policy DM3 of the Core Strategy and Development Management Policies (2009); and The National Planning Policy Framework.

Site Location:

No.3 High Street, known as Whitestyles, comprises a two storey detached dwelling on a large rectangular plot. The dwelling is accessed using a spur from the High Street to the south which serves neighbouring Nos. 3a, 3b and 5 High Street. To the south west is the village hall and associated car parking and to the northwest is the village recreation/sports playing fields.

The land to the west of the dwelling house has recently had planning permission approved for the construction of one new dwelling, under the planning permission CB/15/00970/FULL dated 25/05/2015.

The Application:

The application seeks planning permission for the construction of a two storey rear extension, a single storey front extension including two bay windows, and also seeks permission for a roof extension which would raise the height of the ridge of the dwelling house by 0.7 metres, and would create a second floor for the dwelling house, which would include the construction of two front facing dormer windows, and one central dormer window which runs up the middle of the principal elevation of the dwelling house into the roof.

The two storey rear extension would project 2.7 metres beyond the wall forming the rear elevation of the existing dwelling house, and would have a height of 7.4 metres, and an eaves height of 5.5 metres. The single storey front extension would include two bay windows which would project 0.6 metres beyond the wall forming the principal elevation, and would be covered by a canopy with a height of 3.2 metres.

The application reference CB/15/00021/FULL was approved for a two storey rear extension and front bay window extension with covering canopy, features that have been included in this application. The roof extension and accompanying dormer windows would be the only new aspects to this proposed development. As such these elements of the scheme already have planning approval.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

- CS14 High quality Development
- DM3 High quality 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

Central Bedfordshire Design Guide (March 2014)

- 7 Householder Alterations and Extensions

Relevant Planning History:

Case Reference	CB/16/04080/VOC
Location	Whitestyles, 3 High Street, Gravenhurst, Bedford, MK45 4HY
Proposal	Variation of Condition 3 changing approved plans of planning permission CB/15/0021/FULL to read 1832/2, 1832/3b, 1832/5 &

	1832/6 creating 2 attic bedrooms with changes to the roof line and elevations.
Decision	Application Withdrawn
Decision Date	23/11/2016

Case Reference	CB/15/00970/FULL
Location	Whitestyles, 3 High Street, Gravenhurst, Bedford, MK45 4HY
Proposal	Erection of a detached house with integral garage
Decision	Full Application - Granted
Decision Date	20/05/2015

Case Reference	CB/15/00021/FULL
Location	Whitestyles, 3 High Street, Gravenhurst, Bedford, MK45 4HY
Proposal	Part two storey & part first floor rear extension. New front bay windows and detached garage with access.
Decision	Full Application - Granted
Decision Date	02/04/2015

Case Reference	MB/81/0074A/FULL
Location	Whitestyles, 3 High Street, Gravenhurst, MK45 4HY
Proposal	FULL: CONVERSION OF EXISTING BARN TO GRANNY ANNEXE AND A DOUBLE GARAGE LINKED TO EXISTING HOUSE
Decision	Full Application - Granted
Decision Date	19/08/1982

Case Reference	MB/81/00074/FULL
Location	Whitestyles, 3 High Street, Gravenhurst, MK45 4HY
Proposal	FULL: CONVERSION OF EXISTING BARN TO RESIDENTIAL USE AND ERECTION OF SINGLE STOREY LINK BLOCK AND LOUNGE EXTENSION
Decision	Full Application - Granted
Decision Date	10/03/1981

Consultees:

Gravenhurst Parish
Council

Object to the application on the following grounds:

- The proposed height of the building remains overbearing, obtrusive and unsuited to the surroundings. We also have concerns over the large dormer window which crosses the soffit line.
- It is not clear if the plans provided are particularly accurate. The existing roof line is at quite a gradient already. It is suggested as being tbc metres high. The proposed height is shown as being tbc metres high. The original application was suggested as being tbc metres high. So the varied planning application has reduced the roof by tbc metres.

- Point 4 shows the existing property adjacent to the new build roof timbers put up. Currently the existing roof of Whitestyles is slightly higher than the new build roof but this does not overly impact or ruin the symmetry of the roof line. The new proposed roofline however will increase an already steep incline. We would suggest that the existing Television aerial on the photo is a good guide as to how it will impact. The roofline will also be higher than those of the Victorian dwelling adjacent. With regard to the impact the proposed building will have on the area - it would be visible from Lower Gravenhurst church as Lotus House, an existing house in Recreation Rise, is also visible. Also, although this is not completely clear from the plans, it will potentially provide a view over part of the school playground. A precedent has already been set in respect of planning permission granted for application CB/15/04081/OUT - Residential development for up to 24 houses, land at rear of Barton Road. At conditions (15), the permission insisted that the existing row of trees should be retained, the purpose of which being not to impact on views of the village from afar.
- In addition it should be noted that the school is opposite which although two storeys has a much lower projection and is also on lower ground. Adjacent to the school are a number of single storey bungalows. Although Whitestyles is set back from the road it is unacceptable to raise an existing roofline when most buildings around are considerably lower. A precedent has already been made in respect of the impact of other housing on Bungalows in the High Street in permission granted for application CB/15/04081/OUT - Residential development for up to 24 houses, land at rear of Barton Road. This information stated within informative notes to the applicant at (9) *'The applicant's attention is drawn to the change in levels through the site and the raised level of the site at its northern extent is such that it is unlikely that 2 storey dwellings will be an acceptable scale of development throughout the site.'* So, withstanding the issue of rear garden privacy, we do not believe this application should be treated any differently.

- We acknowledge an improvement in respect of the Dormer window reduction which makes the 3rd. storey more palatable. However the long rectangular window crossing the soffit board line has remained unchanged. It is excessive when considering other windows blurs the roof and front elevation. We would suggest it is replaced by two windows in symmetry with the 1st floor front elevation windows and the 2nd floor dormer windows. We would refer to planning guidance at www.planningportal.gov.uk (available on Central Beds website) - Point 7.03.18 states *Generally dormers centred on the windows below. Concerning the height of the roof ridge, point 7.03.19 states "Roof extensions - Where a roof ridge needs to be raised in order to allow increased headroom in the roof space, careful consideration should be given to its impact on the street scene"*.
- The character of the area is clear and opportunities to improve and build on it when the opportunities arise should be taken, rather than allowing a house that dwarfs all around it. Planning guidance available at www.planningportal.gov.k (Point 7.03.20) states "In an area where most roofs are the same height, the significant raising of the roof of a house could appear dominant and out of character with the surrounding area. Such developments are unlikely to be considered acceptable. Where a roof is raised, its pitch should reflect the original, or the roofs of nearby buildings, as appropriate. Any such proposals will be considered within the context of the site and associated levels"
- Whilst the Parish Council does not wish to be obstructive, we believe that the application should be rejected and the applicant asked to resubmit a design which does not increase the height of an already steep 2 storey building on high land. Any loft conversion should be completed with the existing footprint to avoid an obtrusive and domineering dwelling. We acknowledge the other

improvements made in respect of dormer window reductions are an improvement but would also like to see the large dormer window crossing the soffit line reviewed.

Other Representations:

Neighbours No Response Received

Considerations

1. Character and Appearance of the Area

- 1.1 Due to the location of the proposed roof extension, it is considered that this aspect of the proposed development would be visible from the public realm and from the public highway. The dwelling house is sited at the top of the hill known as High Street. The proposal seeks to raise the height of the roof of the dwelling house by 0.7 metres, which would be visible from the streetscene. However, the dwelling house is set back from the public highway by 24 metres which is a significant distance, and therefore would not be considered to appear as overly prominent to a harmful degree. Whilst the proposed development would result in an increased overall height, the increase would only be an additional 0.7 metres. The two dormer windows which occupy the two additional bedrooms would both be set down from the main ridge of the dwelling house, and therefore would appear as a subservient addition to the host dwelling house, in accordance with design principles outlined within the Central Bedfordshire Design Guide (2014).
- 1.2 The central dormer window which runs down the centre of the principal elevation of the dwelling house, and projects beyond the roof slope would also be visible from the streetscene, and may make the dwelling house appear slightly top heavy, however, due to the siting and positioning in relation to the streetscene, it is considered that this aspect of the proposed development would not appear as harmful to the surrounding character and appearance of the area.
- 1.3 The two storey rear extension would not be highly visible from the public realm or from the highway. The highest part of the extension would be set down from the proposed ridge of the dwelling house, and therefore would appear as a subservient addition to the host dwelling, in accordance with the Design Guide. However, this section of the proposed development has already been granted planning permission under the reference CB/15/00021/FULL, and has been found to be acceptable under this application.
- 1.4 The two proposed front bay windows and overarching canopy would also be visible from the streetscene, however, due to the scale of this section of the proposed development, and the modest height and projection of 0.6 metres beyond the wall forming the principal elevation of the dwelling house, it is considered that this section of the development would not appear as overly prominent, and would also appear as a subservient addition to the host dwelling house in accordance with the Design Guide (2014). This aspect of the proposed development has also been previously granted under the planning permission CB/15/00021/FULL.

1.5 Therefore, subject to conditions that would ensure that the materials used for the construction of the proposed development would match those used for the host dwelling, it is considered that the proposed development as a whole would not cause harm to the character and appearance of the area, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009), section 7 of the NPPF and the Central Bedfordshire Design Guide (2014).

2. Amenity and Living Conditions of Occupiers of Neighbouring Dwellings

2.1 The land adjacent to the application site to the southwest has been granted planning permission for the construction of one new dwelling, under the reference CB/15/00970/FULL. Therefore, the amenity and living conditions of the future residents of this dwelling will need to be considered as part of this planning application. Following the incorrect siting of the adjacent dwelling in relation to the approved plans, a revised application has been submitted under the reference CB/16/05597/FULL, which is also for the consideration of the committee on this agenda. It is necessary and appropriate to consider the amenity and living conditions of the potential future occupiers of this dwelling house although at the time of writing, in its current position it is unauthorised.

2.2 This unauthorised dwelling is partially constructed, and has a habitable bedroom at first floor level in the south projecting section of the dwelling, which would face the application site. The adjacent dwelling house due to its siting and positioning in relation to the application site, would not be impacted upon in terms of overlooking by the proposed roof extension to the host dwelling house. Given the relationship between buildings, the proposed development would also not result in an unacceptable loss of light, outlook or overbearing impact upon this future neighbouring dwelling.

2.3 The revised application on the site adjacent for a new dwelling would be the same design, just sited closer to the highway. However, due to the adequate separation between the dormer windows included in the roof extension, it is considered that the proposed development would not result in an unacceptable overlooking impact, and subsequently would not result in an unacceptable loss of privacy. The proposed development would also not result in an additional loss of light, outlook or overbearing impact upon this neighbouring dwelling due to the separation between the proposed development and the adjacent dwelling, and also due to the scale of the increased height and enlargements to the roof.

2.4 The neighbouring dwelling to the north of the site, No. 3a High Street, would be located within relatively close proximity to the application site. However, due to the modest projection and sympathetic design of the two storey rear extension, in relation to the positioning and siting, and also in relation to the separation between the proposed development and No. 3a, it is considered that the proposed development would not result in an unacceptable loss of light, outlook, privacy or overbearing impact upon this neighbouring dwelling.

2.5 Due to the siting and separation between the proposed development, and No. 5 High Street, it is considered that the proposed development would not result in an unacceptable loss of light, outlook, privacy and overbearing impact upon this neighbouring dwelling.

2.6 Therefore, for reasons outlined above, it is considered that the proposed development would not cause harm to the amenity and living conditions of any current or future occupiers of any neighbouring dwelling, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009), section 7 of the NPPF and the Central Bedfordshire Design Guide (2014).

3. Car Parking and Highway Safety

3.1 The proposed development would result in an additional two bedrooms (totalling 6 bedrooms), which would subsequently result in increased vehicular movements to and from the site. However, the Council's Car Parking Standards, which are outlined within the Central Bedfordshire Design Guide (2014), state that for a dwelling with 4/4+ bedrooms, a minimum of 3 parking spaces would be required to satisfy the Design Guide. The existing dwelling occupies 4 bedrooms, which would mean that in accordance with the Design Guide, there would be no additional strain on Car Parking for the application site. Therefore, due to the maintaining of sufficient car parking space through the garage accommodation and the hard standing upon the forecourt of the dwelling house, it is considered that the proposed development would be acceptable in relation to car parking and highway safety, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

4. Equality and Human Rights

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

Recommendation:

That Planning Permission be **GRANTED**

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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual

amenities of the locality.

(Policy DM3 of the Core Strategy and Development Management Policies (2009) and Section 7, NPPF)

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1832.1, 1832.2A, 1832.3b, 1832/5 and 1832/6A

Reason: To identify the approved plans 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. **Will a new extension affect your Council Tax Charge?**

The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991.

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax.

If however you add an annexe to your property, the Valuation Office Agency may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.

The website link is:

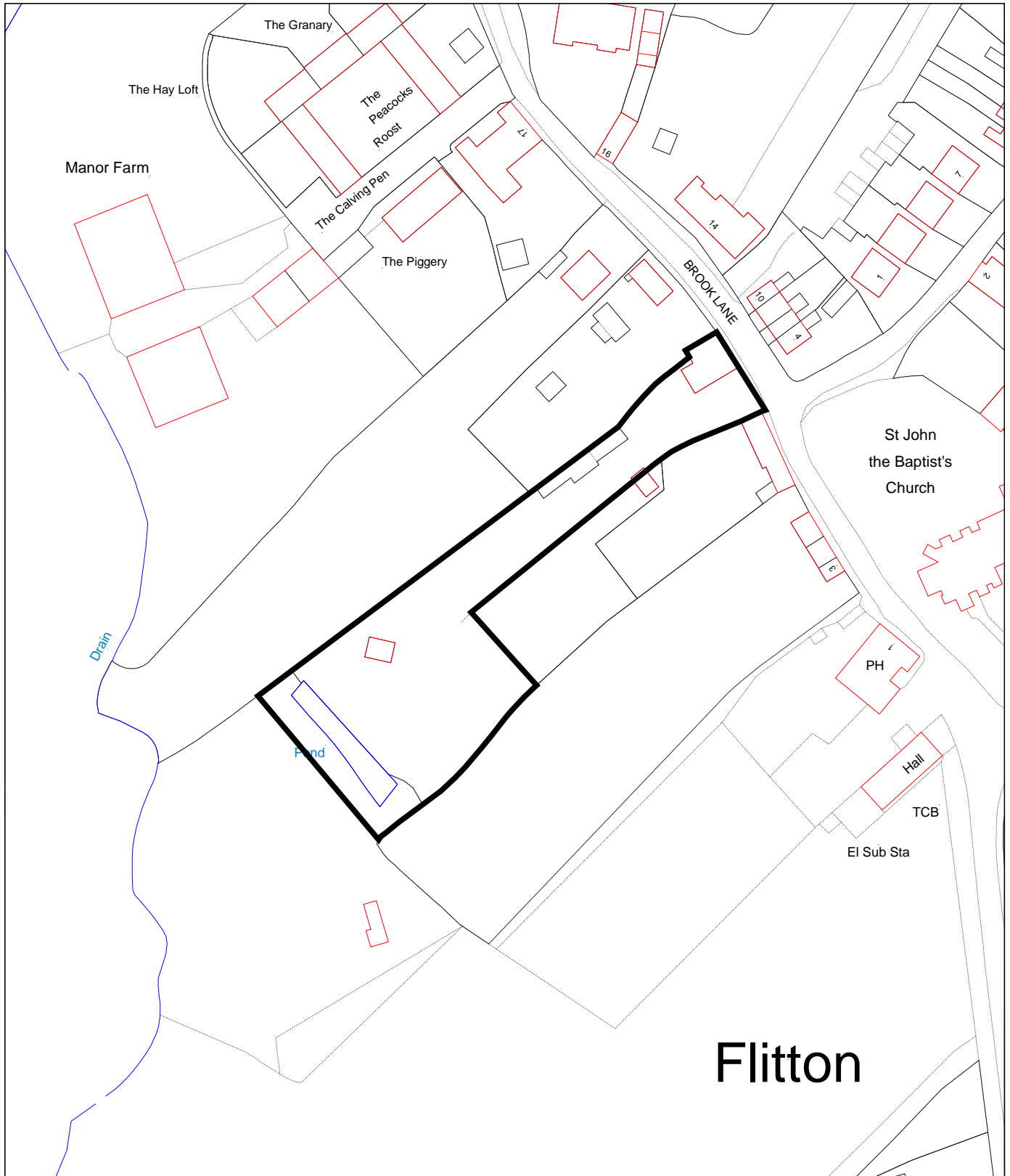
<http://www.centralbedfordshire.gov.uk/council-tax/bands/find.aspx>

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

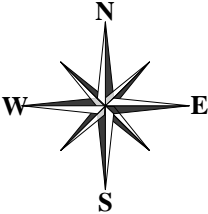
Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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Flitton

	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No: CB/16/05025/VOC
	Date: 16:January:2017 Map Sheet No	
Scale: 1:1250	11 Brook Lane, Flitton, MK45 5EJ	

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Item No. 12

APPLICATION NUMBER	CB/16/05025/VOC
LOCATION	11 Brook Lane, Flitton, Bedford, MK45 5EJ
PROPOSAL	Variation of Condition of Planning Permission CB/09/06233/Full dated 03/12/2009 - Condition 11 to be removed which limits the residential use to ancillary use of the main house.
PARISH	Flitton/Greenfield
WARD	Westoning, Flitton & Greenfield
WARD COUNCILLORS	Cllr Jamieson
CASE OFFICER	Annabel Robinson
DATE REGISTERED	31 October 2016
EXPIRY DATE	23 December 2016
APPLICANT	Mr M English
AGENT	Landscape Land and Property Ltd
REASON FOR COMMITTEE TO DETERMINE	Call in Cllr Jamieson: <ul style="list-style-type: none">• Establishes secondary line of development• Difficult to exist Brook Lane Planning Permission originally given on basis of annex to existing home. There is limited room for access without impacting on existing home and parking.
RECOMMENDED DECISION	Full Application - Recommended Approval

Summary of recommendation:

The application is recommended for approval, the application would remove a condition which requires an existing building to remain ancillary to number 11 Brook Lane in Flitton. It is considered that on balance when the need for additional houses is taken into consideration there would not be material harm to the character and appearance of the area, adjacent Listed Building, Conservation Area, public highway or residential amenity of neighbouring properties.

It is judged that the development would be a sustainable form of development allowing 1 additional dwelling house within the settlement envelope of Flitton.

Site Location:

The site is located on the west side and to the rear of 11 Brook Lane Flitton within the built up area of the village and in the Conservation Area. The site lies in the built up area of Flitton and within the Flitton Settlement Envelope. 11 Brook Lane Flitton - is a Grade II listed 17 Century house finished in colour washed roughcast render.

The building is sited to the rear of the main listed house in an attractive location just beyond the end of the rear garden to the house.

The Application:

Variation of Condition Application:

Removal of condition 11 from CB/09/06233/FULL dated 03/12/09.

Original application description (CB/09/06233/FULL):

Full: Erection of building for residential use ancillary to the main house in place of dismantled barn.

Condition 11:

The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 11 Brook Lane, Flitton. It shall not be occupied as a separate independent dwelling.

Reason: The ancillary accommodation created by the development is not suitable, because of the width of the vehicular access serving the site to be used as a separate, independent residential unit and the application has failed to address the adopted Planning Obligations Strategy 2008.

RELEVANT POLICIES:

National Policies

National Planning Policy Framework 2012

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.

Core Strategy and Development Management Policies - North 2009

DM3 - High Quality Development
DM4- Development, Settlement Envelope
CS15 - Heritage
DM13 - Heritage

Supplementary Planning Guidance

Revised Design in Central Bedfordshire: A guide for development (2014)

Planning History

Application:	Planning	Number:	CB/14/02681/FULL
Validated:	16/09/2014	Type:	Full Application
Status:	Decided	Date:	10/11/2014
Summary:		Decision:	Full Application - Refused
Description:	Change of use of barn to holiday let		

Application: Planning
Validated: 29/07/2013
Status: Decided
Summary:
Description: Replacement of the existing roof to the single storey rear sun room, with some minor internal modifications in relation to this area - involving the removal of the partition between lounge and sun room, and the lining of two internal walls with insulated plasterboard and decorated.

Number: CB/13/02266/FULL
Type: Full Application
Date: 23/09/2013
Decision: Full Application - Granted

Application: Planning
Validated: 29/07/2013
Status: Decided
Summary:
Description: Replacement of the existing roof to the single storey rear sun room, with some minor internal modifications in relation to this area - involving the removal of the partition between lounge and sun room, and the lining of two internal walls with insulated plasterboard and decorated.

Number: CB/13/02267/LB
Type: Listed Building
Date: 23/09/2013
Decision: Listed Building - Granted

Application: Planning
Validated: 15/05/2012
Status: Decided
Summary:
Description: Listed Building: Single storey rear extension to replace existing extension, internal alteration including the stairs to loft room and new eyebrow window.

Number: CB/12/01108/LB
Type: Listed Building
Date: 10/07/2012
Decision: Listed Building - Granted

Application: Planning
Validated: 20/03/2012
Status: Decided
Summary:
Description: Non-material amendment: modification of glazing elements in new rear extension and modification of internal walls relating to new extension and loft stairs.

Number: CB/12/01107/NMA
Type: Non-material Change to Permission
Date: 17/04/2012
Decision: Non-Material Amendment - Granted

Application: Planning
Validated: 17/09/2010
Status: Decided
Summary:
Description: Non Material Amendment: Erection of detached two bay open garage with lean-to to side. Application No: MB/10/00922/FULL Dated: 24/06/10 - Reduction in garage size by removing lean to and introduction of half hip to right hand elevation.

Number: CB/10/01955/NMA
Type: Non-material Change to Permission
Date: 30/09/2010
Decision: Non-Material Amendment - Granted

Application: Planning
Validated: 08/03/2010
Status: Decided
Summary:
Description: Full: Erection of detached two bay open garage with lean-to to side.

Number: CB/10/00922/FULL
Type: Full Application
Date: 24/06/2010
Decision: Full Application - Granted

Application: Planning
Validated: 08/10/2009
Status: Decided
Summary:
Description: Full: Erection of building for residential use ancillary to the main house in place of dismantled barn.

Number: CB/09/06233/FULL
Type: Full Application
Date: 03/12/2009
Decision: Full Application - Granted

Application: Planning
Validated: 29/04/2004
Status: Decided
Summary:
Description: Full: Detached summer house.

Number: MB/04/00835/FULL
Type: Full Application
Date: 16/06/2004
Decision: Full Application - Granted

Application: Planning
Validated: 29/07/2003
Status: Decided
Summary:
Description: Listed Building Consent: Removal of small chimney. Alterations to one window and insertion of 3 No. new windows and 2 No. rooflights.

Number: MB/03/01435/LB
Type: Listed Building
Date: 19/09/2003
Decision: Listed Building - Granted

Application: Planning
Validated: 07/03/1985
Status: Decided
Summary:
Description: LISTED BUILDING: REPAIR OF BATHROOM WALL INSTALLATION

Number: MB/85/00200/LB
Type: Listed Building
Date: 02/05/1985
Decision: Listed Building - Granted

Other History

Application: Planning
Validated: 23/07/2010
Status: Decided
Summary:
Description: Full: Orangery extension to barn.

Number: CB/10/02787/FULL
Type: Full Application
Date: 15/09/2010
Decision: Full Application - Refused

Application: Planning
Validated: 26/10/2009
Status: Decided
Summary:
Description: LB: Dismantling of detached barn (Retrospective)

Number: CB/09/06385/LB
Type: Listed Building
Date: 21/12/2009
Decision: Listed Building - Granted

Application: Planning
Validated: 09/10/2008
Status: Decided
Summary:
Description: Listed Building Consent: Demolition of rear storage shed to barn and demolition of adjacent timber stable. Conversion and extension of barn to form ancillary accommodation with work studio.

Number: MB/08/01880/LB
Type: Listed Building
Date: 04/12/2008
Decision: Listed Building - Granted

Application: Planning
Validated: 09/10/2008
Status: Decided
Summary:
Description: Full: Conversion and extension of barn to form ancillary accommodation with work studio. Construction of new vehicular access.

Number: MB/08/01881/FULL
Type: Full Application
Date: 04/12/2008
Decision: Full Application - Granted

Application: Planning
Validated: 02/10/2007
Status: Decided
Summary: Listed Building Refusal
Description: Listed Building Consent: Demolition of store and stable; alterations and extension to existing barn to form 1 no. 3 bed dwelling

Number: MB/07/01623/LB
Type: Listed Building
Date: 21/11/2007
Decision: Listed Building - Refused

Application: Planning
Validated: 31/08/2007
Status: Decided
Summary:
Description: Full: Alterations and extension to existing barn to form 1 no. 3 bed dwelling

Number: MB/07/01520/FULL
Type: Full Application
Date: 26/10/2007
Decision: Full Application - Refused

Application: Planning
Validated: 31/08/2007
Status: Decided
Summary: Permitted Development
Description: Conservation Area Consent: Demolition of store and stable

Number: MB/07/01567/CAC
Type: Conservation Area
Date: 14/09/2007
Decision: Permitted Development

**Representations:
(Parish & Neighbours)**

Parish/Town Council

Objection on the following grounds:

- The building should remain ancillary
- Setting a precedent for other ancillary accommodation in the village to be used as separate dwellings
- Impact upon the Listed Building and Conservation Area
- Nuisance to local residential properties - Traffic/Noise

Neighbours

Objections received from 6 and 9 Brook Lane on the following grounds:

- original application was for ancillary purposes and not to be occupied as a separate dwelling - due to width of vehicular access. This access has not changed. Therefore the issue of the access to a narrow road still exists;
- para 5.11 says it will not necessarily contravene condition 11 as it is not a separate independent form of accommodation.
- it will impact on our living in this area;
- the barn and gravel driveway runs the full length beside our house and garden, with turning area at the bottom. Should this ancillary barn be used for letting of any description, the extended parking facilities would create even more noise nuisance;
- our privacy will be severely disturbed by the noise aspect of other independent, families living in a separate dwelling alongside our garden;
- increase in traffic that any separate letting of this accommodation will cause.

Consultations/Publicity responses

Site Notice 03/11/16	No further responses received
Conservation Officer	No objection
Highways Officer	No objection

Determining Issues

The main considerations of the application are;

1. The principle of development and history of the site
2. Reasons for Refusal CB/14/26/81/FULL
3. The reasons for the original condition 11 - CB/09/06233/FULL
4. The impact on the character and appearance of the surrounding area and the conservation area
5. The impact on the residential amenities of any neighbouring properties
6. The impact on the setting of the Listed Building

7. Highway Implications

Considerations

1. The principle of development and history of the site

- 1.1 The application site is subject to an extensive site history. In 2007, planning permission was sought for extensions and alterations to the existing barn to form a 3 bed dwelling. This application was refused due to the impact on the setting of the listed building and the vehicular access. Subsequently, in 2008, planning permission was sought for the conversion of the barn to form ancillary accommodation with work studio. This was granted on the basis that the accommodation was ancillary to the main dwelling house and would not increase vehicular movements to any great extent. In addition to this the land would remain as part of the curtilage of the dwelling house and would therefore not have any significant impact on the setting of the listed building. A further application was submitted in 2009, for the erection of a building for residential use ancillary to the main dwellinghouse in place of dismantled barn. This was also granted on the basis that the previous barn was incapable of being converted and therefore a new ancillary building was permitted given the previous permission. In 2014 a new planning application was submitted which applied to convert the ancillary building into a holiday let, this was refused for the following reasons:
- 1.2 *1. The application fails to demonstrate the need for the proposed holiday let within the area and the economic benefits that would outweigh the harm to the Conservation Area and the setting of the Listed Building, contrary to the National Planning Policy Framework (2012) and Policies DM3, DM13 and CS11 of the Core Strategy and Development Policies for Central Bedfordshire (North).*
- 1.3 *2. The change of use to holiday let would introduce self contained residential accommodation within the Conservation Area that would not constitute infill development in accordance with Policy DM4 of the Core Strategy and Development Management Policies for Central Bedfordshire (North), the nature of the use would create a subdivision of the plot; the separation of 11 Brook Lane from the rear countryside and the intensification of domestic use on the site would have an adverse impact on the setting of the Listed Building at 11 Brook Lane, and the Flitton Conservation Area contrary to the National Planning Policy Framework (2012) and Policy DM3, DM4 and DM13 of the Core Strategy and Development Management Policies for Central Bedfordshire (North).*
- 1.4 Planning permission is sought in this instance for a similar application to the 2014 refused application, as by removing condition 11 from the 2009 application it would allow the use of the barn for non ancillary uses, including the use of the building as a holiday let. The submission of the current application attempts to overcome the reasons for previous refusal and provides arguments as to why the policy position is now materially different to the previous refusal.
- 1.5 A Design, Access and Heritage Asset Statement has been submitted in support of the application. This states that the applicant has used the barn for his personal enjoyment but no longer needs the barn for his requirements (a redundant building). The statement includes information as to the lack of holiday accommodation/short term business accommodation in the local area, and

reference the local attractions which could draw visitors to the area.

- 1.6 The previous refusal for the full application in 2014 within the report concluded that a holiday let would contravene condition 11 of CB/09/06233/FULL, and this issue would need to be resolved for the development to be found acceptable. The current application is an attempt to resolve this matter to remove the condition, which restricts the use of the building to ancillary use. For the current application to be found acceptable the reasons for refusal would need to be overcome, and the reasons for the original condition would need to be assessed.

- 1.7 Case law has tended to indicate that there is little material difference between a new residential dwelling and a holiday let. For this application to be acceptable consideration of a new residential dwelling within Flitton will need to be taken in accordance with Policy DM4 of the Core Strategy and Development Management Policies, and in light of the current housing supply within Central Bedfordshire. This application if approved would allow the currently ancillary building to be used either as a separate residential dwelling house, or a holiday let.

2. Reasons for Refusal CB/14/26/81/FULL

- 2.1 *1. The application fails to demonstrate the need for the proposed holiday let within the area and the economic benefits that would outweigh the harm to the Conservation Area and the setting of the Listed Building, contrary to the National Planning Policy Framework (2012) and Policies DM3, DM13 and CS11 of the Core Strategy and Development Policies for Central Bedfordshire (North).*

It is considered that this application demonstrates a reasonable need for short term accommodation, there is an accepted tourism industry in Flitton and the surrounding area. The evidence presented with the application is considered reasonably to discharge the requirement of Paragraph 28 of the NPPF states that to promote a strong rural economy, local and neighbourhood plans should among other things: *'support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres'*.

- 2.2 *2. The change of use to holiday let would introduce self contained residential accommodation within the Conservation Area that would not constitute infill development in accordance with Policy DM4 of the Core Strategy and Development Management Policies for Central Bedfordshire (North), the nature of the use would create a subdivision of the plot; the separation of 11 Brook Lane from the rear countryside and the intensification of domestic use on the site would have an adverse impact on the setting of the Listed Building at 11 Brook Lane, and the Flitton Conservation Area contrary to the National Planning Policy Framework (2012) and Policy DM3, DM4 and DM13 of the Core Strategy and Development Management Policies for Central Bedfordshire (North).*

Policy DM4 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). Policy DM4 permits limited infill development within small villages. Infill is described within the pre-amble to the policy as

'small-scale development utilising a vacant plot which should continue to complement the surrounding patterns of development. The ancillary accommodation is to the rear of the main dwelling and does not have a road frontage, this would not be considered to match the general pattern of the surrounding development, and would therefore not be completely in accordance with Policy DM4 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). It is noted that Policy DM4 is a policy within a document which is part of an out of date plan, and although weight can be afforded to the policy as it is broadly in accordance with the National Planning Policy Framework, other material considerations also will be given weight. The development is within the settlement of Flitton and the applicant has highlighted the need for new dwelling houses and the lack of a 5 year housing supply. It is judged on balance that an additional dwelling/holiday let would not cause material harm to the character of the area, when the need for housing in this location is considered. Although this development could lead to the subdivision of the site, the Conservation Officer on balance does not believe that this would result in significant harm to the Listed Building or Conservation Area.

- 2.3 It is judged that on balance, when the strong local need for additional residential accommodation is taken into consideration, and with the presumption in favour of development the reasons for refusal of the 2014 application have been overcome by this application. The site is within the settlement of Flitton and the building is already constructed, therefore the consideration would be for a change in the way a redundant building is used. It is judged beneficial to reuse redundant buildings, and support the local tourism industry.

3. The reasons for the original condition 11 - CB/09/06233/FULL

- 3.1 This application is made for the removal of a condition on an approved planning application:

The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 11 Brook Lane, Flitton. It shall not be occupied as a separate independent dwelling.

Reason: The ancillary accommodation created by the development is not suitable, because of the width of the vehicular access serving the site to be used as a separate, independent residential unit and the application has failed to address the adopted Planning Obligations Strategy 2008.

- 3.2 The consequences for removing the condition would be that the building could be used as an independent unit. The Highways Officer has raised no objection to the site being used as a separate residential dwelling. It is considered that the size of the site is limited (2 bed dwelling/holiday let), and it would not lead to many additional trips, the access is not dissimilar to other properties on Brook Lane, which has a rural character. In accordance with current policy, the size of the proposal would not give rise to any contributions in line with the adopted Planning Obligations Strategy. It is judged that the stated reasons for the attached condition do not prejudice the approval of a new consent, in line with current standards and policy.

4. The impact on the setting of the Listed Building and Conservation Area

- 4.1 The change of use of the barn into a holiday let or dwelling house, would by virtue of the use introduce a level of subdivision of the plot, separating the Listed Building, 11 Brook Lane from the rear countryside and would intensify the domestic use on the site.
- 4.2 The Conservation Officer has on balance not raised any objection to the proposal, although there is concern that the subdivision of the setting and additional parking on the site could be harmful it is judged that any harm would be less than significant, and therefore not result in a reason for refusal on heritage grounds. The building would appear in the setting in its current form, and any additional fencing, walls etc would be subject to separate consideration. It is considered that the development would preserve the setting of the Conservation Area.

5. Highway Implications

- 5.1 The Highways Officer has raised no objection to the application on the basis that in their opinion, the proposed holiday let would not create any further additional traffic over and above that of ancillary accommodation to the main dwelling would create and therefore would not substantiate an objection on highway grounds.

6. Impact upon residential amenity

- 6.1 2 neighbouring properties and the Parish Council have raised objections regarding disturbance to residential amenity, largely through noise generated and traffic movements. It is considered that there is suitable separation between the properties to ensure that a reasonable level of residential amenity would be retained. The impact of the removal of this condition has been considered in terms of impact upon outlook, light, privacy, noise, the potential to cause an overbearing impact. It is judged on balance the use of this building as ancillary residential accommodation and the use of it as a holiday let would not give rise necessarily to a significant impact upon the residential amenity of any adjacent property.

7. Other considerations

7.1 Human Rights

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

7.2 The Equalities Act 2010

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

Recommendation

That Planning Permission be approved subject to the following conditions:

- 1 The development hereby approved shall be commenced within three years

of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995, (or any Order revoking or re-enacting that Order with or without modification) no works shall be commenced for the extension or material alteration of the building, or the erection of any fence, wall or means of enclosure until detailed plans and elevations have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the development in the interests of the visual amenities of the Conservation Area and the setting of the Listed Building.

- 3 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 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 area, the adjacent Listed Building, and the Conservation Area.
(Section 7 and 12, NPPF)

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number SE2377/6.

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. **Will a new extension affect your Council Tax Charge?**

The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991.

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax.

If however you add an annexe to your property, the Valuation Office Agency may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.
The website link is:

<http://www.centralbedfordshire.gov.uk/council-tax/bands/find.aspx>

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

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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